

Bonding for the facility has been accomplished solely by the Soldier Creek Coal Company, and is detailed in Chapter 8, Bonding and Insurance, of this Permit Renewal Application.

R645-301-118. Filing Fee

Each permit application to conduct coal mining and reclamation operations pursuant to the State Program will be accompanied by a fee of \$5.00.

This application for permit renewal is accompanied by a fee for \$5.00.

R645-301-120. Permit Application Format and Contents.

R645-301-121. The permit application will:

R645-301-121.100. *Contain current information, as required by R645-200, R645-300, R645-301 and R645-302.*

R645-301-121.200. *Be clear and concise; and*

R645-301-121.300. *Be filed in the format required by the Division.*

This application for permit renewal will contain current information, as required by R645-200, R645-300, R645-301 and R645-302, will be clear and concise, and will be filed in the format required by the Division.

R645-301-122. *If used in the permit application, referenced materials will either be provided to the Division by the applicant or be readily available to the Division. If provided, relevant portions of referenced published materials will be presented briefly and concisely in the application by photocopying or abstracting and with explicit citations.*

Referenced materials in this application for permit renewal will be readily available to the Division, or will be provided and presented briefly and concisely in the application by photocopying or abstracting and with explicit citations.

R645-301-123. *Applications for permits; permit changes; permit renewals; or transfers, sales or assignments of permit rights will contain the notarized signature of a responsible official of the applicant, that the information contained in the application is true and correct to the best of the officials's information and belief.*

This application for permit renewal contains the notarized signature of R. W. Olsen, a responsible official of the Applicant, that the information contained herein is true and correct to the best of his information and belief.

R645-301-130. *Reporting of Technical Data*

R645-301-131. *All technical data submitted in the permit application will be accompanied by the names of persons or organizations that collected and analyzed the data, dates of the collection and analysis of the data, and descriptions of the methodology used to collect and analyze the data.*

All technical data submitted herein is accompanied by the names of companies, individuals and/or publications as a bibliography at the end of each chapter, with dates of the collection and analysis of the data, and descriptions of the methodology used to collect and analyze the data.

R645-301-132. *Technical analyses will be planned by or under the direction of a professional qualified in the subject to be analyzed.*

All technical analyses have been planned by or under the direction of professional individuals.

R645-301-140. *Maps and Plans*

R645-301-141. *Maps submitted with permit applications will be presented in a consolidated format, to the extent possible, and will include all the types of information that are set forth on U.S. Geological Survey of the 1:24,000 scale series. Maps of the permit area will be at a scale of 1:6,000 or larger. Maps of the adjacent area will clearly show the lands and waters within those areas and be at a scale determined by the Division, but in no event smaller than 1:24,000.*

All maps and plans submitted in this application for permit renewal will be presented in accordance with R645-301-141.

R645-301-142. *All maps and plans submitted with the permit application will distinguish among each of the phases during which coal mining and reclamation operations were or will be conducted at any place within the life of operations. At a minimum, distinctions will be clearly shown among those portions of the life of operations in which coal mining and reclamation operations occurred:*

- R645-301-142.100. *Prior to August 3, 1977;*
- R645-301-142.200. *After August 3, 1977, and prior to either:*
- R645-301-142.210. *May 3, 1978; or*
- R645-301-142.220. *In the case of an applicant or operator which obtained a small operator's exemption in accordance with the Interim Program rules (MC Rules), January 1, 1979;*
- R645-301-142.300. *After may 3, 1978 (or January 1, 1979, for persons who received a small operator's exemption) and prior to the approval of the State Program; and*
- R645-301-142.400. *After the estimated date of issuance of a permit by the Division under the State Program.*

All maps and plans submitted in this application for permit renewal will distinguish among each of the phases during which coal mining and reclamation operations were or will be conducted at any place within the life of operations in accordance with the provisions of R645-301-142 through R645-301-142.400.

R645-301-150. *Completeness*
An application for a permit to conduct coal mining and reclamation operations will be complete and will include at a minimum information required under R645-301 and, if applicable, R645-302.

This application for permit renewal is complete and includes information required under R645-301. Information required under R645-302-206 is included in the permit under sections in R645-301, which referenced in R645-302-260 through R645-302-264.900.

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INTRODUCTION

Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Sage Point Coal Company is a wholly owned subsidiary of Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah. Coastal States Energy Company is a wholly owned subsidiary of the Coastal Corporation, a Delaware corporation. Located at the mouth of Nine Mile Canyon, Sections 7 and 18, Township 13 S., Range 12 E., Salt Lake Base and Meridian (SLB&M), on the southern edge of the Book Cliffs in the heart of the book cliff Coal Field (Exhibit 1.12-2). It is approximately 12 miles northeast of Price, Utah (Figure 1). A legal description of the Life of Mine Permit area is provided in section 1.17.2.

Paved Road 53 (Soldier Creek Road) provides easy access to the mine facilities which are adjacent to the highway. While the road is unpaved beyond the mine it is maintained by Carbon County and serves as an access road to recreational and agricultural areas. The road serves as an alternative access between the Price River Basin and the Uinta Basin.

The mine was first opened in 1906, but little coal was produced until 1935 when Premium Coal Company lease the property. That Company: small, family-owned, non-union, operated the mine continuously until 1972. During those years approximately 1.2 million tons of coal were produced.

In September of 1974 California Portland Cement Company purchased the property and after making certain improvements resumed production on June 15, 1976.

On September 5, 1985, assets were transferred to Sunedco Coal Co., a Delaware corporation and a subsidiary of Sun Company, Inc., with offices in Lakewood, Colorado. The Applicant was reincorporated as a Delaware corporation by Sunedco Coal Co. and assets were then transferred to the Applicant. Ownership of the Federal and State coal leases are held by two affiliate companies, Sunedco Coal Company and Sunoco Energy Development Co. A working agreement was established between them and the Applicant to mine the leased coal.

With the acquisition of the Soldier Canyon property the land holding company, Sunedco Coal Co., chose to combine that acreage with certain adjacent acreage which had previously been included in a proposed project: Sage Point-Dugout Canyon. The permit application for Sage Point-Dugout Canyon (UT-0041; ACT/007/009) was approved by DOGM June 5, 1984, but subsequent softening coal markets dictated a postponement of mine development. By combining all of the Soldier Canyon property with selected parts of the Sage Point-Dugout Canyon acreage not included in the ACT/007/009 Permit a more satisfactory mining area

results.

A corporate reorganization by Sun Coal Company, Inc. merged Sunedco Coal Co. and Sunoco Energy Development Co. into Sage Point Coal Company. As a result of the corporate merger, Sage Point Coal Co. became the sole shareholder of Soldier Creek Coal Co. A working agreement was, thereafter, established between Sage Point Coal Company and the Applicant.

On September 16, 1993, Coastal States Energy Company purchased all of the stock of Sage Point Coal Company and Soldier Creek Coal Company.

Coal is currently mined from the Rock Canyon and Sunnyside seams by room and pillar method. Current mine production for 1993, will be approximately .5 million tons. Future mining may include longwall mining methods and coal will be extracted from the Rock Canyon, Sunnyside and Gilson. Future maximum annual production is expected to be approximately 3.5 million tons annually.

To facilitate the increase production to 3.5 million tons annually, the Applicant proposed to expand its surface facilities (Exhibit 5.21-1). Presently, the Applicant has received Division approval to proceed with the facilities expansion by constructing three new portals, installation of 885 feet of stream culvert, realignment of the county road, construction of the new coal handling and coal preparation facilities, and a topsoil storage area.

The Applicant also proposed to expand its LOM permit and obtain the additional coal leases to coincide with SCM's Logical Mining Unit (LMU), and construct a refuse disposal site (Exhibit 1.12-2). Additional coal reserves will be required to ensure future production and a refuse disposal site will be required for disposal of underground development wastes generated during mining operations and coarse coal processing wastes generated from the coal preparation plant.

The refuse disposal site will be located in Section 25 and 36, Township 13 S., Range 11 E., Salt Lake Base and Meridian (SLB&M). The 64.6 acre site is located on a portion of a 333.33 acre tract of private land surrounded by federal land under the management of the U.S. Bureau of Land Management (BLM). The site is approximately 3 miles south of the mine site. It is estimated that at full production (3.5 million tons/year), approximately 500,000 tons of non-acid, non-toxic forming refuse, consisting of shale, bone coal, and sandstone, per year will be generated by the underground development and coal processing operations.

Soldier Creek Coal Company proposes to haul the development and processing wastes by truck from the mine via the paved county road. Travel distance along the

county road is approximately 3 miles from the mine site to the disposal site access road. The site access road, from the paved county road to the refuse disposal site, is approximately 0.5 miles in length. The anticipated life of the facility is difficult to predict, but at a maximum placement of 500,000 tons/year the life of the facility would be 36 years. The design and operation of the disposal area will conform with all State and Federal Regulations.

All runoff within the drainage will be treated with a sediment pond. As presently envisioned, the active refuse disposal area will be limited in size and will range from 4 to 8 acres disturbed at any given time. After a section of the site has been filled to the design level, that section will be reclaimed.

Chapter 1

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

1.12 Identification of Interest

1.12.1 Business Entity

Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Sage Point Coal Company is a wholly owned subsidiary of Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah. Coastal States Energy Company is a wholly owned subsidiary of the Coastal Corporation, a Delaware corporation.

Soldier Creek Coal Company is the operator of an underground coal mining operation located in Carbon County, Utah. The surface facilities for the Soldier Canyon Mine are within Sections 18 and 19, Township 13 South, Range 12 East, and Sections 24 and 25, Township 13 South, Range 11 East, SLBM. These locations are approximately 12 miles northeast of Wellington, Utah.

1.12.2 Applicant and Operator

APPLICANT: Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

Applicant is a corporation, incorporated under the laws of the state of Delaware and registered to do business in Utah.

OPERATOR: Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

RESIDENT AGENT: C. T. Corporation Systems
811 Dallas Avenue
Houston, Texas 77002
Ph. (713) 658-9486

Soldier Creek Coal Company will continue to pay abandoned mine land reclamation fees for the Soldier Canyon Mine.

1.12.3 Officers and Directors

The directors and officers of Soldier Creek Coal Company are:

Board of Directors:

David A. Arledge	James L. Van Lanen
Austin M. O'Toole	Vernal J. Mortensen
Robert A. Feilner	

Officers:

David A. Arledge	Executive Vice President
James L. Van Lanen	President
Vernal J. Mortensen	Executive Vice President
Reid W. Olsen	Vice President
Donald J. Appleman	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Robert A. Feilner	Vice President
William S. Hudgins, Jr.	Vice President, General Counsel and Asst. Secretary
E.C. Simpson	Vice President
Edward P. Gleichauf	Controller
Austin M. O'Toole	Secretary
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw, Jr.	Assistant Secretary
H.R. Natho	Assistant Controller

The directors and officers of Sage Point Coal Company are the same as the directors and officers of Soldier Creek Coal Company.

The directors and officers of Coastal States Energy Company are:

Board of Directors:

O.S. Wyatt, Jr.	Austin M. O'Toole
Harold Burrow	David A. Arledge
James L. Van Lanen	

Officers:

David A. Arledge	Executive Vice President
James L. Van Lanen	President
Vernal J. Mortensen	Senior Vice President
Austin M. O'Toole	Senior Vice President and Secretary
Donald J. Appleman	Vice President
M.T. Arnold	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Robert A. Feilner	Vice President
Coby C. Hesse	Vice President
William S. Hudgins, Jr.	Vice President, General Counsel & Assistant Secretary
T.E. Jackson, Jr.	Vice President
E.C. Simpson	Vice President
Edward P. Gleichauf	Controller
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw Jr.	Assistant Secretary
H.R. Natho	Assistant Controller

The Coastal Corporation is the parent company of Coastal States Energy Company.
The directors and officers of the Coastal Corporation are:

BOARD OF DIRECTORS

CLASS I DIRECTORS - TERM EXPIRING 1996

John M. Bissell
Harold Burrow
Roy D. Chapin, Jr.
James F. Cordes
Roy L. Gates
Jerome S. Katzin

CLASS II DIRECTORS - TERM EXPIRING 1994

David A. Arledge
George L. Brundrett, Jr.
Edward J. Mosher
Lemuel Dale Woody, Jr.
O.S. Wyatt, Jr.

CLASS III DIRECTORS - TERM EXPIRING 1995

Ervin O. Buck
Kenneth O. Johnson
J. Howard Marshall, II
Thomas R. McDade

EXECUTIVE COMMITTEE

O.S. Wyatt, Jr. Chairman
Ervin O. Buck
Harold Burrow
James F. Cordes
J. Howard Marshall II

AUDIT COMMITTEE

Ervin O. Buck, Chairman
John M. Bissell
Roy L. Gates
Jerome S. Katzin

COMPENSATION AND EXECUTIVE DEVELOPMENT COMMITTEE

John M. Bissell, Chairman
Roy D. Chapin, Jr.
Jerome S. Katzin

LIST OF OFFICERS

O. S. Wyatt, Jr.	Chairman of the Board and Chief Executive Officer
David A. Arledge	Senior Executive Vice President and Chief Operating Officer
James F. Cordes	Executive Vice President
James A. King	Executive Vice President
Jerry D. Bullock	Senior Vice President
Carl A. Corrallo	Senior Vice President and General Counsel
Dan J. Hill	Senior Vice President
Jose J. Iglesias	Senior Vice President
Kenneth O. Johnson	Senior Vice President
Austin M. O'Toole	Senior Vice President and Secretary
Jack C. Pester	Senior Vice President
James L. Van Lanen	Senior Vice President
Sam F. Willson, Jr.	Senior Vice President
M. Truman Arnold	Vice President
Daniel F. Collins	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Coby C. Hesse	Vice President and Controller
Robert G. Holsclaw	Vice President
Charles M. Oglesby	Vice President
M. Frank Powell	Vice President
E. C. Simpson	Vice President
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw, Jr.	Assistant Secretary
Dale V. Shultz	Assistant Secretary
Kirk W. Weinert	Assistant Secretary
Fred D. Gray	Assistant Treasurer
Ronald D. Matthews	Assistant Treasurer
James M. Rauch	Assistant Treasurer
J. W. French	Assistant Controller
Fred H. Hallman	Assistant Controller
J. W. Knowles	Assistant Controller
H. R. Natho	Assistant Controller

The addresses and phone numbers for the officers and directors of Soldier Creek Coal Company, Sage Point Coal Company, Coastal States Energy Company, and the Coastal Corporation are the same as those for the company for which the individuals are officers and directors and are as follows:

Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
Ph. (801) 596-7111

Coastal Corporation
Nine Greenway Plaza
Houston, Texas 77049
Ph. (713) 877-1400

The Coastal Corporation owns and controls other coal mining and reclamation operations under ANR Coal Company and Coastal States Energy Company. These other operations, their permit numbers, MSHA numbers, and date of issuance of MSHA numbers are listed in this Application for Permit Transfer.

Written correspondence to Soldier Creek Coal Company regarding the operations should be addressed to:

R.W. (Reid) Olsen, Vice President and General Manager
Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

with a copy to:

Vernal J. Mortensen, Executive Vice President
Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 85111
Ph. (801) 596-7111

Coastal Corporation's coal mining activities are operated either under Coastal States Energy Company or ANR Coal Company.

O.S. Wyatt, Jr. is the only stockholder of Coastal Corporation owning more than five percent of the corporation's outstanding common stock.

1.12.4 Coal Mining and Reclamation Operation Permit Applications Previous, Current or Pending

The following list represents all permits issued to Soldier Creek Coal Company, all pending applications for permits, and any permit recognized as necessary in the future for which no application has been filed. Identification numbers of applications or permits are contained in the following list. However, many of the agencies listed have review responsibility only and may not have submitted a numbered permit.

<u>Permit</u>	<u>Issuing Authority</u>	<u>Approval Status</u> <u>Identification No.</u>
Mining and Reclamation Permit ACT/007/018 Soldier Creek Mine	State of Utah Department of Natural Resources Division of Oil, Gas and Mining	Five-Year Permit renewal was approved on February 6, 1992
Mining and Reclamation Permit ACT/007/034 Banning Rail Loadout	State of Utah Department of Natural Resources Division of Oil, Gas and mining	Five-Year Permit expires October 25, 1993. Renewal application has been submitted
U.P.D.E.S. Permit UT-0023680 Soldier Canyon Mine Site	Environmental Protection Agency and Utah D.E.Q.	Approved
U.P.D.E.S. Permit UT-0040000 Banning Loadout	Environmental Protection Agency and Utah D.E.Q.	Approved
Business License	Carbon County	Approved
Mine Health and Safety Permits 42-00077	Mine Safety and Health Administration - Utah	All Approved
Radio Permits	Federal Communications Commission	Approved
Certificate of Insurance and Authorization to do Business in State	State Industrial Development Commission	Approved
Air Quality Approval Order	State of Utah Utah Air Conservation Committee Department of Health Division of Environmental Health	Approved
Water Rights	State Engineer	Approved

The Coastal States Energy Company coal mining permits and operations are:

Soldier Creek Coal Company
Soldier Canyon Mine Facility
ACT/007/018

Soldier Creek Coal Company
Banning Rail Loadout Facility
ACT/007/034

Southern Utah Fuel Company
ACT/041/002

Utah Fuel Company, Skyline Mine
ACT/007/005

The issuing authority for the Coastal States Energy Company permits is the UDOGM.
The Coastal Corporation conducts coal mining operations under both Coastal States
Energy Company and ANR Coal Company.

