0004

COPY

C/007/004 Incoming
cc: April
#3367
OK

CASTLE GATE HOLDING COMPANY
P.O. BOX 30, HELPER UTAH 84526
PHONE 435-472-0475

August 12, 2009

Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

RE: Permit Renewal, Castle Gate Mine, Castle Gate Holding Company, C/007/0004, Carbon County, Utah.

Castle Gate Holding Company hereby files application for renewal of permit C/007/0004 to operate under the provisions of the Utah Coal Mining and Reclamation Act. The legal description of the permit area can be found in the enclosed proposed newspaper notice.

This permit renewal package includes the following in compliance with the application requirements (R645-303-232):

- An application for renewal of a permit filed with the Division at least 120 days before expiration of the existing permit term (12/24/2009);
- Evidence of a liability insurance policy;
- Evidence of a performance bond in effect for the operation;
- A copy of the proposed newspaper notice as required by R645-300-121.100 and;
- Proof of publication of newspaper notice (to be submitted after completion of publication).

In addition to the aforementioned items we have included current ownership and control information.

Should you have any questions please contact me at your earliest convenience.

Sincerely,

Dennis N. Ware
Controller and Administrative Manager
Cell 435-650-2951

RECEIVED
AUG 20 2009
DIV. OF OIL, GAS & MINING

File in:
☐ Confidential
☐ Shelf
☒ Expandable
Refer to Record No 0004 Date 08/20/2009
In C/007/0004, 2009, Incoming
For additional information

COPY

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☐ New Permit ☐ Renewal ☒ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Castle Gate Holding Company
Mine: Castle Gate Mine **Permit Number:** C/007/0004
Title: Permit Renewal
Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
☒ Yes ☐ No 6. Does the application require or include public notice publication?
☒ Yes ☐ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Dennis N Ware
Print Name

Sign Name, Position, Date
Controller 08-17-09

Subscribed and sworn to before me this 17th day of Aug., 2009

Ruanne Leeflang
Notary Public

My commission Expires: 6-30, 2013

Attest: State of Utah) ss:
County of Emery

Notary Public
RUANNE LEEFLANG
Commission #579452
My Commission Expires
June 30, 2013
State of Utah

For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining
		RECEIVED AUG 20 2009 DIV. OF OIL, GAS & MINING

Form DOGM- C1 (Revised March 12, 2002)

APPLICATION FOR COAL PERMIT PROCESSING
Detailed Schedule Of Changes to the Mining And Reclamation Plan

COPY

Permittee: Castle Gate Holding Company
Mine: Castle Gate Mine **Permit Number:** C/007/0004
Title: Castle Gate Mine Permit Renewal

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
☐ Add	☒ Replace	☐ Remove	Volume 1, Appendix 2-3, "AVS AND OWNERSHIP CONTROL"
☒ Add	☐ Replace	☐ Remove	Volume 1, Appendix 2-5, Proof of Publication (see note below)
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	
☐ Add	☐ Replace	☐ Remove	

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

The proof of publication will be provided for insertion after the Division has approved the proposed publication and a certified copy is received from the newspaper.

Received by Oil, Gas & Mining

RECEIVED
AUG 20 2009
DIV. OF OIL, GAS & MINING

Castle Gate Mine

Castle Gate Holding Company

C/007/0004

Permit Renewal Application

August 2009

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 08/14/2009

PRODUCER

MARSH USA INC.
P.O. BOX 36012
KNOXVILLE, TN 37930-6012
Attn: Jan Melton-Cate (865) 769-7761

437767--Prop-09-10

THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Alpha Natural Resources, Inc.
or Foundation Coal Corporation
391 Inverness Parkway, Suite 333
Englewood, CO 80112

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Steadfast Insurance Company	26387
INSURER B: N/A	N/A
INSURER C: N/A	N/A
INSURER D: N/A	N/A
INSURER E: N/A	N/A

