UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING

This permit is issued on January 21, 1982 by the United States of America through the Office of Surface Mining to the lessee and operator:

Plateau Mining Company
P. O. Drawer PMC
Price, Utah 84501

of Federal coal leases: U-13097, SL-031286 and U-7949 and U-37045. Mining and reclamation shall not commence until after the Office of Surface Mining has received a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant and subject to the terms and provisions of the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq., hereafter referred to as the Act, the terms and conditions of the Federal coal lease issued pursuant to the Mineral Leasing Act of February 15, 1920, as amended, 30 U.S.C. 181-287, the Federal Coal Leasing Amendments Act of 1976, as amended, 90 Stat. 1083-1092, and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of September 7, 1947, as amended, 30 U.S.C. 351-359 et seq. This permit is also subject to all applicable regulations of the Secretary of the Interior (including, but not limited to, 30 CFR Part 211 and Chapter VII and 43 CFR Group 3400), and to all regulations of the Secretary of Energy promulgated pursuant to Section 302 of the Department of Energy Organization Act of 1977, 42 U.S.C. Section 7152, which are now in force or (except as expressly limited herein) hereafter in force. The requirements of all such laws and regulations are made a part of this permit.

Sec. 2 This permit authorizes the permittee to conduct underground coal mining and reclamation operations and surface operations connected with the underground mining on the described Federal lands within the permit area at the Starpoint Mines #1 and #2 situated in the State of Utah, County of Carbon and Emery, subject to the terms of the lease, the approved mining and reclamation plan, this permit and all applicable laws and regulations. The lands included in this permit are described as follows:

Township 15 South, Range 7 East	
Sec. 1:	S1/2
Sec. 12:	All
Sec. 13:	N1/2
Sec. 14:	S1/2
Sec. 23:	All
Sec. 25:	W1/2 NW1/4
Sec. 26:	N1/2

Township 15 South, Range 8 East	
Sec. 2:	All
Sec. 5:	All
Sec. 7:	All
Sec. 8:	All
Sec. 9:	All
Sec. 10:	All
Sec. 15:	Portions of NE1/4 and NW1/4
Sec. 16:	All
Sec. 17:	All
Sec. 20:	NE1/4
Sec. 21:	E1/2 NW1/4

Sec. 3 This permit is issued for a period of 5 years commencing January 21, 1982, except that this permit will terminate if the permittee has not begun the underground coal mining and reclamation operations covered herein within 3 years of date of issuance.

Sec. 4 This permit may be renewed upon expiration for areas within the boundaries of the existing permit in accordance with the Surface Mining Act, the approved Utah State Program and the Federal Lands Program.

Sec. 5 The permit may not be transferred or assigned, nor may rights under the permit be sold without the approval of the Director, Office of Surface Mining. Requests for transfer, assignment, or sale of permit rights must be made in accordance with 30 CFR 741.25.

Sec. 6 The permittee shall allow the authorized representatives of the Secretary, including, but not limited to, inspectors and fee compliance officers, without advance notice or a search warrant, upon pesentation of appropriate credentials, and without delay to:

a. Have the rights of entry provided for in 30 CFR 840.12 and 842.13; and,

b. Be accompanied by private persons for the purpose of conducting an inspection in accordance with 30 CFR 842, when the inspection is in response to an alleged violation reported by the private person.

Sec. 7 The permittee shall conduct underground coal mining and reclamation operations only on those lands specifically designated as within the permit area on the maps submitted in the complete application and attached to this permit and approved for the term of the permit and which are subject to the performance bond.

Sec. 8 The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:

a. Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;

b. Immediate implementation of measures necessary to comply; and

c. Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 The permittee shall dispose of solids, sludge, filter backwash, or pollutants removed in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program and which prevents violation of any other applicable State or Federal law.

Sec. 10 The lessee shall conduct its operations:

a. In accordance with any term of the permit as necessary to prevent significant, imminent environmental harm to the health and safety of the public; and

b. Utilizing any methods specified as conditions of the permit by the Utah Division of Oil, Gas and Mining and OSM (if any) in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program, and the Federal Lands Program.