**Table 1.12.4-1
COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: BROOKS RUN COAL COMPANY (Employer ID No. 382174137)
Regulatory Authority: West Virginia Department of Environmental Protection

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). 3B/5B Haulroad	Haulroad (Active)	H-529	NONE	N/A
2). 8A Haulroad	Haulroad (Active)	H-562	NONE	N/A
3). No. 1 Prep. Plant	Prep. Plant (Active)	P-612	46-06045	9/04/1979
4). Prospect Permit	Prospect Permit (Active)	P-2015-92	NONE	N/A
5). 7A	Underground (Active)	U-1019-91	46-08129	1/15/1992
6). 9A Deep Mine	Underground (Active)	SMA-2004-93	46-08284	3/17/1993
7). Freeport Mine No. 2	Underground (Inactive)	U-3071-86	NONE	N/A
8). 9B Deep Mine	Underground (Pending)	SMA-2005-93	46-08284	3/17/1993
9). 3A/4A Haulroad	Haulroad (Released)	H-451	NONE	N/A
10). Prospect Permit	Prospect Permit (Released)	P-3021-88	NONE	N/A
11). Brooks Run Coal Company	Surface (Transferred 1/31/1991)	S-1026-90	N/A	N/A
12). Brooks Run Coal Company	Underground (Transferred 12/09/1988)	U-3057-87	N/A	N/A
13). Brooks Run Coal Company	Underground (Transferred 12/09/1988)	U-3058-87	N/A	N/A

**Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Enterprise Coal Company	Deep Mine (Active)	867-5100	15-14687	7/01/1990
2). Enterprise Coal Company	Deep Mine (Active)	867-5109	15-16741	7/01/1989
3). Enterprise Coal Company	Deep Mine (Active)	867-5157	15-17408	6/09/1993
4). Enterprise Coal Company	Deep Mine (Active)	898-5374	15-16434	7/01/1988
5). Enterprise Coal Company	Deep Mine (Active)	898-5585	15-17260	7/01/1992
6). Enterprise Coal Company	Deep Mine (Active)	898-5692	15-14977	11/26/1984
7). Enterprise Coal Company	Haulroad Only (Active)	867-7005	15-14533	7/01/1984
8). Enterprise Coal Company	Haulroad Only (Active)	867-7006	15-11121	3/23/1978
9). Enterprise Coal Company	Loadout (Active)	898-6020	15-11528	7/01/1988
10). Enterprise Coal Company	Prep. Plant (Active)	867-8018	15-11121	3/23/1978
11). Enterprise Coal Company	Prep. Plant/Refuse (Active)	498-8011	15-13857	2/16/1982
12). Enterprise Coal Company	Refuse Fill (Active)	867-8017	15-11121	3/23/1978
13). Enterprise Coal Company	Deep Mine (Bond Release 5/10/1993)	867-5107	N/A	N/A
14). Enterprise Coal Company	Deep Mine (Bond Release Status)	867-5090	15-09982	7/01/1989
15). Enterprise Coal Company	Deep Mine (Inactive)	498-5409	PENDING	PENDING
16). Enterprise Coal Company	Deep Mine (Inactive)	867-5102	15-16127	7/01/1987

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
17). Enterprise Coal Company	Deep Mine (Inactive)	867-5109	15-15110	7/01/1989
18). Enterprise Coal Company	Deep Mine (N/A)	898-5554	15-05435	10/02/1982
19). Enterprise Coal Company	Surface Mine (N/A)	867-0342	PENDING	PENDING
20). Enterprise Coal Company	Surface Mine (N/A)	867-0343	PENDING	PENDING
21). Enterprise Coal Company	Deep Mine (Not Activated)	867-5099	N/A	N/A
22). Enterprise Coal Company	Deep Mine (Not Activated)	867-5105	N/A	N/A
23). Enterprise Coal Company	Deep Mine (Not Activated)	898-5574	N/A	N/A
24). Enterprise Coal Company	Loadout (Not Activated)	867-8028	N/A	N/A
25). Enterprise Coal Company	Surface Mine (Not Activated)	898-0353	PENDING	PENDING
26). Enterprise Coal Company	Surface Mine (Not Activated)	898-0354	PENDING	PENDING
27). Enterprise Coal Company	Deep Mine (PENDING)	836-5297	PENDING	PENDING
28). Enterprise Coal Company	Deep Mine (PENDING)	867-5126	PENDING	PENDING
29). Enterprise Coal Company	Surface Mine (PENDING)	898-0377	PENDING	PENDING
30). Enterprise Coal Company	Deep Mine (Phase I Bond Rel. 4/08/1993)	498-5399	15-13905	7/01/1984
31). Enterprise Coal Company	Deep Mine (Phase I Bond Rel.)	867-5101	15-16752	7/01/1989
32). Enterprise Coal Company	Deep Mine (Phase I Bond Rel.)	867-5106	15-12517	7/13/1981

**Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforceme**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
33). Enterprise Coal Company	Surface Mine (Phase II Bond Rel.)	867-0319	N/A	N/A
34). Enterprise Coal Company	Deep Mine (Temp. Abandonment)	867-5110	15-16898	7/01/1990
35). Enterprise Coal Company	Deep Mine (Temp. Abandonment)	867-5146	15-16530	7/01/1989
36). Enterprise Coal Company	Deep Mine (Temp. Inactive)	867-5103	15-14533	7/01/1984
37). Enterprise Coal Company	Surface Mine (Transferred 8/15/1991)	836-0217	N/A	N/A

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
Regulatory Authority: West Virginia Department of Environmental Protection

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). Greenbrier Coal Company	Deep Mine (Active)	SMA-3015-92	46-08189	06/24/1992
2). Greenbrier Coal Company	Haulroad (Active)	H-353	N/A	N/A
3). Greenbrier Coal Company	Loadout (Active)	O-99-83	46-00376	1983
4). Greenbrier Coal Company	Prospect Permit (Active)	P-3005-93	N/A	N/A
5). Greenbrier Coal Company	Prospect Permit (Active)	P-3016-92	N/A	N/A
6). Greenbrier Coal Company	Prospect Permit (Active)	P-3017-92	N/A	N/A
7). Greenbrier Coal Company	Refuse Area (Active)	R-681	N/A	N/A
8). Greenbrier Coal Company	Surface Mine (Active)	S-138-78	46-07376	1987
9). Greenbrier Coal Company	Surface Mine (Active)	S-139-78	46-08182	06/1992
10). Greenbrier Coal Company	Surface Mine (Active)	S-3022-91	46-08127	01/17/1992
11). Greenbrier Coal Company	Surface Mine (Active)	S-3029-89	46-08059	7/11/1991
12). Greenbrier Coal Company	Surface Mine (Active)	S-3032-86	46-06895	10/87
13). Greenbrier Coal Company	Surface Mine (Active)	S-51-76	46-08059	8/15/1991
14). Greenbrier Coal Company	Surface Mine (Active)	S-68-77	46-08059	8/15/1991
15). Greenbrier Coal Company	Surface Mine (Active)	SMA-3030-92	46-07376	1987
16). Greenbrier Coal Company	Surface Mine (Active)	SMA-3047-92	46-08303	05/19/1993

Table 1.12.4-1 (Cont'd)
 COMPANY PERMIT LIST
 as of 8/31/1993

Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
 Regulatory Authority: West Virginia Department of Environmental Protection

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). Greenbrier Coal Company	Underground (Active)	SMA-3019-91	46-08319	7/20/93
18). Greenbrier Coal Company	Underground (Active)	U-3053-89	46-07814	9/21/1990
19). Greenbrier Coal Company	Deep Mine (Inactive)	UO-27	46-03816	N/A
20). Greenbrier Coal Company	Haulroad (Not Issued)	O-3026-92	N/A	N/A
21). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3009-93	PENDING	PENDING
22). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3010-93	PENDING	PENDING
23). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3011-93	PENDING	PENDING
24). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3048-92	PENDING	PENDING
25). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3050-91	PENDING	PENDING
26). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-101-79	46-06033	1979
27). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-137-78	46-06947	1985
28). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-77-84	46-06560	1984
29). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-97-82	46-06560	1982
30). Greenbrier Coal Company	Prospect Permit (Released)	P-3033-90	N/A	N/A
31). Greenbrier Coal Company	Prospect Permit (Released)	P-3038-90	N/A	N/A
32). Greenbrier Coal Company	Prospect Permit (Released)	P-3042-90	N/A	N/A
33). Greenbrier Coal Company	Surface Mine (Transferred 1992)	S-3039-86	46-07136	1986

**Table 1.12.4-1 (Cont'd)
 COMPANY PERMIT LIST
 as of 8/31/1993**

**Company Name: KINGWOOD COAL COMPANY (Employer ID No. 760292683)
 Regulatory Authority: West Virginia Department of Environmental Protection**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Kingwood Coal Company	Deep Mine (H & H) (Active)	D-82-82	46-08201	7/15/1982
2). Kingwood Coal Company	Deep Mine (Moonshine) (Active)	D-39-82	46-07912	09/02/1987
3). Kingwood Coal Company	Deep Mine (Sarah) (Active)	U-1010-89	46-07732	7/31/1989
4). Kingwood Coal Company	Deep Mine (Whitetail) (Active)	U-1014-92	46-08285	11/30/92
5). Kingwood Coal Company	Prep. Plant (Active)	P-685	46-02560	4/30/1974
6). Kingwood Coal Company	Prospect (Active)	P-1011-93	N/A	N/A
7). Kingwood Coal Company	Refuse Area (Active)	R-673	46-02560	4/30/1974
8). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1009-92	N/A	N/A
9). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1011-92	N/A	N/A
10). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1025-91	N/A	N/A
11). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1040-91	N/A	N/A
12). Kingwood Coal Company	Prospect (Bond Released 3/13/1991)	P-1022-90	N/A	N/A
13). Kingwood Coal Company	Surface Mine (Pending Bond Rel.)	3-80	46-02560	1/14/1980

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: SOUTHERN UTAH FUEL COMPANY (Employer ID No. 742010288)
Regulatory Authority: Utah Division of Oil, Gas and Mining

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). SUFCo Mine	Underground (Active)	ACT/041/002	42-00089	1973

Table 1.12.4-1 (Cont'd)
 COMPANY PERMIT LIST
 as of 8/31/1993

Company Name: UTAH FUEL COMPANY (Employer ID No. 742010721)
 Regulatory Authority: Utah Division of Oil, Gas and Mining

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). Skyline Mine #1	Underground (Active)	ACT/007/005	42-01435	1979
2). Skyline Mine #3	Underground (Active)	ACT/007/005	42-01566	1979
3). Skyline Mine #2	Underground (Not Activated)	ACT/007/005	42-01565	1979

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA CITY COAL COMPANY (Employer ID No. 541262278)
Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Virginia City Coal Company	Associated Facility (Active - Temporary Cessation)	1401453	44-00294	1983
2). Virginia City Coal Company	Associated Facility (Active - Temporary Cessation)	1401453	44-05517	1983
3). Virginia City Coal Company	Underground (Active - Temporary Cessation)	1200763	NONE	N/A
4). Virginia City Coal Company	Deep/Prep/Refuse (Transferred)	1400479	44-00294	1983
5). Virginia City Coal Company	Deep/Prep/Refuse (Transferred)	1400479	44-05517	1983

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). VICC - Mountaineer #4 Mine	Deep Mine (Active)	1401475	44-05090	2/1990
2). VICC - Phipps Dock	Loading Dock (Active)	1301071	44-05863	11/24/1987
3). VICC - T.C. Prep. Plant	Preparation/Refuse (Active)	1300400	44-05270	8/28/1979
4). VICC - Meade Fork	Surface Mine (Active)	1101396	44-06661	9/06/1991
5). VICC - Bee Branch Imboden	Underground (Active)	1201476	44-06594	04/01/1993
6). VICC - Guest Mountain U.B.	Underground (Active)	1201454	44-06736	3/04/1993
7). VICC - White Oak Mine	Underground (Active)	1201459	44-04871	2/01/1991
8). VICC - Nora Haulroad	Haulroad (Active - Temporary Cessation)	1801138	N/A	N/A
9). VICC - Cranesnest Dock	Loading Dock (Active - Temporary Cessation)	1300937	44-04301	3/19/1976
10). VICC - Dale Ridge Dock	Loading Dock (Active - Temporary Cessation)	1300938	44-05270	5/01/1980
11). VICC - Nora Dock	Loading Dock (Active - Temporary Cessation)	1300401	44-01462	3/18/1976
12). VICC - Cane Branch	Surface Mine (Active - Temporary Cessation)	1101397	44-06662	9/06/1991
13). VICC - Steels Fork 2A	Deep Mine (Completed 5/23/1987)	1200374	N/A	N/A
14). VICC - Gladly Fork	Surface Mine (Completed 2/12/1992)	1101250	44-06021	5/30/1991
15). VICC - T.C. Edwards	Underground (Not Activated)	1201322	N/A	N/A
16). VICC - Ace High	Deep Mine (Released 4/17/1985)	3361-U	N/A	N/A

Table 1.12.4-1 (Cont'd)
 COMPANY PERMIT LIST
 as of 8/31/1993

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
 Regulatory Authority: Virginia Division of Mined Land Reclamation

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). VICC - Bull Hill L.B.	Deep Mine (Released)	3280-U	N/A	N/A
18). VICC - Coke Oven Hollow	Deep Mine (Released)	3526-U	N/A	N/A
19). VICC - Deep Mine	Deep Mine (Released)	1413	N/A	N/A
20). VICC - Deep Mine	Deep Mine (Released)	3323-U	N/A	N/A
21). VICC - Edison #2	Deep Mine (Released)	3505-U	N/A	N/A
22). VICC - Little R.	Deep Mine (Released)	3503-U	N/A	N/A
23). VICC - Little Tom's Crk. #1	Deep Mine (Released)	3286-U	N/A	N/A
24). VICC - Little Tom's Crk. #2	Deep Mine (Released)	3287-U	N/A	N/A
25). VICC - Red Dog Hill	Deep Mine (Released)	3523-U	N/A	N/A
26). VICC - Steels Fork 2	Deep Mine (Released)	3355-U	N/A	N/A
27). VICC - Steels Fork 2A	Deep Mine (Released)	3504-U	N/A	N/A
28). VICC - Steels Fork Mine	Deep Mine (Released)	2500	N/A	N/A
29). VICC - T.C. Lower Banner #2	Deep Mine (Released 2/10/1992)	1200347	N/A	N/A
30). VICC - T.C. Mine	Deep Mine (Released)	2521-U	N/A	N/A
31). VICC - VA City Jawbone	Deep Mine (Released 11/13/1984)	1200267	N/A	N/A
32). VICC - VA City Jawbone	Deep Mine (Released)	3527-U	N/A	N/A

**Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
33). VICC - Bruton Siding	Loading Dock (Released 5/03/1983)	2619-U	44-02712	1978
34). VICC - Clinch River Dock	Loading Dock (Released 7/27/1983)	3524-AF	44-05008	1979
35). VICC - Cranesnest Dock	Loading Dock (Released 7/27/1983)	3602-AF	44-04301	3/19/1976
36). VICC - Fremont Dock	Loading Dock (Released 10/17/1983)	2579-U	44-04743	1978
37). VICC - Lick Fork Dock	Loading Dock (Released 7/27/1983)	3525-AF	44-05028	5/12/1978
38). VICC - T.C. Dock	Loading Dock (Released 7/27/1983)	2572-U	44-01463	3/18/1976
39). VICC - Dale Ridge Prep.	Prep. Plant (Released)	2573-U	44-01463	3/18/1976
40). VICC - Nora Prep.	Prep. Plant (Released 8/13/1985)	3065-U	44-01462	3/18/1976
41). VICC - T.C. Prep.	Prep. Plant/Refuse (Released 12/20/1983)	3077-U	44-05270	8/28/1979
42). VICC - Coke Oven Hollow	Refuse Area (Released)	3074-U	N/A	N/A
43). VICC - Kilgore Creek	Refuse Area (Released 3/12/1987)	1300373	N/A	N/A
44). VICC - Kilgore Creek	Refuse Area (Released 1/17/1984)	3347-AF	N/A	N/A
45). VICC - Nora Refuse Area	Refuse Area (Released)	1179	N/A	N/A
46). VICC - Nora Refuse Area	Refuse Area (Released)	1197	N/A	N/A
47). VICC - Refuse Area	Refuse Area (Released)	1765	N/A	N/A
48). VICC - Thelma Refuse	Refuse Area (Released)	3215-U	N/A	N/A

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
49). VICC - Glady Fork	Surface Mine (Released 12/27/1983)	3757	N/A	N/A
50). VICC - Short Hollow	Underground (Released 2/10/1992)	1201256	N/A	N/A
51). VICC - Duncan Gap	Underground/Surface (Released 12/09/1991)	1600984	N/A	N/A
52). VICC - Lyons Fork U.B.	Deep Mine (Transferred 11/01/1984)	1200571	N/A	N/A
53). VICC - Lick Fork Dock	Loading Dock (Transferred 8/30/1991)	1300971	44-05028	5/12/1978
54). VICC - Rabbit Ridge	Surface Mine (Transferred 11/07/1989)	1101203	N/A	N/A
55). VICC - Bee Branch Imboden	Underground (Transferred 8/25/1993)	1201464	44-06594	04/01/1993

1.12.5 Legal or Equitable Owner of the Surface and Mineral Properties to be Mined

he legal or equitable owners of the areas to be affected by the surface operations and facilities during the five year permit period are:

The United States of America

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

No area within the lands to be affected by surface operations and facilities or within the area of coal to be mined is under a real estate contract.