COVERAGES

5

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	**GENERAL LIABILITY** X COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE X OCCUR X Includes Blasting GENERAL AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC	BOG5086545-04	10/01/2008	10/01/2009	EACH OCCURRENCE	$ 2,000,000
						DAMAGE TO RENTED PREMISES(Ea occurrence)	$ 2,000,000
						MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 2,000,000
						GENERAL AGGREGATE	$ 4,000,000
						PRODUCTS - COMP/OP AGG	$ 4,000,000
		AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY ☐ OCCUR ☐ CLAIMS MADE ☐ DEDUCTIBLE ☐ RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N ☐ (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

RE: Castle Gate Mine Permit #C/007/004, Carbon County, UT
General Liability includes a Blanket Additional Insured where required by written contract, but subject to the policy terms, conditions, and exclusions.
General Liability includes XCU coverage.

CERTIFICATE HOLDER ATL-001904978-19

State of Utah
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ~~ENDEAVOR TO~~ MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, ~~BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.~~

AUTHORIZED REPRESENTATIVE of Marsh USA Inc.
Kenneth L. Sloan Jr.

ACORD 25 (2009/01)

© 1998-2009 ACORD CORPORATION. All Rights Reserved
The ACORD name and logo are registered marks of ACORD

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Federal

Permit Number:C/007/004

Effective Date:3/20/06

Bond Number;104329369

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Bond Amount is Decreased from Six Hundred Eighty Thousand One Hundred Fifty Four and 00/100($680,154.00) to Four Hundred Ninety Thousand One Hundred and 00/100($490,100.00).

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

☐ Replace the Reclamation agreement in its entirety.

☐ Replace Exhibit "A"- permit area.

☒ Replace Exhibit "B"- bonding agreement

☐ Replace Exhibit "C"- liability insurance

The bonding amount is revised from $680,154.00 to $490,100.00.

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acres to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed from

$_____ to $_____.

IN WITNESS WHEREOF, Castle Gate Holding Company, the **PERMITTEE** has hereunto set its signature and seal this 5th day of May, 2006.

Castle Gate Holding Company
PERMITTEE

By: James Anderson

Title: Corporate Controller

ACCEPTED BY THE STATE OF UTAH this 9th day of May, 2006.

John R. Baza
Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where on signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

Bond Number 104329369

AFFIDAVIT OF QUALIFICATION
DIRECTOR
--ooOOoo--

John R. Baza, being first duly sworn under oath, deposes and says that he is the Director for the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah; and that he is duly authorized to execute and deliver the foregoing obligations; and that said Director is authorized to execute the same by authority of laws on behalf of the State of Utah.

John R. Baza, Director
Division of Oil, Gas and Mining

Subscribed and sworn to before me this 24th day of May 2006.

Notary Public

My Commission Expires:

May 8, 2010.

DIANE HOLLAND
NOTARY PUBLIC - STATE OF UTAH
1594 W North Temple Suite 1210
Salt Lake City UT 84116
My Comm. Exp. 05/08/2010

Attest:

STATE OF Utah)
) ss:
COUNTY OF Salt Lake)

Bond Number 104329369

AFFIDAVIT OF QUALIFICATION
PERMITTEE/OPERATOR
--ooOOoo--

James Anderson, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Controller of Castle Gate Holding Company; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE/OPERATOR is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

James Anderson - Controller
(Signed)
Name - Position

Subscribed and sworn to before me this 9th day of May, 20 06.

Mary S. Sutton
Notary Public

My Commission Expires:

March 1, 20 09.

Attest:

STATE OF Maryland)
) ss:
COUNTY OF Anne Arundel

Bond Number 104329369

AFFIDAVIT OF QUALIFICATION
SURETY COMPANY
--ooOOoo--

I, Joseph R. Poplawski, being first duly sworn under oath, deposes and says that he/she

is the (officer or agent) Attorney-in-Fact of Travelers Casualty and Surety Company of America;

and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said SURETY COMPANY is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations herein.

Travelers Casualty and Surety Company of America

BY: Joseph R. Poplawski

(Signed) Joseph R. Poplawski, Attorney-In-Fact
Surety Company Officer - Position

Subscribed and sworn to before me this 5th day of May 2006.