Sec. 11 The permittee shall provide the names, addresses, and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 12 The permittee shall comply with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1151-1175) and the Clean Air Act (42 U.S.C. 7401 et seq.).

Sec. 13 APPEALS - The lessee shall have the right to appeal (a) under 30 CFR 787 from actions or decisions of any official of the Office of Surface Mining; (b) under 43 CFR 3000.4 from an action or decision of any official of the Bureau of Land Management; (c) under 30 CFR 290 from an action, order, or decision of any official of the Geological Survey; or (d) under applicable regulations from any action or decision of any other official of the Department of the Interior arising in connection with this permit.

Sec. 14 SPECIAL STIPULATIONS - In addition to observing the general obligations and standards of performance set out in the leases, the mining and reclamation plan and this permit, the permittee shall comply with and be bound by the special stipulations appended hereto as attachment 1. These stipulations are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these stipulations shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these stipulations in the contracts between and among them. These stipulations may be revised or amended, in writing, by the mutual

consent of the grantor and the permittee at any time to adjust to changed conditions or to correct an oversight. The grantor may amend these stipulations at any time without the consent of the permittee in order to make them consistent with any new Federal or State statutes and the regulations promulgated under authority or new statutes.

UNITED STATES OF AMERICA

By: Richard E. Dawes
Signing Officer

I certify that I have read and understand the requirements of this permit and any special stipulations attached.

D. Paul Dimas
Authorized Representative of the Permittee

1/21/82
Date

SPECIAL STIPULATIONS

1. Within 30 days of acceptance of the Departmental approval of the mining and reclamation plan, the permittee must submit to the regulatory authority* a map delineating the projected five-year underground mining plan for all three seams (Wattis, Middle and Hiawatha). The map should distinguish the total permitted area for the five-year premit term by leases. The total amount of surface disturbances, present and projected for the five-year term, should also be delineated.

2. If, during the course of mining activities, previously unidentified cultural resources are discovered, the applicant shall ensure that the site is not disturbed and shall cease land disturbing activities in the vicinity, and shall notify the regulatory authority. The operator shall ensure that the resource(s) is properly evaluated in terms of the National Register of Historic Places (NRHP) eligibility criteria (36 CFR 60.6). Should a resource be determined eligible for listing in consultation with the regulatory authority and the State Historic Preservation Officer (SHPO), the operator shall confer with and obtain the approval of the regulatory authority and the Utah SHPO concerning the development and implementation of mitigation measures as appropriate.

3. The applicant shall undertake no surface disturbance in the areas listed below until (1) cultural resource inventory (inventories) of the areas is completed; (2) OSM receives an acceptable cultural resource inventory report for the area(s); (3) the Utah SHPO concurs with the National Register eligibility assessments made for any cultural resources recorded within these areas; and, (4) if cultural resources recorded within these areas are determined to be eligible for nomination to the NRHP, no surface disturbance will occur until: (a) an acceptable mitigation plan conforming with the requirements of the Advisory Council's Guidelines for Making "Adverse Effect" and "No Adverse Effect" Determinations for Archaeological Resources in Accordance with 36 CFR 800 is submitted for review and approval to OSM and the Utah SHPO; and (b) mitigation of adverse effects to cultural resources in this area is complete and the mitigation report has been accepted by the OSM and the Utah SHPO. This stipulation applies to the following areas:

T. 15 S., R. 8 E. - Possible Unit Train, Refuse Disposal, and Building Sites

W1/2 of the SE 1/4, Section 12
W1/2 of the SE1/4, Section 11
NE1/4 of the NW1/4 of the NE1/4, S1/2 of the SW1.4 of the NE1/4 and SW1/4 of the NE1/4, Section 15
NE1/4 of the SE1/4, Section 13
NW1/4 of the NW1/4 of the NW1/4, Section 16

T. 15 S., R. 9 E. - Possible Refuse Disposal Expansion Site

NW1/4 of the SW1/4, and E1/2 of the SE1/4 of the NE1/4, Section 18
SW1/4 of the NW1/4, Section 17

* The regulatory authority with respect to Federal lands is the Secretary until such time as the State enters into a permanent program cooperative agreement with the Secretary pursuant to Section 523(c) of the SMCRA, at which time the regulatory authority will become the Utah Division of Oil, Gas and Mining.