The legal or equitable owners of the coal to be mined during the five year permit period are:

The United States of America

The State of Utah

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

The holders of record of any leasehold interest in areas to be affected by surface operations or facilities:

Great Western Drilling

Ken Davis Jr.
Proprietor
Great Western Drilling
P.O. Box 1659
Midland, Texas

REI Underground Exploration, Inc.

Officers:

Jeffrey J. Schwoebel, President
REI Underground Exploration, Inc.
360 Wakara Way
Salt Lake City, Utah 84108

Cherie B. Pederson, Secretary/Treasurer
REI Underground Exploration, Inc.
360 Wakara Way
Salt Lake City, Utah 84108

Soldier Creek Coal Company

P.O. Box 1029
Wellington, Utah 84542

Sage Point Coal Company

P.O. Box 1029
Wellington, Utah 84542

Principal Shareholders for leasehold interests:

<u>For</u>	<u>Is</u>	<u>Whose Address Is</u>
REI Underground Exploration, Inc.	Resource Enterprises, Inc.	360 Wakara Way Salt Lake City, Utah 84108
Soldier Creek Coal Company	Sage Point Coal Company	175 East 400 South, Suite 800 Salt Lake City, Utah 84111
Sage Point Coal Co.	Coastal States Energy Co.	175 East 400 South, Suite 800 Salt Lake City, Utah 84111
Coastal States Energy Company	The Coastal Corporation	Nine Greenway Plaza Houston, Texas 77046

Resident agents for leasehold interests:

REI Underground Exploration, Inc.
360 Wakara Way
Salt Lake City, Utah 84108

The holder of record of leasehold interests in the coal to be mined is Sage Point Coal Company (whose officers are listed in section 1.12.3), the United States of America, and the State of Utah.

1.12.6 Owners of Record of Property Contiguous to Proposed Permit Area

Owners of record of surface and subsurface areas contiguous to the proposed permit area, including the sewage lagoons and refuse disposal site, are shown on Exhibits 1.12-1 and 1.12-2. Names and addresses of the owners are:

Surface

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

Carbon County
Courthouse Building
Price, Utah 84501

Newell H. and Madge Nelson
Cleveland, Utah 84518

Louise L. Iriart
Route 1, Box 172
Price, Utah 84501

United States of America
Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

Subsurface

Utah State Office
Department of Natural Resources
Division of Lands and Forests
3 Triad Center
355 West North Temple
Salt Lake City, Utah 84180-1203

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

Louise L. Iriart
Route 1, Box 172
Price, Utah 84501

United States of America
Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

1.12.7 MSHA Numbers

The mine name and identification number are as follows:

Soldier Canyon Mine
Mine ID No. 42-00077.

1.12.8 Pending Interests of Lands Contiguous to Permit Area

The Applicant's affiliate, Sage Point Coal Company, has interests in lands contiguous to the area covered by the proposed mine permit (Exhibits 1.12-1 and 1.12-2). Sage Point Coal Company and Soldier Creek Coal Company hold all land and lease interests in the Permit Area.

1.13 Violation Information

Neither the Applicant, nor any of its subsidiaries, affiliates, or persons controlled by or under common control with the Applicant has had a Federal or State mining permit suspended or revoked in the last five

years; nor forfeited a mining bond or similar security deposit in lieu of bond.

o applicant's knowledge, there are no unabated cessation orders and air and water quality violation notices received prior to the date of application by any coal mining and reclamation operation owned or controlled by either the applicant or by a person who owns or controls the applicant.

Table 1.13-1 contains the NOV history for the Soldier Canyon Mine, Banning Loadout, Coastal States Energy Company's SUFCo Mine and Skyline Mine.

Table 1.13-1

List of Violations

Soldier Creek Coal Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N87-9-6-1 Banning Loadout	07/17/87	Failure to prevent, to the extent possible, additional contributions of sediment to stream flow outside the permit area.	Repaired two small piping holes along berm.	8/20/87	Terminated
N88-13-1-1 Banning Loadout	04/18/88	Failure to pass disturbed runoff through an operating sediment control structure.	Repaired and reinstalled two silt fences and installed two straw bale dikes.	4/28/88	Terminated
N89-28-1-1 SCCC minesite	02/01/89	Failure to pass surface drainage from a disturbed area through a sediment pond or treatment facility before leaving a permit area.	Snow pushed beyond drainage control facilities was recovered to the extent possible. Straw bales installed around remainder.	2//6/89	Terminated
N89-17-3-1 SCCC minesite	10/11/89	Failure to maintain adequate sediment control to prevent to the extent possible, additional contributions of sediment to Soldier Creek.	Diverted all stream flow including mine water discharge around construction site during construction activities.	10/16/89	Terminated
N89-22-89 SCCC minesite	11/22/89	Failure to confine disturbance to limits of previously approved boundaries during surface facilities expansion construction.	An adequate plan for the use and/or reclamation of areas disturbed was submitted.	01/22/90	Terminated

Table 1.13-1
List of Violations

Soldier Creek Coal Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N90-27-6-1 SCCC minesite	05/22/90	Failure of sub-contractor (Cowin & Company, Inc.) for new mine portal development to have surface blaster certification.	Sub-contractor had completed work and moved off the job site. No remedial action required.	05/22/90	Terminated
N90-28-5-1 Banning Loadout	08/01/90	Failure to have a valid certificate of blaster certification during surface blasting activities.		08/06/90	Terminated
N90-15-1-1 Banning Loadout	10/04/90	Violation 2 of 2 issued for failure to conduct water monitoring in accordance with approved plan.		10/04/90	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 1 of 3 issued for failure to operate within disturbed area boundary.		04/02/91	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 2 of 3 issued for failure to place excess spoil in a designated area within the permit boundary.		03/01/91	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 3 of 3 issued for failure to identify and protect the topsoil resource.		03/01/91	Terminated
N92-15-1-1 Banning Loadout	08/26/92	Failure to submit a complete response to Division Order 92B regarding M&RP submittal.	Submitted response	01/12/93	Terminated

Table 1.13-1
List of Violations

Southern Utah Fuel Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N89-13-1-1	9/28/89	Failure to confine mining activities to within the approved disturbed area. Failure to minimize disturbance to surface water systems. Disturbing stockpiled topsoil. Placing soil materials in an undisturbed ephemeral drainage.	9/29/90 - Cleared channel and stabilized bank. 11/6/90 - Revegetated channel and top-soil stockpile.	11/14/89 Termination of notice.	10/12/89 Proposed assessment. 10/27/89 Requested assessment conference. 12/05/89 Assessment conference. 12/05/89 Finalized assessment.
N89-28-10-1	11/17/89	Failure to maintain required records at the mine site and submit required reports to the Division.	11/19/89 - Obtained copies of NPDES discharge monitoring report submitted to the Division.	12/7/89 Termination of notice.	12/18/89 Proposed assessment. 1/08/90 Requested assessment conference. 02/06/90 Assessment conference. 02/13/90 Finalized assessment.
N90-28-1-1	3/19/90	Failure to maintain sediment control structures in a manner which prevents additional contributions of sediment to stream flow outside the permit area.	3/20/90 - Repaired silt fences.	4/11/90 Termination of notice.	04/16/90 Proposed assessment.
N90-39-1-1	11/26/90	Failure to conduct mining in accordance with the terms and conditions of the permit. TDS pt 003 above NPDES limit.	12/14/90 - Necessary documentation submitted.	12/24/90 Termination of notice.	12/27/90 Proposed assessment. 2/25/91 Assessment conference. 2/26/91 Finalized assessment.

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-1-1	March 4, 1992	Failure to provide monitoring results of revegetation practices, treatments, and trails as described in pages 4-35 and 4-36, and Volume A-2 of the M.R.P. This information is also requested annually by the Division in the Annual Report.	<u>6/4/92</u> - Necessary documentation submitted. <u>3/20/92</u> - NOV vacated. Division Order issued to correct deficiency.		<u>3-20-92</u> - NOV vacated

Table 1.13-1
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-3-1	March 25, 1992	Failure to comply with the terms and conditions of the approved permit, specifically exceedence of NPDES Discharge Permit UT-002340 for TDS and sulfates. Permitted limits for TDS is 1000 mg/L daily maximum and 723 mg/L annual average. The permitted limit for sulfate discharge is 500 mg/L daily maximum. Sample taken 2/26/92 reports 1,250 mg/L TDS and 619 mg/L SO4 at NPDES point 001. Sampling confirms chronic exceedence of UPDES TDS limits that have been self-reported to the Bureau of Water Pollution Control.	<u>10/28/92</u> - Written acceptance of the action items in Docket No. 192-03. <u>11/3/92</u> - an acceptable agreement achieved. <u>5/17/93</u> - Final assessment reduced - fine paid.	<u>4/24/92</u> - Abatement date extended May 25, 1992. <u>4/29/92</u> - Proposed assessment. <u>5/26/92</u> - New time frame decided in a meeting between DEQ and Utah Fuel Co. On 5/29/92 (or before) DEQ will receive a plan to lower TDS values. <u>6/10/92</u> - Request for Extension of Abatement date. <u>6/26/92</u> - Abatement date extended to 8/31/92. <u>9/1/92</u> - Request for extension beyond the normal 90 day abatement time.	<u>5/28/92</u> - Requested Administrative Conference to review findings. <u>3/22/93</u> - Assessment Conference established for 4/21/93. <u>4/7/93</u> - Assessment Conference rescheduled for 5/12/93.

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-4-1	May 22, 1992	Failure to maintain sediment control in Area 17 of the Railroad Loadout. Failure to prevent to the extent possible, additional contributions of sediment to stream flow or run off outside the permit area.	<u>6/3/93</u> - Required remedial action completed.	<u>6/15/92</u> - Part 1 of 1 terminated. <u>6/25/92</u> - Proposed Assessment. <u>10/9/92</u> - Finalized Assessment paid.	<u>7/21/92</u> - Informal assessment conference requested. <u>9/10/92</u> - Assessment Conference scheduled for 9/29/92.
N92-37-5-1	August 26, 1992	Failure to maintain diversion as described in the mining and reclamation plan Volume 5, section 10, page 4/4.	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/15/92</u> - Part 1 of 1 modified, and abatement extended to 11/25/92. <u>9/23/92</u> - Proposed Assessment. <u>11/5/92</u> - Part 1 of 1 terminated. <u>1/7/93</u> - Received final assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93.

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-6-1	August 26, 1992	Failure to implement sediment control measures as described in the construction plan and consequently conducting coal mining operations outside of the permit area (D + B)	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/18/92</u> - Requested extension to 10/16/92. <u>9/21/92</u> - Abatement date extended to 10/16/92. <u>9/23/92</u> - Proposed Assessment. <u>10/14/92</u> - Requested extension to 11/6/92. <u>10/20/92</u> - Abatement extended to 11/6/92. <u>1/7/93</u> - Finalized assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-7-1	August 26, 1992	Failure to provide maps and plans showing relevant surface configuration and slope; size and location of spoil and development waste areas.	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/15/92</u> - Requested abatement extension to 9/22/92. <u>9/15/92</u> - Part 1 of 1 is modified. Abatement extended. <u>9/17/92</u> - Part 1 of 1 is modified. Abatement extended to 11/25/92. <u>9/23/92</u> - Proposed Assessment <u>10/6/92</u> - Approval of Amendment Addressing Division Order which vacated. <u>11/5/92</u> - Part 1 of 1 is terminated. <u>1/7/93</u> - Finalized assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93.

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N93-39-2-1	April 1, 1993	Conducting mining activities outside of the permit area.		<u>5/18/93</u> - Paid assessed fine.	

1.14 Right of Entry and Operation

The Applicant bases its right to enter and continue underground mining activities on a number of documents pertaining to coal leases and surface ownership in the permit area (Exhibits 1.12-1 and 1.12-2). The Applicant has a working agreement with lessee of all the coal to be mined in the five-year permit term. All surface facilities are constructed on Bureau of Land Management Rights-of-Way and Coal Lease Lands.

The coal leases, supporting documents, and a surface consent agreement to conduct underground mining are summarized below.

Federal Coal Leases

Lease No. SL 051279-063188

Date of Lease: January 4, 1935

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 12: E/2E/2

Sec. 13: NE/4 NE/4

T13S, R12E, SLB&M

Sec. 7: All

Sec. 8: W/2

Sec. 17: NW/4

Sec. 18: N/2 NE/4, SE/4, NE/4, NE/4, NW/4, Lot 1
(NW/4 NW/4)

Containing: 1548.31 ac

Supporting Documents:

1. Assignment of federal coal lease from Premium Coal Company to California Portland Cement Company on July 31, 1974, approved effective September 1, 1974 by BLM.
2. Assignment of Federal coal lease from California Portland Cement Company to Sunedco Coal Company on August 23, 1985, approved by BLM on September 5, 1985.
3. Working agreement established between Applicant and Sunedco Coal Company.
4. Working agreement established between Sunedco and Sage Point Coal Company.
5. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Permission to Mine

Date of Lease: Permission was attached to Federal Lease No. SL 051279-063188 by the U.S. Geological Survey Mining Supervisor on December 11, 1974.

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 13: SE/4 NE/4, NE/4 SE/4

T13S, R12E, SLB&M

Sec. 18: Lot 2 (SW/4 NW/4), SE/4 NW/4

Containing: 163.32 ac

Supporting Documents:

1. Assignment of Federal Coal Lease SL 051279-063188 from California Portland Cement Company to Sunedco Coal Company on August 23, 1985, approved by BLM on September 5, 1985.
2. Working agreement established between the Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Coal Lease U-50722

Date of Lease: September 1, 1982

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 12: E/2 W/2, W/2 E/2

Sec. 13: NW/4 NE/4, NE/4 NW/4

Containing: 400 ac

Supporting Documents:

1. Assignment of Federal coal lease from California Portland Cement Company to Sunedco Coal Company on August 23, 1985, approved by BLM on September 5, 1985.
2. Working agreement established between Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Coal Lease Modified U-50722

Date of Lease: August 24, 1991

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 1: Lot 8

Containing 40.00 acres

Supporting Documents:

1. Modified coal lease from the BLM to Sage Point Coal Company dated August 24, 1990.
2. Working agreement established between Sage Point Coal Company and the Applicant.

Unleased Federal Coal Leases

Lands Covered:

These lands are outside the approved five-year term of permit and will be acquired from United States of America (BLM) during the permit renewal five-year term permit. The lands are included to show the progression of mine development over the mine's life.

T13S, R11E, SLB&M

Sec. 1: Lot 1

Containing: 40 acres

T12S, R12E, SLB&M

Sec. 31: All

Containing: 600 acres

T12S, R12E, SLB&M

Sec. 33: SW 1/4, SE 1/4

Containing: 320 acres

T12S, R12E, SLB&M

Sec. 34: SW 1/4

Containing: 160 acres

Supporting Documents:

1. The Applicant will not enter the property until all legal rights (leases) have been obtained.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Federal Coal Leases Contiguous to Permit Area

(Proposed lease additions not within this Permit Term)

Federal Coal Lease U-07064-027821

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 13: S/2

Sec. 23: E/2 E/2, W/2 SE/4, NE/4 SW/4

Sec. 24: All

Sec. 25: N/2 N/2

Sec. 26: N/2 NE/4

T13S, R13E, SLB&M

Sec. 18: S/2

Sec. 19: Lots 1,2,3,4, E/2 W/2, NE/4, NW/4 SE/4

Sec. 30: Lot 1

Containing: 2416.14 ac.

Supporting Documents:

1. Assignment of lease U-07064-027821 from Kennecott Coal Co. to Eureka, January 2, 1979, approved effective June 1, 1979 by BLM.
2. Assignment of lease U-07064-027821 on March 4, 1982, from Eureka Energy Company unto Sunoco Energy Development Co. and approved effective June 1, 1982 by BLM.
3. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco Coal Co. are now owned or leased by Sage Point Coal Company.
4. A decision dated July 31, 1990, by the BLM recognized the corporate merger of Sunedco Coal Co. into Sage Point Coal Company.
5. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

State Coal Leases

State Coal Lease ML-21994

Date of Lease: September 1, 1964

Lessee: Sage Point Coal Company

Land Covered:

T12S, R12E, SLB&M

Sec. 32: S/2

Containing: 320.00 ac

Supporting Documents:

1. Assignment of State lease from Heiner Coal Company to Pacific Gas and Electric Company (PG&E) on August 2, 1976, approved August 9, 1976 by Utah Division of State Lands.
2. Assignment of State lease from PG&E to Eureka on December 8, 1978, approved January 8, 1979 by Utah Division of State Lands.
3. Assignment of State lease from Eureka to Sunedco on March 4, 1982, approved March 22, 1982, by Utah Division of State Lands.
4. Working agreement established between Applicant and Sunedco.
5. Working agreement established between Sunedco and Sage Point Coal Company.

6. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-22675

Date of Lease: February 23, 1965

Lessee: Sage Point Coal Company

Lands covered:

T12S, R12E, SLB&M

Sec. 32: NE/4 NE/4, S/2 NE/4, NW/4

Containing 280 ac

Supporting Documents:

1. Assignment of State lease from Heiner Coal Company to PG&E on August 2, 1976, approved August 9, 1976 by Utah Division of State Lands.
2. Assignment of State lease from PG&E to Eureka on December 8, 1978, approved January 8, 1979 by Utah Division of State Lands.
3. Assignment of State lease from Eureka to Sunedco on March 4, 1982, approved March 22, 1982 by Utah Division of State Lands.
4. Working agreement established between Applicant and Sunedco
5. Working agreement established between Sunedco and Sage Point Coal Company.
6. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-42648

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Land Covered:

T13S, R12E, SLB&M

Sec. 8: E/2

Sec. 17: NE/4

Containing: 480 ac

Supporting Documents

1. Federal Coal Lease U-089096 issued July 1, 1962, was converted to State ownership (ML-42648) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. Working agreement established between the Applicant and Sunedco Coal Company.
3. Working agreement established between the Sunedco and Sage Point Coal Company.

4. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-42649

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Lands Covered:

Lands described below are only a portion of the entire lands held by this lease:

T13S, R12E, SLB&M

Sec 3: W/2

Sec. 4: S/2, Lots 1, 2, 3, 4

Sec. 5: SE/4, Lots 1, 2

Sec. 9: W/2, NE/4, N/2 SE/4

Containing: 1304.24 ac

Supporting Documents:

1. Federal Coal Lease U-0144820 issued September 1, 1966 was converted to State ownership (ML-42649) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. Working agreement established between the Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-44365

Date of Lease: April 3, 1989

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 5: SW 1/4, Lots 3, 4

Sec. 6: All

Containing: 557.20 ac

Supporting Documents:

1. State Coal Lease ML-44365 was acquired by the Applicant on April 3, 1989.

State Coal Leases Contiguous to Permit Area

(Proposed lease additions not within this Permit Term)

State Coal Lease ML-42648

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 10: S/2

Sec. 11: S/2

Sec. 14: All

Sec. 15: All

Sec. 17: E/2 SW/4, SE/4

Sec. 20: E/2 NW/4, SW/4 NW/4, N/2 NE/4

Sec. 21: N/2 NW/4, NE/4

Sec. 22: N/2, N/2 S/2

Sec. 23: W/2 NW/4

Containing: 3160 ac

Supporting Documents:

1. Federal Coal Lease U-089096 issued July 1, 1962, was converted to State ownership (ML-42648) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

State Coal Lease ML-42649

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 3: E/2

Sec. 9: S/2 SE/4

Sec. 10: N/2

Sec. 11: N/2

Containing: 906.86 ac

Supporting Documents:

1. Federal Coal Lease U-0144820 issued September 1, 1966, was converted to State ownership (ML-42649) in the In-Lieu Land Transfer on October 1, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

State Coal Lease ML-22590

Date of Lease: January 25, 1965

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 2: All

Containing 375.52 Ac

Supporting Documents:

1. Assignment of lease ML-22590 from Heiner Coal Co. to PC and E August 2, 1976, approved August 9, 1976 by Utah Division of State Lands.
2. Assignment of lease ML-22590 from PG and E to Eureka December 8, 1978, approved January 8, 1979 by Utah Division of State Lands.
3. On March 4, 1982, Eureka Energy Company assigns to Sunoco Energy Development Co. all rights and privileges as lessee in such lands.
4. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned by Sunedco are now owned or leased by Sage Point Coal Company
5. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Unleased Private Coal Leases

These lands are outside the approved five-year term of permit and will be acquired from individual owners during the permit renewal five-year term permit. The lands are included to show the progression of mine development over the mine's life.

T12S, R12E, SLB&M

Section 31: NE 1/4, NE 1/4

Containing: 40 ac

Section 32: NW 1/4, NE 1/4

Containing: 40 ac

Section 33: NE 1/4 NE 1/4

Containing: 40 ac

Section 34: NW 1/4

Containing: 160 ac

Supporting Documents:

1. The Applicant will not enter the property until all legal rights (leases) have been obtained.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Fee Coal Contiguous to Permit Area

(Proposed lease additions not within this Permit Term)

Parcel 1 - "Fish Creek Canyon" Fee Coal

Owner in Fee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 16: All

Containing: 640.0 ac

Supporting Documents:

1. On March 4, 1982, Eureka Energy Company conveys and warrants to Sunoco Energy Development Co. Fee Coal interest 801671 and 801672.

2. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco are not owned or leased by Sage Point Coal Company.
3. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Parcel 2 - "Dugout Canyon" Fee Coal

Owner in Fee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 23: W/2 NE/4, E/2 NW/4

Containing: 160.0 ac

Supporting Documents:

1. On March 4, 1982, Eureka Energy Company conveys and warrants to Sunoco Energy Development Co. Fee Coal interest 801681.
2. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco are now owned or leased by Sage Point Coal Company.
3. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Alkali Tract - Fee Coal

Owner in Fee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 2: All

Sec. 3: Lots 5, 6 and 7

Sec. 9: E/2 NE/4, SW/4 NE/4, N/2 SE/4

Sec. 10: NW/4, W/2 NE/4, NW/4 SW/4, NW/4 SE/4

Containing: 954.0 ac

Supporting Documents:

1. On March 4, 1982, Eureka Energy Company conveys and warrants to sunoco Energy Development Co. Fee Coal interest 801681.
2. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco are now owned or leased by Sate Point Coal Company.
3. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Surface Ownership

Surface ownership for the life of mine area is illustrated on Exhibit 1.12-1. The life of mine area contains 6958.19 ac, while the five-year term of permit area contains 4909.69 ac.

Federal Right-of-Ways U-50167

(Sewage Lagoons, Pipeline, Access Road)

Dated: July 2, 1982

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: Lot 4, NE/4 SW/4,
SW/4 NE/4, SE/4 SW/4, NW/4 SE/4

Sec. 19: Lots 1, 2, 3, 4

T13S, R11E, SLB&M

Sec. 24: SE/4 SE/4 SE/4

Containing: 4.81 ac

Supporting Documents:

1. Assignment of Right-of-Ways from California Portland Cement Company to Sunedco Coal Company on September 5, 1985, approved by the BLM on September 19, 1985.
2. Working agreement established between Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco Coal Company and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Right-of-Ways U-52071

(Sediment Pond, Access Road, Storage Area)

Dated: June 7, 1983

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: NE/4 SW/4 NE/4, NW/4 SW/4 NE/4

Containing: 3.75 ac

Supporting Documents:

1. Assignment of Right-of-Ways from California Portland Cement to Sunedco Coal Company on September 5, 1985, approved by the BLM on September 19, 1985.
2. Working agreement established between Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco Coal Company and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Land Use Permit UTU-66132

(Topsoil Storage Site and Access Road)

Date of Agreement: August 14, 1990

Lessee: Soldier Creek Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 25: S/2 SW/4 NE/4, N/2 NW/4 SE/4

Containing: 4.5 acres

Supporting Documents:

1. Land Use Permit issued for the BLM to Soldier Creek Coal Company on August 14, 1990 authorizing use of the described land.
2. Approved amendment to Land Use Permit UTU-66132 for construction; operation and maintenance of an access road to the permit area.

Amendment of Right-of-Way UTU-62044

(Road Relocation)

Date of Agreement: April 26, 1991

Consentor: Bureau of Land Management

Consentee: Carbon County

Lands Covered:

T13S, R12E, SLB&M

Sec. 7: SE/4 SE/4

Sec. 18: NE/4 NE/4

Supporting Documents:

1. Approved Right-of-Way amendment to relocate the county road for 1235 feet between the BLM and Carbon County on April 26, 1991.
2. Working agreement between Carbon County and the Applicant.

Federal Realty Action UTU-65023

Exchange of Public Lands in Carbon County, Utah (Lands for Refuse Disposal Site, Access Road, Topsoil Storage Site and Future Uses)

Dated: June 17, 1991

Lands Covered:

T13S, R11E, SLB&M

Sec.25: S/2 SW/4 NE/4, E/2 NE/4 SW/4, SE/4 SW/4, W/2 SE/4

Containing: 160.00 ac

Supporting Documents:

1. Notice of Realty Action UTU-65023 from the BLM, dated June 17, 1991 to the Applicant.

Surface Consent Agreements

The Applicant has received consent agreements to conduct coal operation as described below:

Easement

(Power line)

Date of Agreement:

Consentor: Mountain Fuels Supply Company

Consentee: Sage Point Coal Company

Term:

Lands Covered:

T13S, R12E, SLB&M

Sec. 7:

Supporting Documents:

1. Easement license to construct and maintain a power line between Mountain Fuels Company to California Portland Cement Company on July 26, 1982.
2. Assignment of the easement license from California Portland Cement Company to Sunedco Coal Company on September 5, 1985.
3. Working agreement between the Applicant and Sunedco Coal Company.
4. Working agreement between Sunedco Coal Company and Sage Point Coal Company.
5. Working agreement between Sage Point Coal Company and the Applicant.

Conditional Licensee Agreement

(Surface Facilities)

Date of Agreement: December 11, 1989

Consentor: Questar Pipeline Company

Consentee: Soldier Creek Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: NE/4 NE 4

Supporting Document:

Conditional license agreement to construct facilities necessary for the development of the Soldier Canyon Mine between Questar Pipeline Company and the Applicant on December 11, 1989.

Realignment of Portion of Soldier Creek Road

Date of Agreement: July 11, 1990

Lands Covered:

T13S, R12E, SLB&M

Sec. 7: SE/4 SE/4

Sec. 18: NE/4 NE/4

Supporting Document:

Letter from Nick Sampinos (Attorney for Carbon County) to Mark Mackiewicz (BLM) stating the County's supportive position in the realignment project.

Stream Channel Alteration Permit 90-91-23SA

Stream Culvert Extension

Date of Agreement: September 26, 1990

Consentor: State of Utah, Department of Natural Resources
Division of Water Rights

Consentee: Carbon County

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: NE/4 NE/4

Supporting Documents:

1. Stream Channel Alteration Permit 90-91-23SA to install 885 feet of stream culvert between the Division of Water Rights and Carbon County.
2. Working agreement between Carbon County and the Applicant.

County Road Relocation Project

Date of Agreement: March 25, 1991

Consentor: Carbon County

Consentee: Soldier Creek Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 7: SE/4 SE/4

Sec. 18: NE/4 NE/4

Supporting Documents:

Letter from William D. Krompel (Carbon County Commissioner) to Soldier Creek Coal Company (SC3), giving SC3 its approval to proceed with the road relocation.

County Road Right-of-Way Encroachment Authorization

(Topsoil Storage Access Road)

Date of Agreement: April 4, 1991

Consentor: Carbon County

Consentee: Soldier Creek Coal Company

Lands Covered:

Area of access road that will encroach upon Carbon County's right-of-way.

Supporting Documents:

Letter from Evan Hansen (County Engineer) granting Soldier Creek Coal Company permission to encroach

upon Carbon County's road right-of-way.

Other Licenses and Permits

Permits and licenses held by the Applicant are listed along with the governmental agency issuing the approvals on Table 1.14-1.

TABLE 1.14-1

PERMITS AND APPROVALS
SOLDIER CREEK COAL COMPANY

<u>PERMIT/ APPROVAL</u>	<u>AGENCY</u>	<u>DATE</u>
Mine I.D. 42-00077	MINE SAFETY AND HEALTH ADMINISTRATION Federal Center P.O. Box 25367 Denver, CO 80225	02/27/73
Permit to Mine UT-0023	U.S. OFFICE OF SURFACE MINING Brooks Tower 1020 15th Street Denver, CO 80202	05/31/85
NPDES UT-0023680	U.S. ENVIRONMENTAL PROTECTION AGENCY 1860 Lincoln Street Suite 103 Denver, CO 80295	06/01/91
Rights-of Way Sewage Lagoons U-50167	U.S. BUREAU OF LAND MANAGEMENT	07/08/82
Rights-of Way Sediment Pond U-52071	U.S. BUREAU OF LAND MANAGEMENT	06/07/83
Permit to Mine ACT/007/018	UTAH DIVISION OF OIL, GAS AND MINING 355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, UT 84180	05/29/85
Air Quality Approval Order	UTAH DIVISION OF ENVIRONMENTAL HEALTH P.O. Box 2500 Salt Lake City, UT 84110	09/03/91
Safe Drinking Water Approval	UTAH DIVISION OF ENVIRONMENTAL HEALTH	01/17/79
Waste water System Sewage Lagoons Approval Order	UTAH DIVISION OF ENVIRONMENTAL HEALTH	05/07/82
Wastewater System Septic Tank Approval Order	UTAH DIVISION OF ENVIRONMENTAL HEALTH	06/02/82
Land Use Permit UTU-66132	U.S. BUREAU OF LAND MANAGEMENT	08/14/90
Conditional License Agreement	QUESTAR PIPELINE COMPANY 79 South State Street P.O. Box 11450 Salt Lake City, UT 84147	12/11/89

TABLE 1.14-1 (Continued)

<u>PERMIT/ APPROVAL</u>	<u>AGENCY</u>	<u>DATE</u>
Land Use Permit UTU-66132	U.S. BUREAU OF LAND MANAGEMENT	08/14/90
Conditional License Agreement	QUESTAR PIPELINE COMPANY 79 South State Street P.O. Box 11450 Salt Lake City, UT 84147	12/11/89
Stream Channel Alteration Permit 90-91-23SA	STATE OF UTAH, DEPARTMENT OF NATURAL RESOURCES DIVISION OF WATER RIGHTS 1636 West North Temple Suite 220 Salt Lake City, UT 84116-3156	09/26/90
Amendment of Right-of-Way UTU-62044	U.S. BUREAU OF LAND MANAGEMENT	04/26/91
Federal Realty Action Land Exchange UTU-65023	U.S. BUREAU OF LAND MANAGEMENT	Pending

1.15 Status of Unsuitability Claims

After reviewing the description of the proposed permit area, the Regulatory Authority should determine that this area is:

- a. Not included within an area designated unsuitable for surface coal mining operations. {R614-301-115.100}
- b. Not within an area under study for designating lands unsuitable for surface coal mining operations. {R614-301-115.100}
- c. Not on any lands subject to the prohibitions or limitations for R614-103-322.
- d. Within 100 ft. of the outside right-of-way of a public road {R614-103-234}. The Applicant has received formal permission from the Carbon County Commissioners to mine within 100 ft. of the right-of-way of a public road.
- e. Not within 300 ft. of any occupied dwelling. {R614-103-235}
- f. Not unsuitable in accordance with 522 of SMCRA.

1.16 Permit Term

Soldier Canyon Mine's origin dates back to 1906 when limited prospecting was done on the property. A Federal coal lease was granted in 1935 and mining commenced on the property.

Mine rehabilitation was initiated in 1975 and consisted of a general clean-up to meet federal safety standards, driving two rock tunnels and installing a conveyor belt system. The underground work was completed in June, 1976. Surface rehabilitation work began in August, 1975 and continued until completion in May, 1978. The outside rehabilitation work included the construction of a substation, power centers, office, warehouse, shop and bathhouse. Construction of a sedimentation pond was completed in November, 1979 and sewage lagoons were completed in October, 1982.

A permanent program mining permit (ACT/007/018) was issued by the State and OSM (UT 0023) on May 19, 1985. Subsequently, the mine was acquired by Sunedco Coal Company on September 5, 1985, and Sunedco reincorporated the Applicant in Delaware and transferred the mine assets back to the Applicant. Federal and State leases are held by two affiliate companies, Sunedco Coal Company and

Sunoco Energy Development Company. A working agreement was established between them and the Applicant to continue operating the mine.

Thereafter, a corporate reorganization on December 31, 1987, by Sun Coal Company, Inc., initiated a corporate merger of Sunedco Coal Company and Sunoco Energy Development Company into Sage Point Coal Company. As a result of the corporate merger, Sage Point Coal Company became the sole shareholder of Soldier Creek Coal Company. A working agreement was thereafter established between Sage Point Coal Company and the Applicant. The Applicant intends to add additional coal reserves to its present base and seeks a new mine permit to include these reserves. The Applicant foresees the need to expand its surface facilities and are described within this permit application.

Exhibits 5.21-1, 5.26-1, and Plate 5-1 show the location of each surface mining activity within the 6958.19 ac life of mine area and 4,909.69 ac five-year term of permit area.

The horizontal and vertical extent of the proposed underground mine workings for each phase of mining is shown on Exhibits 5.21-4, 5.21-5 and 5.21-6. Mining will be restricted to the reduced five-year term until the necessary leases and permits are obtained to extend mining activities.

The Applicant proposes to operate Soldier Canyon Mine for 30 years and requests that a permit be issued for the first five years. This application presents information on the construction of surface facilities, mine operation and reclamation over the anticipated 30 year life of the mine.

The Applicant is conducting mining activities within 100 ft. of a public road. Soldier Creek Road is the public road and the affected portion is a stretch within the permit area, T13S, R12E, Sec. 18 and 7, Carbon County, Utah. The legal description of the permit boundary is provided in Sec. 1.17.200. Areas of disturbance are illustrated on Exhibits 5.21-2, 5.21-3, 5.26-1 and Plate 5-1.

