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**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

MICHAEL R. STYLER  
Executive Director

JOHN R. BAZA  
Division Director

Outgoing  
C0070011  
#3596  
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August 30, 2010

Elliot Finley  
Hiawatha Coal Corporation  
P.O. Box 1240  
Huntington, Utah 84528

Subject: Midterm Review, Hiawatha Coal Corporation (HCC), Hiawatha Mine, C/007/0011, Task #3596, Outgoing File

Dear Mr. Finley:

The Division has reviewed your application to respond to the deficiencies in the Midterm Review.

The Division has determined that there are some remaining deficiencies relating to ownership and control information that must be addressed before the midterm review can be considered complete and an approval can be granted. Those deficiencies are detailed in the attachment to this letter.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of HCC's response to that particular deficiency.

Please resubmit the application by no later than September 30, 2010.

Sincerely,

James D. Smith  
Permit Supervisor

JDS/AAA/sqs  
Attachment  
O:\007011.HIA\FINAL\WG3596\3596DEFICIENCIESAAA.DOC

## Deficiency List

Task No. 3596

Midterm Review

The members of the review team include the following individuals:

April A. Abate (AAA)

Peter H. Hess (PHH)

Angela Nance (AN)

**R645-301-112.300**, The MRP must include the last four digits of each officer in ANR Company, Inc. • The application must include a telephone number for ANR Company, Inc. • Current MRP information indicates J.O. Kingston became President and L.A. Miller became Vice President of ANR Company, Inc. on June 30, 1997. This information is confirmed with a signed Certificate. However, Appendix I-1 contains a document signed by D.O. Kingston as President of the ANR Co. Inc on December 15, 1997 and the submittal indicates a Begin Date For J.O. Kingston and L.A. Miller of 6/30/1999. Also, AVS shows a Begin Date for J.O. Kingston as 3/21/2002. Please address these discrepancies by verifying the start and end dates for D.O. Kingston, President ANR Co., Inc. and the start dates of J.O. Kinston and L.A. Miller. •The application must include notarized, Secretary signature for all changes in corporate officers and their begin and end dates, including Lori V. Wright, secretary and treasurer. (AN)