MARY Y. VOLMAR
STATE OF TENNESSEE NOTARY PUBLIC
KNOX COUNTY

Notary Public
Mary Y. Volmar

My Commission Expires:

July 13, 2008.

Attest:

STATE OF Tennessee)
) ss:
COUNTY OF Knox)

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

ST PAUL TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-**In Fact No.** 215311 **Certificate No.** 000332985

KNOW **ALL MEN BY THESE PRESENTS**: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Debra Elaine Clark, Joseph R. Poplawski, Joy M. Williams, Elizabeth A. Hartzberg, and Carolyn E. Wheeler

of the City of Knoxville, State of Tennessee, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS **WHEREOF**, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 31st day of March, 2006.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 31st day of March, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness **Whereof**, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2006.

MARIE C. TETREAULT NOTARY PUBLIC CONNECTICUT

Marie C. Tetreault
Marie C. Tetreault, Notary Public

58440-9-05 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of May, 20 06

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.stpaultravelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Replaces Travelers Casualty and Surety Company of America Bond No. 103198931-148, and St. Paul Fire and Marine Insurance Company Bond No. KA2990-148, and National Union Fire Insurance Company of Pittsburgh, PA Bond No. 210067-148

Exhibit "B" – **BONDING AGREEMENT** Bond No. 104329369

SURETY BOND Permit Number: ACT/007/004

SURETY BOND
(FEDERAL COAL)

THIS SURETY BOND entered into and by and between the undersigned **PERMITTEE**, and **SURETY COMPANY**, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors, and assigns unto the State of Utah, Division of Oil, Gas & Mining (**DIVISION**), and the U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement **(OSM)** in the penal sum of $680,154.00 (Surety Bond Amount) for the timely performance of reclamation responsibilities of the surface disturbance described in Exhibit "A" of this **RECLAMATION AGREEMENT.**

This **SURETY BOND** shall remain in effect until all of the **PERMITTEE's** reclamation obligation have been met and released by the **DIVISION** and is conditioned upon faithful performance of all of the requirement of the Act, the applicable rules and regulations, SMCRA, the approved permit, and the **DIVISION.**

The **SURETY** will not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

The **SURETY** and their successors and assigns, agree to guarantee the obligation and to indemnify, defend, and hold harmless the **DIVISION** and **OSM** from any and all expenses which the **DIVISION** and **OSM** may sustain as a result of the **PERMITTEE's** failure to comply with the condition(s) of the reclamation obligation.

The **SURETY** will give prompt notice to the **PERMITTEE** and to the **DIVISION** and **OSM** of any notice received or action alleging to insolvency or bankruptcy of the **SURETY,** or alleging any violations or regulatory requirement which could result in suspension or revocation of the **SURETY's** license.

Terms for release or adjustment of this **BOND** are as written and agreed to by the **DIVISION** and the **PERMITTEE** in the **RECLAMATION AGREEMENT** incorporated by reference herein, to which this **SURETY AGREEMENT** has been attached as Exhibit "B".

IN WITNESS WHEREOF, the **PERMITTEE** has hereunto set its signature and seal this 5th day of August, 2004.

CASTLE GATE HOLDING COMPANY
PERMITTEE

By: Darrell N Poland

Title: V P & Controller

Bond No: 104329269

Permit Number: ACT/007/004

IN WITNESS WHEREOF, the SURETY has hereunto set its signature and seal this 30th day of July, 2004.