1.17 Insurance, Proof of Publication

1.17.1 Insurance

The following page is a Certificate of Liability Insurance with the Applicant listed as the insured.

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

9-7-93

PRODUCER

Flat Top Insurance
P. O. Box 1439
Bluefield, WV 24701

THIS CERTIFICATE 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.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** Fidelity & Casualty Co. of New York
- COMPANY LETTER **B**
- COMPANY LETTER **C**
- COMPANY LETTER **D**
- COMPANY LETTER **E**

INSURED

The Coastal Corporation, Etal.
c/o Energy Insurance Int'l.
P. O. Box 36429
Houston, TX 77236-6429

COVERAGES

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY				GENERAL AGGREGATE \$2,000,000
A X	COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OP AGG. \$2,000,000
	CLAIMS MADE <input checked="" type="checkbox"/> OCCUR.	MCD001405	12/31/92	12/31/93	PERSONAL & ADV. INJURY \$2,000,000
X	OWNER'S & CONTRACTOR'S PROT.				EACH OCCURRENCE \$2,000,000
X	XCUI				FIRE DAMAGE (Any one fire) \$100,000
					MED. EXPENSE (Any one person) \$10,000
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$
	ANY AUTO				BODILY INJURY (Per person) \$
	ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	SCHEDULED AUTOS				PROPERTY DAMAGE \$
	HIRED AUTOS				
	NON-OWNED AUTOS				
	GARAGE LIABILITY				
	EXCESS LIABILITY				EACH OCCURRENCE \$
	UMBRELLA FORM				AGGREGATE \$
	OTHER THAN UMBRELLA FORM				
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS
					EACH ACCIDENT \$
					DISEASE-POLICY LIMIT \$
					DISEASE-EACH EMPLOYEE \$
A	OTHER Pollution	MCP001406	12/31/92	12/31/93	\$500,000 Ea. Incident \$500,000 Aggregate \$5,000 Deductible

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

Soldier Creek Coal Company is included as a Named Insured under the referenced policies as respects Permits No. ACT/007/034 and ACT/007/018

CERTIFICATE HOLDER

State of Utah
Div. of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84108-1203

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 90 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Adney O. Mesh
AGENCY

EXCLUSIONS

General Liability Exclusions include, but are not limited to:

Pollution, Asbestos, Discrimination, Wrongful Termination,
Nuclear, Tanker or Barge Operation, Property in Insured's Care,
Custody or Control, Aircraft Liability, and War.

1.17.2 Proof of Publication

A copy of the newspaper advertisement of the application for the transfer of Soldier Canyon Mine's permit has been filed with the Division and is part of the application as required under R614-300-121.100.

1.18 Filing Fee

This permit application to conduct coal mining and reclamation operations pursuant to the State Program will be accompanied by a fee of \$5.00.

1.20 Application Format and Contents

This application is structured based on the R614 regulations of the Division of Oil, Gas and Mining. The chapter divisions in the application are based on the section subdivisions in the R614 regulations. Additionally, each section of the application is based on a corresponding subsection of the various regulation sections (i.e., section 1.20 addresses the concerns of R614-301-120 in the regulations).

PROPOSED LEGAL NOTICE

APPLICATION FOR PERMIT TRANSFER SOLDIER CANYON MINE

Soldier Creek Coal Company, P.O. Box 1029, Wellington, Utah 84542, is authorized, as applicant and operator, to operate the Soldier Canyon Mine in Carbon County, Utah under Permit Number ACT/007/018 issued by the State of Utah, Division of Oil, Gas, and Mining. Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111, has entered into an acquisition agreement with Elk River Resources, Inc. the owner of Sage Point Coal Company, to purchase 100% of the Sage Point stock from Elk River Resources, Inc.

Soldier Creek Coal Company has filed a Permit Transfer Application, in advance of closing, with the Division of Oil, Gas, and Mining to document change of Sage Point Coal Company ownership from Elk River Resources, Inc. to Coastal States Energy Company.

Approval by the Division of this application will allow coal mining operations to continue within the leasehold interest and fee lands owned by Sage Point Coal Company. The lands on which mining activity is to occur are located in Carbon County. The mine portals are located 12 miles northeast of Wellington, Utah, in Soldier Creek Canyon. The approximately 4,909.69 acre leasehold associated with the five-year plan involves all or part of the following coal lands which are assigned or deeded to Sage Point Coal Company:

T. 12 S., R. 12 E. SL Meridian, Utah, Sec. 32: NW-1/4, SW-1/4 NE-1/4, E-1/2 NE-1/4, S-1/2.

T. 13 S., R. 11 E. SL Meridian, Utah, Sec. 1: lot 8; Sec. 12: E-1/2, E-1/2 W-1/2; Sec. 13: NE-1/4 NW-1/4, N-1/2 NE-1/4, SE-1/4 NE-1/4, NE-1/4 SE-1/4; Sec. 24: S-1/2 S-1/2 SW-1/4 SE1/4, portion of SE-1/4 SE-1/4 used for sewage lagoon site; Sec.25: N-1/2 NW-1/4 NE-1/4, portion of N-1/2 NW-1/4 SE-1/4 used for topsoil storage area, portion of S-1/2 SW-1/4 NE-1/4 used for refuse disposal site.

T. 13 S., R. 12 E. SL Meridian, Utah, Sec. 4: All; Sec. 5: All; Sec. 6: All; Sec. 7: All; Sec. 8: All; Sec. 9: W-1/2, NE-1/4, N-1/2 SE-1/4; Sec. 17: N-1/2; Sec.18: N-1/2 N-1/2, SE-1/4 NE-1/4, S-1/2NW1/4, NE-1/4 SW-1/4 NE-1/4, NW-1/4 SW-1/4 NE-1/4; and Sec. 19: portion of SW-1/4 SW-1/4 used for sewage lagoon site.

Copies of the advance Permit Transfer Application will be available for inspection at the following locations: Utah Division of Oil, Gas, and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah; Carbon County Courthouse, Price, Utah; Soldier Canyon Mine, 12 miles Northeast of Wellington, Utah; and Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah.

Written comments on the application must be submitted within 30 days of this first public notice to the Utah Division of Oil, Gas, and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180 with copies to Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111.

Published in the Price Sun Advocate _____, 1993

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Carbon,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for One (1) consecutive issues, and that the first publication was on the

12th day of August, 1993

and that the last publication of such notice was in the issue of such newspaper dated the

 day of , 19

Kevin Ashby
.....
Notary Public

Subscribed and sworn to before me this

12th day of August, 1993

Lynette Shaper
.....
Notary Public

My Commission expires January 10, 1995

Residing at Price, Utah

40.00

Publication fee, \$.....

**LEGAL NOTICE
APPLICATION FOR PERMIT TRANSFER
SOLDIER CANYON MINE**

Soldier Creek Coal Company, P.O. Box 1, Price, Utah 84501, is authorized, as applicant and operator, to operate the Soldier Canyon Mine in Carbon County, Utah under Permit Number ACT/007/018 issued by the State of Utah, Division of Oil, Gas and Mining. Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111 has entered into an acquisition agreement with Elk River Resources, Inc the owner of Sage Point Coal Company, to purchase 100% of the Sage Point stock from Elk River Resources, Inc.

Soldier Creek Coal Company has filed a Permit Transfer Application in advance of closing, with the Division of Oil, Gas and Mining to document change of Sage Point Coal Company ownership from Elk River Resources, Inc. to Coastal States Energy Company.

Approval by the Division of this application will allow coal mining operations to continue within the leasehold interest and fee lands owned by Sage Point Coal Company. The lands on which mining activity is to occur are located in Carbon County. The mine portals are located 12 miles northeast of Wellington, Utah, in Soldier Creek Canyon. The approximately 4,909.69 acre leasehold associated with the five-year plan involves all or part of the following coal lands which are assigned or deeded to Sage Point Coal Company:

T.12S., R.12E. SL Meridian, Utah, Sec. 32: NW- $\frac{1}{4}$, SW- $\frac{1}{4}$, NE- $\frac{1}{4}$, E- $\frac{1}{2}$ NE- $\frac{1}{4}$, S- $\frac{1}{2}$.

T.13S., R.11E. SL Meridian, Utah Sec. 1: lot 8; Sec. 12: E- $\frac{1}{2}$, E- $\frac{1}{2}$ W- $\frac{1}{2}$; Sec. 13: NE- $\frac{1}{4}$ NW- $\frac{1}{4}$, N- $\frac{1}{2}$ NE- $\frac{1}{4}$, SE- $\frac{1}{4}$ NE- $\frac{1}{4}$, NE- $\frac{1}{4}$ SE- $\frac{1}{4}$; Sec. 24: S- $\frac{1}{2}$ S- $\frac{1}{2}$ SW- $\frac{1}{4}$ SE- $\frac{1}{4}$, portion of SE- $\frac{1}{4}$ SE- $\frac{1}{4}$ used for sewage lagoon site; Sec. 25: N- $\frac{1}{2}$ NW- $\frac{1}{4}$ NE- $\frac{1}{4}$, portion of N- $\frac{1}{2}$ NW- $\frac{1}{4}$ SE- $\frac{1}{4}$ used for topsoil storage area; portion of S- $\frac{1}{2}$ SW- $\frac{1}{4}$ NE- $\frac{1}{4}$ used for refuse disposal site.

T.13S., R.12E. SL Meridian, Utah, Sec. 4: All; Sec 5: All; Sec 6: All; Sec. 7: All; Sec. 8: All; Sec. 9: W- $\frac{1}{2}$, NE- $\frac{1}{4}$, N- $\frac{1}{2}$ SE- $\frac{1}{4}$; Sec. 17: N- $\frac{1}{2}$; Sec. 18: N- $\frac{1}{2}$ N- $\frac{1}{2}$, SE- $\frac{1}{4}$ NE- $\frac{1}{4}$, S- $\frac{1}{2}$ NW- $\frac{1}{4}$, NE- $\frac{1}{4}$ SW- $\frac{1}{4}$ NE- $\frac{1}{4}$, NW- $\frac{1}{4}$ SW- $\frac{1}{4}$ NE- $\frac{1}{4}$; and Sec. 19: portion of SW- $\frac{1}{4}$ SW- $\frac{1}{4}$ used for sewage lagoon site.

Copies of the Advance Permit Transfer Application will be available for inspection at the following locations: Utah Division of Oil, Gas and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah; Carbon County Courthouse, Price, Utah; Soldier Canyon Mine, 12 miles Northeast of Wellington, Utah; and Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah.

Written comments on the application must be submitted within 30 days of this first public notice to the Utah Division of Oil, Gas and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180 with copies to Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111.

Published in the Sun Advocate August 12, 1993.

RECEIVED

AUG 17 1993

SOUTHERN UTAH FUEL CO.

1.23 Verification of Application

I, the undersigned say:

I am the Vice President and General Manager of Soldier Creek Coal Company. I make this verification as such on behalf of Applicant.

I declare that the following information contained in this application is true and correct to the best of my knowledge, information and belief.

Executed this 9 day of NOVEMBER, 1993.

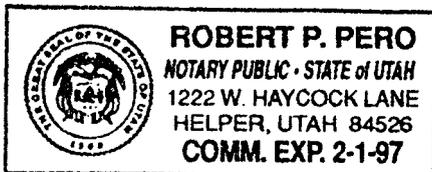


R.W. Olsen
Vice President & General Manager
Soldier Creek Coal Company

Attest:



Robert P. Pero
Data Processing Manager



1.30 Technical Data

The technical data collected for this permit application were collected by the staff of Soldier Creek Coal Company or its consultants. In each chapter, a list of the contributing individuals and firms are presented.

1.40 Maps and Plans

The maps submitted in this application are suitable to the presentation of the information required by the regulations. Every attempt has been made to adjust the scale of the various maps to the data being presented.

APPLICATION FOR PERMIT CHANGE

Title of Change:

CHAPTER 1 REVISION

Permit Number: ACT / 007 / 018

Mine: Soldier Canyon Mine

Permittee: Soldier Creek Coal Co.

Description, include reason for change and timing required to implement:

Chapter 1 was updated to reflect change of ownership.

NOV 12 1993

DIVISION OF
OIL, GAS & MINING

- Yes No 1. Change in the size of the Permit Area? _____ acres increase decrease.
- Yes No 2. Change in the size of the Disturbed Area? _____ acres increase decrease.
- Yes No 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
- Yes No 4. Will permit change include operations in hydrologic basins other than currently approved?
- Yes No 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does permit change require or include public notice publication?
- Yes No 7. Permit change as a result of a Violation? Violation # _____
- Yes No 8. Permit change as a result of a Division Order? D.O.# _____
- Yes No 9. Permit change as a result of other laws or regulations? Explain: Permit Transfer
- Yes No 10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
- Yes No 11. Does the permit change affect the surface landowner or change the post mining land use?
- Yes No 12. Does permit change require or include collection and reporting of any baseline information?
- Yes No 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 14. Does permit change require or include soil removal, storage or placement?
- Yes No 15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
- Yes No 16. Does permit change require or include construction, modification, or removal of surface facilities?
- Yes No 17. Does permit change require or include water monitoring, sediment or drainage control measures?
- Yes No 18. Does permit change require or include certified designs, maps, or calculations?
- Yes No 19. Does permit change require or include underground design or mine sequence and timing?
- Yes No 20. Does permit change require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
- Yes No 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
- Yes No 23. Is this permit change coal exploration activity inside outside of the permit area?

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

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.

Robert P. Pero Chief Engineer 11/9/93
Signed - Name - Position - Date

Subscribed and sworn to before me this 4 day of Nov 9
Robert P. Pero
Notary Public

ROBERT P. PERO
NOTARY PUBLIC - STATE of UTAH
1222 W. HAYCOCK LANE
HELPER, UTAH 84526
COMM. EXP. 2-1-97

My Commission Expires: _____
Attest: STATE OF UT
COUNTY OF CARBON

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER

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INTRODUCTION

Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Sage Point Coal Company is a wholly owned subsidiary of Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah. Coastal States Energy Company is a wholly owned subsidiary of the Coastal Corporation, a Delaware corporation. Located at the mouth of Nine Mile Canyon, Sections 7 and 18, Township 13 S., Range 12 E., Salt Lake Base and Meridian (SLB&M), on the southern edge of the Book Cliffs in the heart of the book cliff Coal Field (Exhibit 1.12-2). It is approximately 12 miles northeast of Price, Utah (Figure 1). A legal description of the Life of Mine Permit area is provided in section 1.17.2.

Paved Road 53 (Soldier Creek Road) provides easy access to the mine facilities which are adjacent to the highway. While the road is unpaved beyond the mine it is maintained by Carbon County and serves as an access road to recreational and agricultural areas. The road serves as an alternative access between the Price River Basin and the Uinta Basin.

The mine was first opened in 1906, but little coal was produced until 1935 when Premium Coal Company lease the property. That Company: small, family-owned, non-union, operated the mine continuously until 1972. During those years approximately 1.2 million tons of coal were produced.

In September of 1974 California Portland Cement Company purchased the property and after making certain improvements resumed production on June 15, 1976.

On September 5, 1985, assets were transferred to Sunedco Coal Co., a Delaware corporation and a subsidiary of Sun Company, Inc., with offices in Lakewood, Colorado. The Applicant was reincorporated as a Delaware corporation by Sunedco Coal Co. and assets were then transferred to the Applicant. Ownership of the Federal and State coal leases are held by two affiliate companies, Sunedco Coal Company and Sunoco Energy Development Co. A working agreement was established between them and the Applicant to mine the leased coal.

With the acquisition of the Soldier Canyon property the land holding company, Sunedco Coal Co., chose to combine that acreage with certain adjacent acreage which had previously been included in a proposed project: Sage Point-Dugout Canyon. The permit application for Sage Point-Dugout Canyon (UT-0041; ACT/007/009) was approved by DOGM June 5, 1984, but subsequent softening coal markets dictated a postponement of mine development. By combining all of the Soldier Canyon property with selected parts of the Sage Point-Dugout Canyon acreage not included in the ACT/007/009 Permit a more satisfactory mining area

results.

A corporate reorganization by Sun Coal Company, Inc. merged Sunedco Coal Co. and Sunoco Energy Development Co. into Sage Point Coal Company. As a result of the corporate merger, Sage Point Coal Co. became the sole shareholder of Soldier Creek Coal Co. A working agreement was, thereafter, established between Sage Point Coal Company and the Applicant.

On September 16, 1993, Coastal States Energy Company purchased all of the stock of Sage Point Coal Company and Soldier Creek Coal Company.

Coal is currently mined from the Rock Canyon and Sunnyside seams by room and pillar method. Current mine production for 1993, will be approximately .5 million tons. Future mining may include longwall mining methods and coal will be extracted from the Rock Canyon, Sunnyside and Gilson. Future maximum annual production is expected to be approximately 3.5 million tons annually.

To facilitate the increase production to 3.5 million tons annually, the Applicant proposed to expand its surface facilities (Exhibit 5.21-1). Presently, the Applicant has received Division approval to proceed with the facilities expansion by constructing three new portals, installation of 885 feet of stream culvert, realignment of the county road, construction of the new coal handling and coal preparation facilities, and a topsoil storage area.