4. Within 30 days of acceptance of Departmental approval of the mining and reclamation plan, the permittee will submit to the regulatory authority a brief site specific cultural resources eligibility recommendation and evaluation of impacts for each of the sites in the mine plan area. The Utah SHPO has offered to help with these statements, if needed. In conjunction with the Utah SHPO, OSM may request that a sample survey for cultural resource areas be conducted for areas potentially affected by subsidence.

5. Data on the SAR and soluble Na is lacking for all soils in the plan. At a minimum, this data must be provided to the regulatory authority for soils in the refuse disposal area within six months of the permittee's acceptance of Departmental approval of the mining and reclamation plan. The soluble Ca, Mg and Na data used for all SAR calculations should be reported in meq/l rather than ppm.

6. Within 60 days of acceptance of Departmental approval of the mining and reclamation plan, the permittee shall submit to the regulatory authority a description of topsoil redistribution methods (related to topsoil depth for each area of disturbance) which are designed to assure successful revegetation.

7. The permittee will provide a description of measures to be taken to bring pond Nos. 1, 3, 5, and 8 into compliance with Section UMC 817.46(m) regarding embankment slopes or variances obtained from regulatory agencies. For any embankment slope not meeting these design requirements, the permittee must demonstrate and obtain certification by a qualified registered professional engineer that the embankments are designed and constructed to insure a minimum 1.5 static safety factor. If this is not provided, then further justification of the embankments stability or designs for reconstruction to meet the design specifications of UMC 817.46 would be necessary. A response to this condition must be submitted to the regulatory authority within six months of the permittee's acceptance of Departmental approval of the mining and reclamation plan.

8. The undetermined extent of possible water resource depletion associated with anticipated mining into the graben/fault zone (to the northwest) will necessitate a commitment from Plateau Mining Company to monitor quantity, quality, duration and location of ground water as encountered in the underground mining activities at the Star Point Mines (with particular emphasis in the region of the graben/fault zone). This committment shall be submitted to the regulatory authority within 30 days of acceptance of Departmental approval of the mining and reclamation plan.

Should substantial adverse impacts to existing water resources and/or any appropriated water rights become imminent, the permittee will be held responsible to provide appropriate mitigation measures to those affected individuals according to the plans outlined in the mining and reclamation plan (pg. 3-77).

9. Within 30 days of acceptance of Departmental approval of the mining and reclamation plan, the permittee shall submit a plan for the control of fires in the coal processing waste disposal pile. In the event that routine monitoring and inspection reveals ignition to be imminent (hot spots), material in that area will be excavated, removed to a predesignated place and spread out to extinguish and prevent further heating.

10. Within 12 months, or at least 60 days before planting (whichever comes first), the permittee will submit to the regulatory authority for approval, the seed mixtures which will be used for temporary topsoil stockpile stabilization and permanent revegetation. Inclusion of introduced species must be justified as per UMC 817.112.

Within 12 months, or at least 60 days before planting (whichever comes first) the permittee will submit to the regulatory authority for approval, a comprehensive plan describing the density and composition of woody plant species and the locations (i.e., slope, aspect) to be planted on disturbed areas. If the applicant wishes to propose alternative standard(s) to the reference area woody plant density levels, this should also be provided. Where the post-mining land use is to be wildlife habitat, the creation of edge effect for wildlife should be addressed, including shrub and tree groupings.

The permittee will submit a copy of vegetation monitoring data collected on revegetated areas to the regulatory authority by December 1 of each year.

11. If livestock grazing is to occur on revegetated areas or corresponding reference areas during the liability period, the permittee will submit a grazing management plan to the regulatory authority for approval, one year prior to initiation of grazing.

With regard to the final reclamation of the Lion Deck Portal Access Road, the regulatory authority requires total reclamation at termination of operations. The permittee may present a postmining land-use for continued use of the road at the termination of mining operations encompassing all applicable landowner requests, consents and responsibilities which may be approvable by the regulatory authority at that time.