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
SURETY

By: Joseph R. Poplawski
Joseph R. Poplawski

Title: Attorney-In-Fact

ACCEPTED BY THE STATE OF UTAH:

Lowell P Braxton

Director, Division of Oil, Gas & Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

Application for Permit Renewal
Castle Gate Mine
Castle Gate Holding Company
Permit C/007/0004, Approved 12/24/94
Carbon County, Utah

Notice is hereby given that Castle Gate Holding Company, P.O. Box 30, Helper, Utah 84526, has filed an application with the Utah Department of Natural Resources, Division of Oil, Gas and Mining for renewal of Permit C/007/0004 to operate under the provisions of the Utah Coal Mining and Reclamation Act pursuant to R645-303-230 of the Utah Coal Program Regulations. The permit area is located in Carbon County, Utah as follows:

Township 12 South, Range 9 East, SLBM - Section 22: Portions of SE/4SW/4, S/2 SE/4; Section 26: Portions of W/2; Section 27: All except portions of NW/4, NW/4NW/4SW/4; Section 28: All except portions of the SE/4SE/4NE/4, SE/4, SW/4; Section 29: All except N/2NW/4, NW/4NE/4, portions of S/2NE/4, N/2SE/4; Section 30: All except N/2N/2; Section 31; Section 32; Section 33; Section 34; Section 35: Portions of N/2, W/2SW/4, SE/4.

Township 13 South, Range 9 East, SLBM - Section 1: Portions of NW/4NW/4; Section 2: Portions of NE/4, NW/4; Section 3: NW/4, portions of NE/4, SE/4, SW/4; Section 4: N/2, portions of SE/4, SW/4; Section 5: NE/4, portions of NW/4, SE/4, SW/4; Section 6: N/2, portions of SW/4, SE/4; Section 8: Portions of NE/4; Section 9: Portions of NE/4, NW/4, SW/4; Section 10: Portions of NE/4, NW/4.

The permit area is shown on the following U.S. Geological Survey 7.5-minute maps: Helper, Kyune, Standardville, and Matts Summit.

The Mining and Reclamation Plan is available for public review at: Utah Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801, and at the Carbon County Courthouse, 120 East Main Street, Price, Utah 84501.

Written comments, objections and requests for information conferences on this proposal may be addressed to:

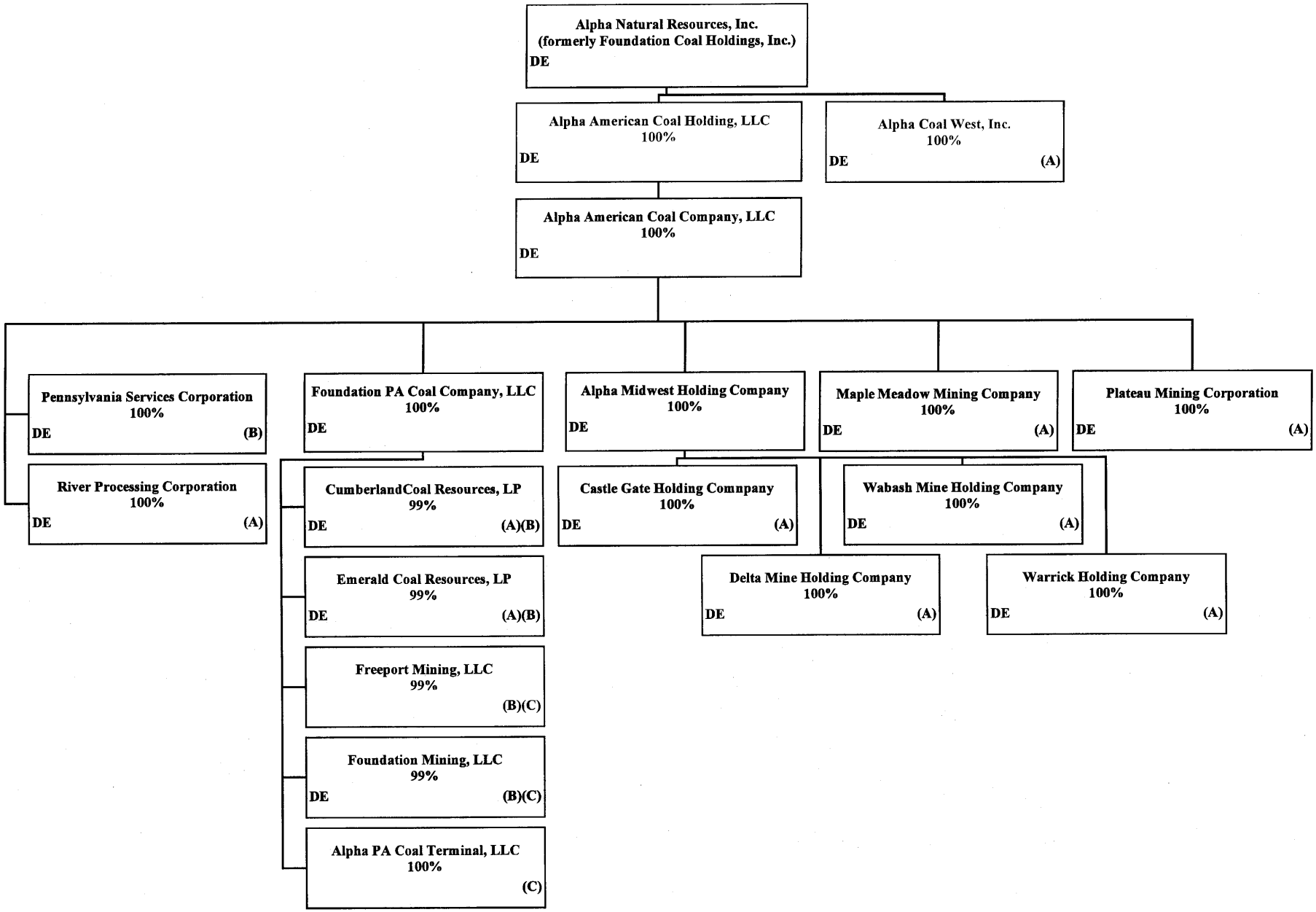
Utah Coal Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Closing date for submission of such comments, objections and requests for public hearing or information conference on this proposal must be submitted by _____, 2009.