The Applicant also proposed to expand its LOM permit and obtain the additional coal leases to coincide with SCM's Logical Mining Unit (LMU), and construct a refuse disposal site (Exhibit 1.12-2). Additional coal reserves will be required to ensure future production and a refuse disposal site will be required for disposal of underground development wastes generated during mining operations and coarse coal processing wastes generated from the coal preparation plant.

The refuse disposal site will be located in Section 25 and 36, Township 13 S., Range 11 E., Salt Lake Base and Meridian (SLB&M). The 64.6 acre site is located on a portion of a 333.33 acre tract of private land surrounded by federal land under the management of the U.S. Bureau of Land Management (BLM). The site is approximately 3 miles south of the mine site. It is estimated that at full production (3.5 million tons/year), approximately 500,000 tons of non-acid, non-toxic forming refuse, consisting of shale, bone coal, and sandstone, per year will be generated by the underground development and coal processing operations.

Soldier Creek Coal Company proposes to haul the development and processing wastes by truck from the mine via the paved county road. Travel distance along the

county road is approximately 3 miles from the mine site to the disposal site access road. The site access road, from the paved county road to the refuse disposal site, is approximately 0.5 miles in length. The anticipated life of the facility is difficult to predict, but at a maximum placement of 500,000 tons/year the life of the facility would be 36 years. The design and operation of the disposal area will conform with all State and Federal Regulations.

All runoff within the drainage will be treated with a sediment pond. As presently envisioned, the active refuse disposal area will be limited in size and will range from 4 to 8 acres disturbed at any given time. After a section of the site has been filled to the design level, that section will be reclaimed.

Chapter 1

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

1.12 Identification of Interest

1.12.1 Business Entity

Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Sage Point Coal Company is a wholly owned subsidiary of Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah. Coastal States Energy Company is a wholly owned subsidiary of the Coastal Corporation, a Delaware corporation.

Soldier Creek Coal Company is the operator of an underground coal mining operation located in Carbon County, Utah. The surface facilities for the Soldier Canyon Mine are within Sections 18 and 19, Township 13 South, Range 12 East, and Sections 24 and 25, Township 13 South, Range 11 East, SLBM. These locations are approximately 12 miles northeast of Wellington, Utah.

1.12.2 Applicant and Operator

APPLICANT: Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

Applicant is a corporation, incorporated under the laws of the state of Delaware and registered to do business in Utah.

OPERATOR: Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

RESIDENT AGENT: C. T. Corporation Systems
811 Dallas Avenue
Houston, Texas 77002
Ph. (713) 658-9486

Soldier Creek Coal Company will continue to pay abandoned mine land reclamation fees for the Soldier Canyon Mine.

1.12.3 Officers and Directors

The directors and officers of Soldier Creek Coal Company are:

Board of Directors:

David A. Arledge	James L. Van Lanen
Austin M. O'Toole	Vernal J. Mortensen
Robert A. Feilner	

Officers:

David A. Arledge	Executive Vice President
James L. Van Lanen	President
Vernal J. Mortensen	Executive Vice President
Reid W. Olsen	Vice President
Donald J. Appleman	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Robert A. Feilner	Vice President
William S. Hudgins, Jr.	Vice President, General Counsel and Asst. Secretary
E.C. Simpson	Vice President
Edward P. Gleichauf	Controller
Austin M. O'Toole	Secretary
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw, Jr.	Assistant Secretary
H.R. Natho	Assistant Controller

The directors and officers of Sage Point Coal Company are the same as the directors and officers of Soldier Creek Coal Company.

The directors and officers of Coastal States Energy Company are:

Board of Directors:

O.S. Wyatt, Jr.	Austin M. O'Toole
Harold Burrow	David A. Arledge
James L. Van Lanen	

Officers:

David A. Arledge	Executive Vice President
James L. Van Lanen	President
Vernal J. Mortensen	Senior Vice President
Austin M. O'Toole	Senior Vice President and Secretary
Donald J. Appleman	Vice President
M.T. Arnold	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Robert A. Feilner	Vice President
Coby C. Hesse	Vice President
William S. Hudgins, Jr.	Vice President, General Counsel & Assistant Secretary
T.E. Jackson, Jr.	Vice President
E.C. Simpson	Vice President
Edward P. Gleichauf	Controller
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw Jr.	Assistant Secretary
H.R. Natho	Assistant Controller

The Coastal Corporation is the parent company of Coastal States Energy Company.
The directors and officers of the Coastal Corporation are:

BOARD OF DIRECTORS

CLASS I DIRECTORS - TERM EXPIRING 1996

John M. Bissell
Harold Burrow
Roy D. Chapin, Jr.
James F. Cordes
Roy L. Gates
Jerome S. Katzin

CLASS II DIRECTORS - TERM EXPIRING 1994

David A. Arledge
George L. Brundrett, Jr.
Edward J. Mosher
Lemuel Dale Woody, Jr.
O.S. Wyatt, Jr.

CLASS III DIRECTORS - TERM EXPIRING 1995

Ervin O. Buck
Kenneth O. Johnson
J. Howard Marshall, II
Thomas R. McDade

EXECUTIVE COMMITTEE

O.S. Wyatt, Jr. Chairman
Ervin O. Buck
Harold Burrow
James F. Cordes
J. Howard Marshall II

AUDIT COMMITTEE

Ervin O. Buck, Chairman
John M. Bissell
Roy L. Gates
Jerome S. Katzin

COMPENSATION AND EXECUTIVE DEVELOPMENT COMMITTEE

John M. Bissell, Chairman
Roy D. Chapin, Jr.
Jerome S. Katzin

LIST OF OFFICERS

O. S. Wyatt, Jr.	Chairman of the Board and Chief Executive Officer
David A. Arledge	Senior Executive Vice President and Chief Operating Officer
James F. Cordes	Executive Vice President
James A. King	Executive Vice President
Jerry D. Bullock	Senior Vice President
Carl A. Corrallo	Senior Vice President and General Counsel
Dan J. Hill	Senior Vice President
Jose J. Iglesias	Senior Vice President
Kenneth O. Johnson	Senior Vice President
Austin M. O'Toole	Senior Vice President and Secretary
Jack C. Pester	Senior Vice President
James L. Van Lanen	Senior Vice President
Sam F. Willson, Jr.	Senior Vice President
M. Truman Arnold	Vice President
Daniel F. Collins	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Coby C. Hesse	Vice President and Controller
Robert G. Holsclaw	Vice President
Charles M. Oglesby	Vice President
M. Frank Powell	Vice President
E. C. Simpson	Vice President
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw, Jr.	Assistant Secretary
Dale V. Shultz	Assistant Secretary
Kirk W. Weinert	Assistant Secretary
Fred D. Gray	Assistant Treasurer
Ronald D. Matthews	Assistant Treasurer
James M. Rauch	Assistant Treasurer
J. W. French	Assistant Controller
Fred H. Hallman	Assistant Controller
J. W. Knowles	Assistant Controller
H. R. Natho	Assistant Controller

The addresses and phone numbers for the officers and directors of Soldier Creek Coal Company, Sage Point Coal Company, Coastal States Energy Company, and the Coastal Corporation are the same as those for the company for which the individuals are officers and directors and are as follows:

Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
Ph. (801) 596-7111

Coastal Corporation
Nine Greenway Plaza
Houston, Texas 77049
Ph. (713) 877-1400

The Coastal Corporation owns and controls other coal mining and reclamation operations under ANR Coal Company and Coastal States Energy Company. These other operations, their permit numbers, MSHA numbers, and date of issuance of MSHA numbers are listed in this Application for Permit Transfer.

Written correspondence to Soldier Creek Coal Company regarding the operations should be addressed to:

R.W. (Reid) Olsen, Vice President and General Manager
Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360

with a copy to:

Vernal J. Mortensen, Executive Vice President
Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 85111
Ph. (801) 596-7111

Coastal Corporation's coal mining activities are operated either under Coastal States Energy Company or ANR Coal Company.

O.S. Wyatt, Jr. is the only stockholder of Coastal Corporation owning more than five percent of the corporation's outstanding common stock.

1.12.4 Coal Mining and Reclamation Operation Permit Applications Previous, Current or Pending

The following list represents all permits issued to Soldier Creek Coal Company, all pending applications for permits, and any permit recognized as necessary in the future for which no application has been filed. Identification numbers of applications or permits are contained in the following list. However, many of the agencies listed have review responsibility only and may not have submitted a numbered permit.

<u>Permit</u>	<u>Issuing Authority</u>	<u>Approval Status Identification No.</u>
Mining and Reclamation Permit ACT/007/018 Soldier Creek Mine	State of Utah Department of Natural Resources Division of Oil, Gas and Mining	Five-Year Permit renewal was approved on February 6, 1992
Mining and Reclamation Permit ACT/007/034 Banning Rail Loadout	State of Utah Department of Natural Resources Division of Oil, Gas and mining	Five-Year Permit expires October 25, 1993. Renewal application has been submitted
U.P.D.E.S. Permit UT-0023680 Soldier Canyon Mine Site	Environmental Protection Agency and Utah D.E.Q.	Approved
U.P.D.E.S. Permit UT-0040000 Banning Loadout	Environmental Protection Agency and Utah D.E.Q.	Approved
Business License	Carbon County	Approved
Mine Health and Safety Permits 42-00077	Mine Safety and Health Administration - Utah	All Approved
Radio Permits	Federal Communications Commission	Approved
Certificate of Insurance and Authorization to do Business in State	State Industrial Development Commission	Approved
Air Quality Approval Order	State of Utah Utah Air Conservation Committee Department of Health Division of Environmental Health	Approved
Water Rights	State Engineer	Approved

The Coastal States Energy Company coal mining permits and operations are:

Soldier Creek Coal Company
Soldier Canyon Mine Facility
ACT/007/018

Soldier Creek Coal Company
Banning Rail Loadout Facility
ACT/007/034

Southern Utah Fuel Company
ACT/041/002

Utah Fuel Company, Skyline Mine
ACT/007/005

The issuing authority for the Coastal States Energy Company permits is the UDOGM.
The Coastal Corporation conducts coal mining operations under both Coastal States
Energy Company and ANR Coal Company.

**Table 1.12.4-1
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: BROOKS RUN COAL COMPANY (Employer ID No. 382174137)
Regulatory Authority: West Virginia Department of Environmental Protection**

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). 3B/5B Haulroad	Haulroad (Active)	H-529	NONE	N/A
2). 8A Haulroad	Haulroad (Active)	H-562	NONE	N/A
3). No. 1 Prep. Plant	Prep. Plant (Active)	P-612	46-06045	9/04/1979
4). Prospect Permit	Prospect Permit (Active)	P-2015-92	NONE	N/A
5). 7A	Underground (Active)	U-1019-91	46-08129	1/15/1992
6). 9A Deep Mine	Underground (Active)	SMA-2004-93	46-08284	3/17/1993
7). Freeport Mine No. 2	Underground (Inactive)	U-3071-86	NONE	N/A
8). 9B Deep Mine	Underground (Pending)	SMA-2005-93	46-08284	3/17/1993
9). 3A/4A Haulroad	Haulroad (Released)	H-451	NONE	N/A
10). Prospect Permit	Prospect Permit (Released)	P-3021-88	NONE	N/A
11). Brooks Run Coal Company	Surface (Transferred 1/31/1991)	S-1026-90	N/A	N/A
12). Brooks Run Coal Company	Underground (Transferred 12/09/1988)	U-3057-87	N/A	N/A
13). Brooks Run Coal Company	Underground (Transferred 12/09/1988)	U-3058-87	N/A	N/A

**Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Enterprise Coal Company	Deep Mine (Active)	867-5100	15-14687	7/01/1990
2). Enterprise Coal Company	Deep Mine (Active)	867-5109	15-16741	7/01/1989
3). Enterprise Coal Company	Deep Mine (Active)	867-5157	15-17408	6/09/1993
4). Enterprise Coal Company	Deep Mine (Active)	898-5374	15-16434	7/01/1988
5). Enterprise Coal Company	Deep Mine (Active)	898-5585	15-17260	7/01/1992
6). Enterprise Coal Company	Deep Mine (Active)	898-5692	15-14977	11/26/1984
7). Enterprise Coal Company	Haulroad Only (Active)	867-7005	15-14533	7/01/1984
8). Enterprise Coal Company	Haulroad Only (Active)	867-7006	15-11121	3/23/1978
9). Enterprise Coal Company	Loadout (Active)	898-6020	15-11528	7/01/1988
10). Enterprise Coal Company	Prep. Plant (Active)	867-8018	15-11121	3/23/1978
11). Enterprise Coal Company	Prep. Plant/Refuse (Active)	498-8011	15-13857	2/16/1982
12). Enterprise Coal Company	Refuse Fill (Active)	867-8017	15-11121	3/23/1978
13). Enterprise Coal Company	Deep Mine (Bond Release 5/10/1993)	867-5107	N/A	N/A
14). Enterprise Coal Company	Deep Mine (Bond Release Status)	867-5090	15-09982	7/01/1989
15). Enterprise Coal Company	Deep Mine (Inactive)	498-5409	PENDING	PENDING
16). Enterprise Coal Company	Deep Mine (Inactive)	867-5102	15-16127	7/01/1987

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). Enterprise Coal Company	Deep Mine (Inactive)	867-5109	15-15110	7/01/1989
18). Enterprise Coal Company	Deep Mine (N/A)	898-5554	15-05435	10/02/1982
19). Enterprise Coal Company	Surface Mine (N/A)	867-0342	PENDING	PENDING
20). Enterprise Coal Company	Surface Mine (N/A)	867-0343	PENDING	PENDING
21). Enterprise Coal Company	Deep Mine (Not Activated)	867-5099	N/A	N/A
22). Enterprise Coal Company	Deep Mine (Not Activated)	867-5105	N/A	N/A
23). Enterprise Coal Company	Deep Mine (Not Activated)	898-5574	N/A	N/A
24). Enterprise Coal Company	Loadout (Not Activated)	867-8028	N/A	N/A
25). Enterprise Coal Company	Surface Mine (Not Activated)	898-0353	PENDING	PENDING
26). Enterprise Coal Company	Surface Mine (Not Activated)	898-0354	PENDING	PENDING
27). Enterprise Coal Company	Deep Mine (PENDING)	836-5297	PENDING	PENDING
28). Enterprise Coal Company	Deep Mine (PENDING)	867-5126	PENDING	PENDING
29). Enterprise Coal Company	Surface Mine (PENDING)	898-0377	PENDING	PENDING
30). Enterprise Coal Company	Deep Mine (Phase I Bond Rel. 4/08/1993)	498-5399	15-13905	7/01/1984
31). Enterprise Coal Company	Deep Mine (Phase I Bond Rel.)	867-5101	15-16752	7/01/1989
32). Enterprise Coal Company	Deep Mine (Phase I Bond Rel.)	867-5106	15-12517	7/13/1981

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
33). Enterprise Coal Company	Surface Mine (Phase II Bond Rel.)	867-0319	N/A	N/A
34). Enterprise Coal Company	Deep Mine (Temp. Abandonment)	867-5110	15-16898	7/01/1990
35). Enterprise Coal Company	Deep Mine (Temp. Abandonment)	867-5146	15-16530	7/01/1989
36). Enterprise Coal Company	Deep Mine (Temp. Inactive)	867-5103	15-14533	7/01/1984
37). Enterprise Coal Company	Surface Mine (Transferred 8/15/1991)	836-0217	N/A	N/A

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
Regulatory Authority: West Virginia Department of Environmental Protection

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Greenbrier Coal Company	Deep Mine (Active)	SMA-3015-92	46-08189	06/24/1992
2). Greenbrier Coal Company	Haulroad (Active)	H-353	N/A	N/A
3). Greenbrier Coal Company	Loadout (Active)	O-99-83	46-00376	1983
4). Greenbrier Coal Company	Prospect Permit (Active)	P-3005-93	N/A	N/A
5). Greenbrier Coal Company	Prospect Permit (Active)	P-3016-92	N/A	N/A
6). Greenbrier Coal Company	Prospect Permit (Active)	P-3017-92	N/A	N/A
7). Greenbrier Coal Company	Refuse Area (Active)	R-681	N/A	N/A
8). Greenbrier Coal Company	Surface Mine (Active)	S-138-78	46-07376	1987
9). Greenbrier Coal Company	Surface Mine (Active)	S-139-78	46-08182	06/1992
10). Greenbrier Coal Company	Surface Mine (Active)	S-3022-91	46-08127	01/17/1992
11). Greenbrier Coal Company	Surface Mine (Active)	S-3029-89	46-08059	7/11/1991
12). Greenbrier Coal Company	Surface Mine (Active)	S-3032-86	46-06895	10/87
13). Greenbrier Coal Company	Surface Mine (Active)	S-51-76	46-08059	8/15/1991
14). Greenbrier Coal Company	Surface Mine (Active)	S-68-77	46-08059	8/15/1991
15). Greenbrier Coal Company	Surface Mine (Active)	SMA-3030-92	46-07376	1987
16). Greenbrier Coal Company	Surface Mine (Active)	SMA-3047-92	46-08303	05/19/1993

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
Regulatory Authority: West Virginia Department of Environmental Protection

