

**PERMIT AMENDMENT APPROVAL**

Title: <i>Permit Transfer Application</i>	PERMIT NUMBER: <i>ACT/007/011</i>
Description: <i>U.S. Fuel to American Fuel Corp</i>	PERMIT CHANGE #: <i>95A</i>
	MINE: <i>Higwatha</i>
	PERMITTEE: <i>U.S. Fuel / American Fuel</i>

**WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL**

YES, NO or N/A

1.	The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	<i>Yes</i>
2.	The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:	<i>Yes</i>
A.	The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or	<i>Yes</i>
B.	The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	<i>Yes</i>
3.	For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	<i>Yes</i>
4.	The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	<i>Yes</i>
5.	The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.).	<i>Yes</i>
6.	The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	<i>Yes</i>
7.	The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	<i>Yes</i>
8.	The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	<i>Yes</i>
9.	The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	<i>Yes</i>
10.	The Applicant has satisfied the applicable requirements of R645-302.	<i>NA</i>
11.	The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	<i>NA</i>

**SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL**

YES NO

1.	Are there any variances associated with this permit amendment approval? If yes, attach.		<i>X</i>
2.	Are there any special conditions associated with this permit amendment approval? If yes, attach. <i>See attached</i>	<i>X</i>	
3.	Are there any stipulations associated with this permit amendment approval? If yes, attach.		<i>X</i>

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed

*Daron R. Haddock*  
 Division of Oil, Gas and Mining

*4/26/95*  
 EFFECTIVE DATE

# **SPECIAL CONDITIONS**

## **PERMIT TRANSFER APPLICATION U.S. FUEL CO. to AMERICAN FUEL CORPORATION HIAWATHA MINE COMPLEX**

ACT/007/011  
April 26, 1995

The application for permit transfer has been reviewed and is considered complete and accurate and meets the regulatory requirement for a transfer application. The actual transfer will be conditioned on the following:

1. A bond in the required form and amount must be posted prior to the transfer.
2. Prior to the transfer, evidence must be provided that the required liability insurance is in effect for American Fuel Corp.
3. Within 90 days of the transfer, the permittee must update or revise the Mining and Reclamation Plan (MRP) to reflect those changes resulting from the transfer and new ownership. At a minimum the information provided in the transfer application must be incorporated into the MRP.

# PERMIT CHANGE TRACKING FORM

DATE RECEIVED	4/3/95	PERMIT NUMBER	ACT/003/001
Title of Proposal:	Permit Transfer	PERMIT CHANGE #	95A
Description:	Application from US Fuel to American Fuel Corp.	PERMITTEE	US Fuel
		MINE NAME	Hinwatta Mine

<input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION  <input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.  <input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.  <input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)  <input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.	DATE DUE	DATE DONE	RESULT	
			<input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED	Permit Change Classification <input type="checkbox"/> Significant Permit Revision <input type="checkbox"/> Permit Amendment <input type="checkbox"/> Incidental Boundary Change

REVIEW TRACKING	INITIAL REVIEW		MODIFIED REVIEW		FINAL REVIEW AND FINDINGS	
DOGM REVIEWER	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> Administrative _____						
<input type="checkbox"/> Biology _____						
<input type="checkbox"/> Engineering _____						
<input type="checkbox"/> Geology _____						
<input type="checkbox"/> Soils _____						
<input type="checkbox"/> Hydrology _____						
<input type="checkbox"/> Bonding _____						
<input type="checkbox"/> AVS Check _____						

COORDINATED REVIEWS	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> OSMRE						
<input type="checkbox"/> US Forest Service						
<input type="checkbox"/> Bureau of Land Management						
<input type="checkbox"/> US Fish and Wildlife Service						
<input type="checkbox"/> US National Parks Service						
<input type="checkbox"/> UT Environmental Quality						
<input type="checkbox"/> UT Water Resources						
<input type="checkbox"/> UT Water Rights						
<input type="checkbox"/> UT Wildlife Resources						
<input type="checkbox"/> UT State History						
<input type="checkbox"/> Other						

<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision)  <input type="checkbox"/> Copies of permit change marked and ready for MRP.  <input type="checkbox"/> Special Conditions/Stipulations written for approval.  <input type="checkbox"/> TA and CHIA modified as required.  <input type="checkbox"/> Permit Change Approval Form ready for approval.	<input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.  <input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee.  <input type="checkbox"/> Copy of Approved Permit Change to File.  <input type="checkbox"/> Copy of Approved Permit Change to Permittee.  <input type="checkbox"/> Copies to Other Agencies and Price Field Office.
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