Published in the Sun Advocate - _____ __, __, __ and _____ __, 2009

ALPHA AMERICAN COAL COMPANY, LLC Corporate Structure
Companies holding mining permits and parent companies

August 13, 2009



(A) Companies holding mining permits.
(B) Pennsylvania Services Corporation is the General Partner of Cumberland Coal Resources, LP and Emerald Coal Resources, LP, and owns 1% of each. Foundation PA Coal Company, LLC is the Limited Partner of each. Pennsylvania Services Corporation owns 1% of Foundation Mining, LLC and Freeport Mining, LLC.
(C) Companies for which mining permits are pending.

ALPHA NATURAL RESOURCES, INC.

(Formerly FC 1 Corp.; Name change to Foundation Coal Holdings, Inc. 8/10/04; Foundation Coal Holdings, LLC merged with and into Foundation Coal Holdings, Inc. 8/17/04; Foundation Coal Holdings, Inc. became the surviving company; Pursuant to a merger between the parties, Foundation Coal Holdings, Inc. changed its name to Alpha Natural Resources, Inc. 7/31/09)

Principal Operating Office:	One Alpha Place, P. O. Box 2345 Abingdon, VA 24212
Telephone:	276-619-4410
Incorporation:	
State	Delaware, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801
Date	July 19, 2004
Existence	Perpetual
Qualified to Do Business In:	Maryland
Ownership – Percentage:	Publicly traded (no shareholders holding 10% or greater as of September 20, 2005)
IRS Identification Number:	42-1638663

OFFICERS:

Title	Name	Social Security #	Date Assumed Office
President	Kurt D. Kost		July 31, 2009
Chief Executive Officer	Kevin S. Crutchfield		July 31, 2009
Executive Vice President, Chief Financial Officer, Treasurer, and Assistant Secretary	Frank J. Wood		July 31, 2009
Executive Vice President and Chief Strategy Officer	Philip J. Cavatoni		July 31, 2009
Executive Vice President, General Counsel, and Corporate Secretary	Vaughn R. Groves		July 31, 2009
Executive Vice President and Chief Administrative Officer	Randy L. McMillion		July 31, 2009
Executive Vice President and Chief Risk Officer	Eddie W. Neely		July 31, 2009
Executive Vice President and Chief Sustainability Officer	Michael R. Peelish		July 31, 2009
Executive Vice President and Chief Commercial Officer	Joachim V. Porco		July 31, 2009
Senior Vice President	Greg A. Walker		July 31, 2009