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
17). Greenbrier Coal Company	Underground (Active)	SMA-3019-91	46-08319	7/20/93
18). Greenbrier Coal Company	Underground (Active)	U-3053-89	46-07814	9/21/1990
19). Greenbrier Coal Company	Deep Mine (Inactive)	UO-27	46-03816	N/A
20). Greenbrier Coal Company	Haulroad (Not Issued)	O-3026-92	N/A	N/A
21). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3009-93	PENDING	PENDING
22). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3010-93	PENDING	PENDING
23). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3011-93	PENDING	PENDING
24). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3048-92	PENDING	PENDING
25). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3050-91	PENDING	PENDING
26). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-101-79	46-06033	1979
27). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-137-78	46-06947	1985
28). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-77-84	46-06560	1984
29). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-97-82	46-06560	1982
30). Greenbrier Coal Company	Prospect Permit (Released)	P-3033-90	N/A	N/A
31). Greenbrier Coal Company	Prospect Permit (Released)	P-3038-90	N/A	N/A
32). Greenbrier Coal Company	Prospect Permit (Released)	P-3042-90	N/A	N/A
33). Greenbrier Coal Company	Surface Mine (Transferred 1992)	S-3039-86	46-07136	1986

**Table 1.12.4-1 (Cont'd)
 COMPANY PERMIT LIST
 as of 8/31/1993**

**Company Name: KINGWOOD COAL COMPANY (Employer ID No. 760292683)
 Regulatory Authority: West Virginia Department of Environmental Protection**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Kingwood Coal Company	Deep Mine (H & H) (Active)	D-82-82	46-08201	7/15/1982
2). Kingwood Coal Company	Deep Mine (Moonshine) (Active)	D-39-82	46-07912	09/02/1987
3). Kingwood Coal Company	Deep Mine (Sarah) (Active)	U-1010-89	46-07732	7/31/1989
4). Kingwood Coal Company	Deep Mine (Whitetail) (Active)	U-1014-92	46-08285	11/30/92
5). Kingwood Coal Company	Prep. Plant (Active)	P-685	46-02560	4/30/1974
6). Kingwood Coal Company	Prospect (Active)	P-1011-93	N/A	N/A
7). Kingwood Coal Company	Refuse Area (Active)	R-673	46-02560	4/30/1974
8). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1009-92	N/A	N/A
9). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1011-92	N/A	N/A
10). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1025-91	N/A	N/A
11). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1040-91	N/A	N/A
12). Kingwood Coal Company	Prospect (Bond Released 3/13/1991)	P-1022-90	N/A	N/A
13). Kingwood Coal Company	Surface Mine (Pending Bond Rel.)	3-80	46-02560	1/14/1980

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: SOUTHERN UTAH FUEL COMPANY (Employer ID No. 742010288)
Regulatory Authority: Utah Division of Oil, Gas and Mining

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). SUFCo Mine	Underground (Active)	ACT/041/002	42-00089	1973

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: UTAH FUEL COMPANY (Employer ID No. 742010721)
Regulatory Authority: Utah Division of Oil, Gas and Mining

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Skyline Mine #1	Underground (Active)	ACT/007/005	42-01435	1979
2). Skyline Mine #3	Underground (Active)	ACT/007/005	42-01566	1979
3). Skyline Mine #2	Underground (Not Activated)	ACT/007/005	42-01565	1979

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA CITY COAL COMPANY (Employer ID No. 541262278)
Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Virginia City Coal Company	Associated Facility (Active - Temporary Cessation)	1401453	44-00294	1983
2). Virginia City Coal Company	Associated Facility (Active - Temporary Cessation)	1401453	44-05517	1983
3). Virginia City Coal Company	Underground (Active - Temporary Cessation)	1200763	NONE	N/A
4). Virginia City Coal Company	Deep/Prep/Refuse (Transferred)	1400479	44-00294	1983
5). Virginia City Coal Company	Deep/Prep/Refuse (Transferred)	1400479	44-05517	1983

**Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). VICC - Mountaineer #4 Mine	Deep Mine (Active)	1401475	44-05090	2/1990
2). VICC - Phipps Dock	Loading Dock (Active)	1301071	44-05863	11/24/1987
3). VICC - T.C. Prep. Plant	Preparation/Refuse (Active)	1300400	44-05270	8/28/1979
4). VICC - Meade Fork	Surface Mine (Active)	1101396	44-06661	9/06/1991
5). VICC - Bee Branch Imboden	Underground (Active)	1201476	44-06594	04/01/1993
6). VICC - Guest Mountain U.B.	Underground (Active)	1201454	44-06736	3/04/1993
7). VICC - White Oak Mine	Underground (Active)	1201459	44-04871	2/01/1991
8). VICC - Nora Haulroad	Haulroad (Active - Temporary Cessation)	1801138	N/A	N/A
9). VICC - Cranesnest Dock	Loading Dock (Active - Temporary Cessation)	1300937	44-04301	3/19/1976
10). VICC - Dale Ridge Dock	Loading Dock (Active - Temporary Cessation)	1300938	44-05270	5/01/1980
11). VICC - Nora Dock	Loading Dock (Active - Temporary Cessation)	1300401	44-01462	3/18/1976
12). VICC - Cane Branch	Surface Mine (Active - Temporary Cessation)	1101397	44-06662	9/06/1991
13). VICC - Steels Fork 2A	Deep Mine (Completed 5/23/1987)	1200374	N/A	N/A
14). VICC - Gladly Fork	Surface Mine (Completed 2/12/1992)	1101250	44-06021	5/30/1991
15). VICC - T.C. Edwards	Underground (Not Activated)	1201322	N/A	N/A
16). VICC - Ace High	Deep Mine (Released 4/17/1985)	3361-U	N/A	N/A

Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). VICC - Bull Hill L.B.	Deep Mine (Released)	3280-U	N/A	N/A
18). VICC - Coke Oven Hollow	Deep Mine (Released)	3526-U	N/A	N/A
19). VICC - Deep Mine	Deep Mine (Released)	1413	N/A	N/A
20). VICC - Deep Mine	Deep Mine (Released)	3323-U	N/A	N/A
21). VICC - Edison #2	Deep Mine (Released)	3505-U	N/A	N/A
22). VICC - Little R.	Deep Mine (Released)	3503-U	N/A	N/A
23). VICC - Little Tom's Crk. #1	Deep Mine (Released)	3286-U	N/A	N/A
24). VICC - Little Tom's Crk. #2	Deep Mine (Released)	3287-U	N/A	N/A
25). VICC - Red Dog Hill	Deep Mine (Released)	3523-U	N/A	N/A
26). VICC - Steels Fork 2	Deep Mine (Released)	3355-U	N/A	N/A
27). VICC - Steels Fork 2A	Deep Mine (Released)	3504-U	N/A	N/A
28). VICC - Steels Fork Mine	Deep Mine (Released)	2500	N/A	N/A
29). VICC - T.C. Lower Banner #2	Deep Mine (Released 2/10/1992)	1200347	N/A	N/A
30). VICC - T.C. Mine	Deep Mine (Released)	2521-U	N/A	N/A
31). VICC - VA City Jawbone	Deep Mine (Released 11/13/1984)	1200267	N/A	N/A
32). VICC - VA City Jawbone	Deep Mine (Released)	3527-U	N/A	N/A

**Table 1.12.4-1 (Cont'd)
COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
33). VICC - Bruton Siding	Loading Dock (Released 5/03/1983)	2619-U	44-02712	1978
34). VICC - Clinch River Dock	Loading Dock (Released 7/27/1983)	3524-AF	44-05008	1979
35). VICC - Cranesnest Dock	Loading Dock (Released 7/27/1983)	3602-AF	44-04301	3/19/1976
36). VICC - Fremont Dock	Loading Dock (Released 10/17/1983)	2579-U	44-04743	1978
37). VICC - Lick Fork Dock	Loading Dock (Released 7/27/1983)	3525-AF	44-05028	5/12/1978
38). VICC - T.C. Dock	Loading Dock (Released 7/27/1983)	2572-U	44-01463	3/18/1976
39). VICC - Dale Ridge Prep.	Prep. Plant (Released)	2573-U	44-01463	3/18/1976
40). VICC - Nora Prep.	Prep. Plant (Released 8/13/1985)	3065-U	44-01462	3/18/1976
41). VICC - T.C. Prep.	Prep. Plant/Refuse (Released 12/20/1983)	3077-U	44-05270	8/28/1979
42). VICC - Coke Oven Hollow	Refuse Area (Released)	3074-U	N/A	N/A
43). VICC - Kilgore Creek	Refuse Area (Released 3/12/1987)	1300373	N/A	N/A
44). VICC - Kilgore Creek	Refuse Area (Released 1/17/1984)	3347-AF	N/A	N/A
45). VICC - Nora Refuse Area	Refuse Area (Released)	1179	N/A	N/A
46). VICC - Nora Refuse Area	Refuse Area (Released)	1197	N/A	N/A
47). VICC - Refuse Area	Refuse Area (Released)	1765	N/A	N/A
48). VICC - Thelma Refuse	Refuse Area (Released)	3215-U	N/A	N/A

**Table 1.12.4-1 (Cont'd)
 COMPANY PERMIT LIST
 as of 8/31/1993**

**Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
 Regulatory Authority: Virginia Division of Mined Land Reclamation**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
49). VICC - Glady Fork	Surface Mine (Released 12/27/1983)	3757	N/A	N/A
50). VICC - Short Hollow	Underground (Released 2/10/1992)	1201256	N/A	N/A
51). VICC - Duncan Gap	Underground/Surface (Released 12/09/1991)	1600984	N/A	N/A
52). VICC - Lyons Fork U.B.	Deep Mine (Transferred 11/01/1984)	1200571	N/A	N/A
53). VICC - Lick Fork Dock	Loading Dock (Transferred 8/30/1991)	1300971	44-05028	5/12/1978
54). VICC - Rabbit Ridge	Surface Mine (Transferred 11/07/1989)	1101203	N/A	N/A
55). VICC - Bee Branch Imboden	Underground (Transferred 8/25/1993)	1201464	44-06594	04/01/1993

1.12.5 Legal or Equitable Owner of the Surface and Mineral Properties to be Mined

The legal or equitable owners of the areas to be affected by the surface operations and facilities during the five year permit period are:

The United States of America

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

No area within the lands to be affected by surface operations and facilities or within the area of coal to be mined is under a real estate contract.

The legal or equitable owners of the coal to be mined during the five year permit period are:

The United States of America

The State of Utah

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

The holders of record of any leasehold interest in areas to be affected by surface operations or facilities:

Great Western Drilling

Ken Davis Jr.
Proprietor
Great Western Drilling
P.O. Box 1659
Midland, Texas

REI Underground Exploration, Inc.

Officers:

Jeffrey J. Schwoebel, President
REI Underground Exploration, Inc.
360 Wakara Way
Salt Lake City, Utah 84108

Cherie B. Pederson, Secretary/Treasurer
REI Underground Exploration, Inc.
360 Wakara Way
Salt Lake City, Utah 84108

Soldier Creek Coal Company

P.O. Box 1029
Wellington, Utah 84542

Sage Point Coal Company

P.O. Box 1029
Wellington, Utah 84542

Principal Shareholders for leasehold interests:

<u>For</u>	<u>Is</u>	<u>Whose Address Is</u>
REI Underground Exploration, Inc.	Resource Enterprises, Inc.	360 Wakara Way Salt Lake City, Utah 84108
Soldier Creek Coal Company	Sage Point Coal Company	175 East 400 South, Suite 800 Salt Lake City, Utah 84111
Sage Point Coal Co.	Coastal States Energy Co.	175 East 400 South, Suite 800 Salt Lake City, Utah 84111
Coastal States Energy Company	The Coastal Corporation	Nine Greenway Plaza Houston, Texas 77046

Resident agents for leasehold interests:

REI Underground Exploration, Inc.
360 Wakara Way
Salt Lake City, Utah 84108

The holder of record of leasehold interests in the coal to be mined is Sage Point Coal Company (whose officers are listed in section 1.12.3), the United States of America, and the State of Utah.

1.12.6 Owners of Record of Property Contiguous to Proposed Permit Area

Owners of record of surface and subsurface areas contiguous to the proposed permit area, including the sewage lagoons and refuse disposal site, are shown on Exhibits 1.12-1 and 1.12-2. Names and addresses of the owners are:

Surface

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

Carbon County
Courthouse Building
Price, Utah 84501

Newell H. and Madge Nelson
Cleveland, Utah 84518

Louise L. Iriart
Route 1, Box 172
Price, Utah 84501

United States of America
Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

Subsurface

Utah State Office
Department of Natural Resources
Division of Lands and Forests
3 Triad Center
355 West North Temple
Salt Lake City, Utah 84180-1203

Sage Point Coal Company
P.O. Box 1029
Wellington, Utah 84542

Louise L. Iriart
Route 1, Box 172
Price, Utah 84501

United States of America
Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

1.12.7 MSHA Numbers

The mine name and identification number are as follows:

Soldier Canyon Mine
Mine ID No. 42-00077.

1.12.8 Pending Interests of Lands Contiguous to Permit Area

The Applicant's affiliate, Sage Point Coal Company, has interests in lands contiguous to the area covered by the proposed mine permit (Exhibits 1.12-1 and 1.12-2). Sage Point Coal Company and Soldier Creek Coal Company hold all land and lease interests in the Permit Area.

1.13 Violation Information

Neither the Applicant, nor any of its subsidiaries, affiliates, or persons controlled by or under common control with the Applicant has had a Federal or State mining permit suspended or revoked in the last five

years; nor forfeited a mining bond or similar security deposit in lieu of bond.

o applicant's knowledge, there are no unabated cessation orders and air and water quality violation notices received prior to the date of application by any coal mining and reclamation operation owned or controlled by either the applicant or by a person who owns or controls the applicant.

Table 1.13-1 contains the NOV history for the Soldier Canyon Mine, Banning Loadout, Coastal States Energy Company's SUFCo Mine and Skyline Mine.

Table 1.13-1

List of Violations

Soldier Creek Coal Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N87-9-6-1 Banning Loadout	07/17/87	Failure to prevent, to the extent possible, additional contributions of sediment to stream flow outside the permit area.	Repaired two small piping holes along berm.	8/20/87	Terminated
N88-13-1-1 Banning Loadout	04/18/88	Failure to pass disturbed runoff through an operating sediment control structure.	Repaired and reinstalled two silt fences and installed two straw bale dikes.	4/28/88	Terminated
N89-28-1-1 SCCC minesite	02/01/89	Failure to pass surface drainage from a disturbed area through a sediment pond or treatment facility before leaving a permit area.	Snow pushed beyond drainage control facilities was recovered to the extent possible. Straw bales installed around remainder.	2/16/89	Terminated
N89-17-3-1 SCCC minesite	10/11/89	Failure to maintain adequate sediment control to prevent to the extent possible, additional contributions of sediment to Soldier Creek.	Diverted all stream flow including mine water discharge around construction site during construction activities.	10/16/89	Terminated
N89-22-89 SCCC minesite	11/22/89	Failure to confine disturbance to limits of previously approved boundaries during surface facilities expansion construction.	An adequate plan for the use and/or reclamation of areas disturbed was submitted.	01/22/90	Terminated

Table 1.13-1
List of Violations

Soldier Creek Coal Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N90-27-6-1 SCCC minesite	05/22/90	Failure of sub-contractor (Cowin & Company, Inc.) for new mine port- al development to have surface blaster certification.	Sub-contractor had completed work and moved off the job site. No remedial action required.	05/22/90	Terminated
N90-28-5-1 Banning Loadout	08/01/90	Failure to have a valid certificate of blaster certification during surface blasting activities.		08/06/90	Terminated
N90-15-1-1 Banning Loadout	10/04/90	Violation 2 of 2 issued for failure to conduct water monitoring in accordance with approved plan.		10/04/90	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 1 of 3 issued for failure to operate within disturbed area boundary.		04/02/91	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 2 of 3 issued for failure to place excess spoil in a designated area within the permit boundary.		03/01/91	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 3 of 3 issued for failure to identify and protect the topsoil resource.		03/01/91	Terminated
N92-15-1-1 Banning Loadout	08/26/92	Failure to submit a complete response to Division Order 92B regarding M&RP submittal.	Submitted response	01/12/93	Terminated

Table 1.13-1
List of Violations

Southern Utah Fuel Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N89-13-1-1	9/28/89	Failure to confine mining activities to within the approved disturbed area. Failure to minimize disturbance to surface water systems. Disturbing stockpiled topsoil. Placing soil materials in an undisturbed ephemeral drainage.	9/29/90 - Cleared channel and stabilized bank. 11/6/90 - Revegetated channel and top-soil stockpile.	11/14/89 Termination of notice.	10/12/89 Proposed assessment. 10/27/89 Requested assessment conference. 12/05/89 Assessment conference. 12/05/89 Finalized assessment.
N89-28-10-1	11/17/89	Failure to maintain required records at the mine site and submit required reports to the Division.	11/19/89 - Obtained copies of NPDES discharge monitoring report submitted to the Division.	12/7/89 Termination of notice.	12/18/89 Proposed assessment. 1/08/90 Requested assessment conference. 02/06/90 Assessment conference. 02/13/90 Finalized assessment.
N90-28-1-1	3/19/90	Failure to maintain sediment control structures in a manner which prevents additional contributions of sediment to stream flow outside the permit area.	3/20/90 - Repaired silt fences.	4/11/90 Termination of notice.	04/16/90 Proposed assessment.
N90-39-1-1	11/26/90	Failure to conduct mining in accordance with the terms and conditions of the permit. TDS pt 003 above NPDES limit.	12/14/90 - Necessary documentation submitted.	12/24/90 Termination of notice.	12/27/90 Proposed assessment. 2/25/91 Assessment conference. 2/26/91 Finalized assessment.