DIRECTORS:

Chairman	Michael J. Quillen	July 31, 2009
	William J. Crowley, Jr.	December 1, 2004
	E. Linn Draper, Jr.	July 31, 2009
	Glenn A. Eisenberg	July 31, 2009
	John W. Fox, Jr.	July 31, 2009
	P. Michael Giftos	December 7, 2005
	Joel Richards III	March 8, 2005
	Ted G. Wood	July 31, 2009

ALPHA NATURAL RESOURCES, INC.

(Formerly FC 1 Corp.; Name change to Foundation Coal Holdings, Inc. 8/10/04; Foundation Coal Holdings, LLC merged with and into Foundation Coal Holdings, Inc. 8/17/04; Foundation Coal Holdings, Inc. became the surviving company; Pursuant to a merger between the parties, Foundation Coal Holdings, Inc. changed its name to Alpha Natural Resources, Inc. 7/31/09)

Resignations (since August 17, 2004, date of merger):

Title	Name	Social Security #	Date Resigned
Senior Vice President, Western Operations	Thomas J. Lien		April 1, 2005
Director	Joshua H. Astrof		June 3, 2005
Director	Stephen Ko		October 26, 2005
Director	Hans J. Mende		October 26, 2005
Director	Prakash A. Melwani		January 27, 2006
Senior Vice President, Sales & Marketing	John R. Tellmann		February 6, 2006
Director, Chairman	William E. Macaulay		April 1, 2006
Senior Vice President, Planning and Engineering	Klaus-Dieter Beck		June 8, 2007
Vice President, Investor and Media Relations	Ellen Ewart		June 8, 2007
Senior Vice President, Eastern Operations	James J. Bryja		June 18, 2007
Senior Vice President, Western Operations and Process Management	Kurt D. Kost		June 18, 2007
Senior Vice President, Development and Information Technology	James A. Olsen		December 13, 2007
President	James F. Roberts		January 1, 2008
Executive Vice President	Kurt D. Kost		January 1, 2008
Director	David I. Foley		July 31, 2009
Director	Alex T. Krueger		July 31, 2009
Director	Robert C. Scharp		July 31, 2009
Director	Thomas V. Shockley, III		July 31, 2009
Chief Executive Officer	James F. Roberts		July 31, 2009
President and Chief Operating Officer	Kurt D. Kost		July 31, 2009
Senior Vice President and Chief Financial Officer	Frank J. Wood		July 31, 2009
Senior Vice President, Operations	James J. Bryja		July 31, 2009
Senior Vice President, General Counsel and Secretary	Greg A. Walker		July 31, 2009
Senior Vice President and Chief Information Officer	James A. Olsen		July 31, 2009
Senior Vice President, Sales and Marketing	A. Scott Pack, Jr.		July 31, 2009
Senior Vice President, Safety and Human	Michael R. Peelish		July 31, 2009
Vice President and Corporate Controller	James L. Anderson, Jr.		July 31, 2009
Vice President, Investor and Media Relations	Todd C. Allen		July 31, 2009
Treasurer	Gary G. Pearson		July 31, 2009
Assistant Secretary	Edythe C. Katz		July 31, 2009
Chairman of the Board	James F. Roberts		July 31, 2009

July 31, 2009

ALPHA AMERICAN COAL COMPANY, LLC

(Converted to a limited liability company 3/10/04; formerly RAG American Coal Company LLC; name changed to Foundation American Coal Company, LLC 7/30/04; name changed to Alpha American Coal Company, LLC 7/31/09)

Principal Operating Office: One Alpha Place, P. O. Box 2345
Abingdon, VA 24212

Telephone: 276-619-4410

Formation:
State: Delaware, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801
Date: Originally incorporated June 18, 1999
Converted July 30, 2004 (for AVS purposes, the beginning date is the conversion date – officers and directors in place as of the conversion date are given a beginning date as of the conversion date)
Existence: Perpetual

Qualified to Do Business In:

Ownership - Percentage: Alpha American Coal Holding, LLC – 100%
One Alpha Place, P. O. Box 2345, Abingdon, VA 24212

IRS Identification Number: 54-1947356

OFFICERS:

Title	Name	Social Security #	Date Assumed Office
President	Kevin S. Crutchfield		July 31, 2009
Vice President and Secretary	Vaughn R. Groves		July 31, 2009
Vice President	Frank J. Wood		July 30, 2004
Controller	James L. Anderson, Jr.		May 1, 2005
Treasurer	Gary G. Pearson		July 30, 2004
Assistant Secretary	Carlette R. Allen		July 31, 2009
Assistant Secretary	Wanda K. Fields		July 31, 2009
Assistant Secretary	Greg A. Walker		July 31, 2009
DIRECTORS:	Kevin S. Crutchfield		July 31, 2009
	Frank J. Wood		July 30, 2004

July 31, 2009

ALPHA AMERICAN COAL COMPANY, LLC

(converted to a limited liability company 3/10/04; formerly RAG American Coal Company LLC; name changed to Foundation American Coal Company, LLC 7/30/04; name changed to Alpha American Coal Company, LLC 7/31/09))

Resignations since January 1, 2000:

Title	Name	Social Security No.	Date Resigned
Controller	Frank J. Wood		March 1, 2000
Senior Vice President, Development	Richard D. Mills		March 31, 2000
Director, Vice President and Treasurer	J. Alan Link		April 1, 2000
Senior Vice President, Western Operations	George E. Vajda		May 16, 2000
Vice President, Process Management	Randall J. Scott		June 30, 2000
Director	Rainer Benning	German	September 30, 2000
Treasurer	Frank J. Wood		March 27, 2001
Vice President, Planning	Klaus-Dieter Beck	German	March 27, 2001
Vice President, Human Resources	Michael R. Peelish		March 27, 2001
Assistant Treasurer	Gary G. Pearson		March 27, 2001
Executive Vice President, Chief Operating Officer	John M. DeMichiei		September 13, 2001
Director	Karl F. Jakob	German	July 30, 2004
Director	Jurgen W. Stadelhofer	German	July 30, 2004
Vice President	James A. Olsen		May 1, 2005
Vice President, Safety and Human Resources	Michael R. Peelish		May 1, 2005
Vice President and Controller	Darrell H. Roland		May 1, 2005
Senior Vice President, General Counsel	Greg A. Walker		May 1, 2007
Assistant Secretary	Sharon J. Fetherhuff		March 2, 2009
President and Chief Executive Officer	James F. Roberts		July 31, 2009
Secretary	Greg A. Walker		July 31, 2009

July 31, 2009

ALPHA MIDWEST HOLDING COMPANY

(Formerly Cyprus Amax Midwest Holding Company, name changed to RAG Midwest Holding Company 6/30/99; name changed to Foundation Midwest Holding Company 7/30/04; name changed to Alpha Midwest Holding Company 7/31/09)

Principal Operating Offices: One Alpha Place, P. O. Box 2345
Abingdon, VA 24212

Telephone: 276-619-4410

Incorporation:
State: Delaware, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801
Date: April 2, 1998
Existence: Perpetual

Qualified to Do Business In:

Ownership – Percentage: Alpha American Coal Company, LLC – 100%
One Alpha Place, P. O. Box 2345, Abingdon, VA 24212

IRS Identification Number: 84-1456626

OFFICERS:

Title	Name	Social Security #	Date Assumed Office
President	James J. Bryja		December 1, 2007
Vice President and Secretary	Vaughn R. Groves		July 31, 2009
Vice President	Frank J. Wood		April 2, 1998
Controller	James L. Anderson, Jr.		May 1, 2005
Treasurer	Gary G. Pearson		March 27, 2001
Assistant Secretary	Carlette R. Allen		July 31, 2009
Assistant Secretary	Wanda K. Fields		July 31, 2009
Assistant Secretary	William M. Hartzler		January 1, 2000
Assistant Secretary	Greg A. Walker		July 31, 2009
DIRECTORS:	Kurt D. Kost		July 31, 2009
	Frank J. Wood		June 30, 1999

July 31, 2009

ALPHA MIDWEST HOLDING COMPANY

(Formerly Cyprus Amax Midwest Holding Company, name changed to RAG Midwest Holding Company 6/30/99; name changed to Foundation Midwest Holding Company 7/30/04; name changed to Alpha Midwest Holding Company 7/31/09)

Resignations since January 1, 2000:

Title	Name	Social Security #	Date Resigned
Controller	Frank J. Wood		March 1, 2000
Vice President and Treasurer	J. Alan Link		April 1, 2000
Treasurer	Frank J. Wood		March 27, 2001
Assistant Treasurer	Gary G. Pearson		March 27, 2001
President and Director	John M. DeMichiei		September 13, 2001
President	Randy L. McMillion		May 1, 2002
Assistant Secretary	C. Corwin Bromley		September 10, 2004
Vice President and Controller	Darrell H. Roland		May 1, 2005
Senior Vice President, General Counsel	Greg A. Walker		May 1, 2007
President	James A. Olsen		December 1, 2007
Assistant Secretary	Sharon J. Fetherhuff		March 2, 2009
Director	James F. Roberts		July 31, 2009
Secretary	Greg A. Walker		July 31, 2009

July 31, 2009

CASTLE GATE HOLDING COMPANY
(Assets transferred from Amax Coal Company-FEIN 84-1324803-on 5/31/98)

Principal Operating Offices:	999 Corporate Blvd. Linthicum Heights, MD 21090
Telephone:	410/689-7500
Incorporation:	
State	Delaware, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801
Date	April 2, 1998
Existence	Perpetual
Qualified to Do Business In:	Utah
Ownership - Percentage:	Alpha Midwest Holding Company - 100% One Alpha Place, P. O. Box 2345, Abingdon, VA 24212
IRS Identification Number:	84-1456620

OFFICERS:

Title	Name	Social Security #	Date Assumed Office
President	James J. Bryja		December 1, 2007
Vice President and Secretary	Vaughn R. Groves		July 31, 2009
Vice President	Frank J. Wood		April 2, 1998
Controller	James L. Anderson,Jr.		May 1, 2005
Treasurer	Gary G. Pearson		March 27, 2001
Assistant Secretary	Carlette R. Allen		July 31, 2009
Assistant Secretary	Wanda K. Fields		July 31, 2009
Assistant Secretary	William M. Hartzler		January 1, 2000
Assistant Secretary	Greg A. Walker		July 31, 2009
DIRECTORS:	Kurt D. Kost		July 31, 2009
	Frank J. Wood		June 30, 1999

July 31, 2009

CASTLE GATE HOLDING COMPANY

(Assets transferred from Amax Coal Company-FEIN 84-1324803-on 5/31/98)

Resignations since January 1, 2000:

Title:	Name:	Social Security #	Date Resigned
Controller	Frank J. Wood		March 1, 2000
Vice President and Treasurer	J. Alan Link		April 1, 2000
Treasurer	Frank J. Wood		March 27, 2001
Assistant Treasurer	Gary G. Pearson		March 27, 2001
President and Director	John M. DeMichiei		September 13, 2001
Assistant Secretary	C. Corwin Bromley		September 10, 2004
President	Thomas J. Lien		April 1, 2005
Vice President and Controller	Darrell H. Roland		May 1, 2005
Senior Vice President, General Counsel	Greg A. Walker		May 1, 2007
President	James A. Olsen		December 1, 2007
Assistant Secretary	Sharon J. Fetherhuff		March 2, 2009
Secretary	Greg A. Walker		July 31, 2009
Director	James F. Roberts		July 31, 2009