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-1-1	March 4, 1992	Failure to provide monitoring results of revegetation practices, treatments, and trails as described in pages 4-35 and 4-36, and Volume A-2 of the M.R.P. This information is also requested annually by the Division in the Annual Report.	<u>6/4/92</u> - Necessary documentation submitted. <u>3/20/92</u> - NOV vacated. Division Order issued to correct deficiency.		<u>3-20-92</u> - NOV vacated

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-3-1	March 25, 1992	<p>Failure to comply with the terms and conditions of the approved permit, specifically exceedence of NPDES Discharge Permit UT-002340 for TDS and sulfates. Permitted limits for TDS is 1000 mg/L daily maximum and 723 mg/L annual average. The permitted limit for sulfate discharge is 500 mg/L daily maximum. Sample taken 2/26/92 reports 1,250 mg/L TDS and 619 mg/L S04 at NPDES point 001. Sampling confirms chronic exceedence of UPDES TDS limits that have been self-reported to the Bureau of Water Pollution Control.</p>	<p><u>10/28/92</u> - Written acceptance of the action items in Docket No. I92-03.</p> <p><u>11/3/92</u> - an acceptable agreement achieved.</p> <p><u>5/17/93</u> - Final assessment reduced - fine paid.</p>	<p><u>4/24/92</u> - Abatement date extended May 25, 1992.</p> <p><u>4/29/92</u> - Proposed assessment.</p> <p><u>5/26/92</u> - New time frame decided in a meeting between DEQ and Utah Fuel Co. On 5/29/92 (or before) DEQ will receive a plan to lower TDS values.</p> <p><u>6/10/92</u> - Request for Extension of Abatement date.</p> <p><u>6/26/92</u> - Abatement date extended to 8/31/92.</p> <p><u>9/1/92</u> - Request for extension beyond the normal 90 day abatement time.</p>	<p><u>5/28/92</u> - Requested Administrative Conference to review findings.</p> <p><u>3/22/93</u> - Assessment Conference established for 4/21/93.</p> <p><u>4/7/93</u> - Assessment Conference rescheduled for 5/12/93.</p>

Table 1.13-1
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-4-1	May 22, 1992	Failure to maintain sediment control in Area 17 of the Railroad Loadout. Failure to prevent to the extent possible, additional contributions of sediment to stream flow or run off outside the permit area.	<u>6/3/93</u> - Required remedial action completed.	<u>6/15/92</u> - Part 1 of 1 terminated. <u>6/25/92</u> - Proposed Assessment. <u>10/9/92</u> - Finalized Assessment paid.	<u>7/21/92</u> - Informal assessment conference requested. <u>9/10/92</u> - Assessment Conference scheduled for 9/29/92.
N92-37-5-1	August 26, 1992	Failure to maintain diversion as described in the mining and reclamation plan Volume 5, section 10, page 4/4.	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/15/92</u> - Part 1 of 1 modified, and abatement extended to 11/25/92. <u>9/23/92</u> - Proposed Assessment. <u>11/5/92</u> - Part 1 of 1 terminated. <u>1/7/93</u> - Received final assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93.

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-6-1	August 26, 1992	Failure to implement sediment control measures as described in the construction plan and consequently conducting coal mining operations outside of the permit area (D + B)	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/18/92</u> - Requested extension to 10/16/92. <u>9/21/92</u> - Abatement date extended to 10/16/92. <u>9/23/92</u> - Proposed Assessment. <u>10/14/92</u> - Requested extension to 11/6/92. <u>10/20/92</u> - Abatement extended to 11/6/92. <u>1/7/93</u> - Finalized assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-7-1	August 26, 1992	Failure to provide maps and plans showing relevant surface configuration and slope; size and location of spoil and development waste areas.	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<p><u>9/15/92</u> - Requested abatement extension to 9/22/92.</p> <p><u>9/15/92</u> - Part 1 of 1 is modified. Abatement extended.</p> <p><u>9/17/92</u> - Part 1 of 1 is modified. Abatement extended to 11/25/92.</p> <p><u>9/23/92</u> - Proposed Assessment</p> <p><u>10/6/92</u> - Approval of Amendment Addressing Division Order which vacated.</p> <p><u>11/5/92</u> - Part 1 of 1 is terminated.</p> <p><u>1/7/93</u> - Finalized assessment - paid.</p>	<p><u>12/7/92</u> - Assessment Conference scheduled for 1/5/93.</p> <p><u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93.</p>

Table 1.13-1
List of Violations
Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N93-39-2-1	April 1, 1993	Conducting mining activities outside of the permit area.		<u>5/18/93</u> - Paid assessed fine.	

1.14 Right of Entry and Operation

The Applicant bases its right to enter and continue underground mining activities on a number of documents pertaining to coal leases and surface ownership in the permit area (Exhibits 1.12-1 and 1.12-2). The Applicant has a working agreement with lessee of all the coal to be mined in the five-year permit term. All surface facilities are constructed on Bureau of Land Management Rights-of-Way and Coal Lease Lands.

The coal leases, supporting documents, and a surface consent agreement to conduct underground mining are summarized below.

Federal Coal Leases

Lease No. SL 051279-063188

Date of Lease: January 4, 1935

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 12: E/2E/2

Sec. 13: NE/4 NE/4

T13S, R12E, SLB&M

Sec. 7: All

Sec. 8: W/2

Sec. 17: NW/4

Sec. 18: N/2 NE/4, SE/4, NE/4, NE/4, NW/4, Lot 1
(NW/4 NW/4)

Containing: 1548.31 ac

Supporting Documents:

1. Assignment of federal coal lease from Premium Coal Company to California Portland Cement Company on July 31, 1974, approved effective September 1, 1974 by BLM.
2. Assignment of Federal coal lease from California Portland Cement Company to Sunedco Coal Company on August 23, 1985, approved by BLM on September 5, 1985.
3. Working agreement established between Applicant and Sunedco Coal Company.
4. Working agreement established between Sunedco and Sage Point Coal Company.
5. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Permission to Mine

Date of Lease: Permission was attached to Federal Lease No. SL 051279-063188 by the U.S. Geological Survey Mining Supervisor on December 11, 1974.

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 13: SE/4 NE/4, NE/4 SE/4

T13S, R12E, SLB&M

Sec. 18: Lot 2 (SW/4 NW/4), SE/4 NW/4

Containing: 163.32 ac

Supporting Documents:

1. Assignment of Federal Coal Lease SL 051279-063188 from California Portland Cement Company to Sunedco Coal Company on August 23, 1985, approved by BLM on September 5, 1985.
2. Working agreement established between the Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Coal Lease U-50722

Date of Lease: September 1, 1982

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 12: E/2 W/2, W/2 E/2

Sec. 13: NW/4 NE/4, NE/4 NW/4

Containing: 400 ac

Supporting Documents:

1. Assignment of Federal coal lease from California Portland Cement Company to Sunedco Coal Company on August 23, 1985, approved by BLM on September 5, 1985.
2. Working agreement established between Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Coal Lease Modified U-50722

Date of Lease: August 24, 1991

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 1: Lot 8

Containing 40.00 acres

Supporting Documents:

1. Modified coal lease from the BLM to Sage Point Coal Company dated August 24, 1990.
2. Working agreement established between Sage Point Coal Company and the Applicant.

Unleased Federal Coal Leases

Lands Covered:

These lands are outside the approved five-year term of permit and will be acquired from United States of America (BLM) during the permit renewal five-year term permit. The lands are included to show the progression of mine development over the mine's life.

T13S, R11E, SLB&M

Sec. 1: Lot 1

Containing: 40 acres

T12S, R12E, SLB&M

Sec. 31: All

Containing: 600 acres

T12S, R12E, SLB&M

Sec. 33: SW 1/4, SE 1/4

Containing: 320 acres

T12S, R12E, SLB&M

Sec. 34: SW 1/4

Containing: 160 acres

Supporting Documents:

1. The Applicant will not enter the property until all legal rights (leases) have been obtained.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Federal Coal Leases Contiguous to Permit Area

(Proposed lease additions not within this Permit Term)

Federal Coal Lease U-07064-027821

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 13: S/2

Sec. 23: E/2 E/2, W/2 SE/4, NE/4 SW/4

Sec. 24: All

Sec. 25: N/2 N/2

Sec. 26: N/2 NE/4

T13S, R13E, SLB&M

Sec. 18: S/2

Sec. 19: Lots 1,2,3,4, E/2 W/2, NE/4, NW/4 SE/4

Sec. 30: Lot 1

Containing: 2416.14 ac.

Supporting Documents:

1. Assignment of lease U-07064-027821 from Kennecott Coal Co. to Eureka, January 2, 1979, approved effective June 1, 1979 by BLM.
2. Assignment of lease U-07064-027821 on March 4, 1982, from Eureka Energy Company unto Sunoco Energy Development Co. and approved effective June 1, 1982 by BLM.
3. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco Coal Co. are now owned or leased by Sage Point Coal Company.
4. A decision dated July 31, 1990, by the BLM recognized the corporate merger of Sunedco Coal Co. into Sage Point Coal Company.
5. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

State Coal Leases

State Coal Lease ML-21994

Date of Lease: September 1, 1964

Lessee: Sage Point Coal Company

Land Covered:

T12S, R12E, SLB&M

Sec. 32: S/2

Containing: 320.00 ac

Supporting Documents:

1. Assignment of State lease from Heiner Coal Company to Pacific Gas and Electric Company (PG&E) on August 2, 1976, approved August 9, 1976 by Utah Division of State Lands.
2. Assignment of State lease from PG&E to Eureka on December 8, 1978, approved January 8, 1979 by Utah Division of State Lands.
3. Assignment of State lease from Eureka to Sunedco on March 4, 1982, approved March 22, 1982, by Utah Division of State Lands.
4. Working agreement established between Applicant and Sunedco.
5. Working agreement established between Sunedco and Sage Point Coal Company.

6. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-22675

Date of Lease: February 23, 1965

Lessee: Sage Point Coal Company

Lands covered:

T12S, R12E, SLB&M

Sec. 32: NE/4 NE/4, S/2 NE/4, NW/4

Containing 280 ac

Supporting Documents:

1. Assignment of State lease from Heiner Coal Company to PG&E on August 2, 1976, approved August 9, 1976 by Utah Division of State Lands.
2. Assignment of State lease from PG&E to Eureka on December 8, 1978, approved January 8, 1979 by Utah Division of State Lands.
3. Assignment of State lease from Eureka to Sunedco on March 4, 1982, approved March 22, 1982 by Utah Division of State Lands.
4. Working agreement established between Applicant and Sunedco
5. Working agreement established between Sunedco and Sage Point Coal Company.
6. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-42648

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Land Covered:

T13S, R12E, SLB&M

Sec. 8: E/2

Sec. 17: NE/4

Containing: 480 ac

Supporting Documents

1. Federal Coal Lease U-089096 issued July 1, 1962, was converted to State ownership (ML-42648) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. Working agreement established between the Applicant and Sunedco Coal Company.
3. Working agreement established between the Sunedco and Sage Point Coal Company.

4. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-42649

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Lands Covered:

Lands described below are only a portion of the entire lands held by this lease:

T13S, R12E, SLB&M

Sec 3: W/2

Sec. 4: S/2, Lots 1, 2, 3, 4

Sec. 5: SE/4, Lots 1, 2

Sec. 9: W/2, NE/4, N/2 SE/4

Containing: 1304.24 ac

Supporting Documents:

1. Federal Coal Lease U-0144820 issued September 1, 1966 was converted to State ownership (ML-42649) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. Working agreement established between the Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

State Coal Lease ML-44365

Date of Lease: April 3, 1989

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 5: SW 1/4, Lots 3, 4

Sec. 6: All

Containing: 557.20 ac

Supporting Documents:

1. State Coal Lease ML-44365 was acquired by the Applicant on April 3, 1989.

State Coal Leases Contiguous to Permit Area

(Proposed lease additions not within this Permit Term)

State Coal Lease ML-42648

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 10: S/2

Sec. 11: S/2

Sec. 14: All

Sec. 15: All

Sec. 17: E/2 SW/4, SE/4

Sec. 20: E/2 NW/4, SW/4 NW/4, N/2 NE/4

Sec. 21: N/2 NW/4, NE/4

Sec. 22: N/2, N/2 S/2

Sec. 23: W/2 NW/4

Containing: 3160 ac

Supporting Documents:

1. Federal Coal Lease U-089096 issued July 1, 1962, was converted to State ownership (ML-42648) in the In-Lieu Land Transfer on October 11, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

State Coal Lease ML-42649

Date of Lease: October 11, 1985

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 3: E/2

Sec. 9: S/2 SE/4

Sec. 10: N/2

Sec. 11: N/2

Containing: 906.86 ac

Supporting Documents:

1. Federal Coal Lease U-0144820 issued September 1, 1966, was converted to State ownership (ML-42649) in the In-Lieu Land Transfer on October 1, 1985, approved by Utah Division of State Lands on October 11, 1985.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

State Coal Lease ML-22590

Date of Lease: January 25, 1965

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 2: All

Containing 375.52 Ac

Supporting Documents:

1. Assignment of lease ML-22590 from Heiner Coal Co. to PC and E August 2, 1976, approved August 9, 1976 by Utah Division of State Lands.
2. Assignment of lease ML-22590 from PG and E to Eureka December 8, 1978, approved January 8, 1979 by Utah Division of State Lands.
3. On March 4, 1982, Eureka Energy Company assigns to Sunoco Energy Development Co. all rights and privileges as lessee in such lands.
4. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned by Sunedco are now owned or leased by Sage Point Coal Company
5. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Unleased Private Coal Leases

These lands are outside the approved five-year term of permit and will be acquired from individual owners during the permit renewal five-year term permit. The lands are included to show the progression of mine development over the mine's life.

T12S, R12E, SLB&M

Section 31: NE 1/4, NE 1/4

Containing: 40 ac

Section 32: NW 1/4, NE 1/4

Containing: 40 ac

Section 33: NE 1/4 NE 1/4

Containing: 40 ac

Section 34: NW 1/4

Containing: 160 ac

Supporting Documents:

1. The Applicant will not enter the property until all legal rights (leases) have been obtained.
2. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Fee Coal Contiguous to Permit Area

(Proposed lease additions not within this Permit Term)

Parcel 1 - "Fish Creek Canyon" Fee Coal

Owner in Fee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 16: All

Containing: 640.0 ac

Supporting Documents:

1. On March 4, 1982, Eureka Energy Company conveys and warrants to Sunoco Energy Development Co. Fee Coal interest 801671 and 801672.

2. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco are not owned or leased by Sage Point Coal Company.
3. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Parcel 2 - "Dugout Canyon" Fee Coal

Owner in Fee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 23: W/2 NE/4, E/2 NW/4

Containing: 160.0 ac

Supporting Documents:

1. On March 4, 1982, Eureka Energy Company conveys and warrants to Sunoco Energy Development Co. Fee Coal interest 801681.
2. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco are now owned or leased by Sage Point Coal Company.
3. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Alkali Tract - Fee Coal

Owner in Fee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 2: All

Sec. 3: Lots 5, 6 and 7

Sec. 9: E/2 NE/4, SW/4 NE/4, N/2 SE/4

Sec. 10: NW/4, W/2 NE/4, NW/4 SW/4, NW/4 SE/4

Containing: 954.0 ac

Supporting Documents:

1. On March 4, 1982, Eureka Energy Company conveys and warrants to sunoco Energy Development Co. Fee Coal interest 801681.
2. Effective November 30, 1985, all coal reserves in the state of Utah formerly owned or leased by Sunedco are now owned or leased by Sate Point Coal Company.
3. The Applicant will not enter the property until all DOGM permitting requirements are satisfied and approved.

Surface Ownership

Surface ownership for the life of mine area is illustrated on Exhibit 1.12-1. The life of mine area contains 6958.19 ac, while the five-year term of permit area contains 4909.69 ac.

Federal Right-of-Ways U-50167

(Sewage Lagoons, Pipeline, Access Road)

Dated: July 2, 1982

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: Lot 4, NE/4 SW/4,
SW/4 NE/4, SE/4 SW/4, NW/4 SE/4

Sec. 19: Lots 1, 2, 3, 4

T13S, R11E, SLB&M

Sec. 24: SE/4 SE/4 SE/4

Containing: 4.81 ac

Supporting Documents:

1. Assignment of Right-of-Ways from California Portland Cement Company to Sunedco Coal Company on September 5, 1985, approved by the BLM on September 19, 1985.
2. Working agreement established between Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco Coal Company and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Federal Right-of-Ways U-52071

(Sediment Pond, Access Road, Storage Area)

Dated: June 7, 1983

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: NE/4 SW/4 NE/4, NW/4 SW/4 NE/4

Containing: 3.75 ac

Supporting Documents:

1. Assignment of Right-of-Ways from California Portland Cement to Sunedco Coal Company on September 5, 1985, approved by the BLM on September 19, 1985.
2. Working agreement established between Applicant and Sunedco Coal Company.
3. Working agreement established between Sunedco Coal Company and Sage Point Coal Company.
4. Working agreement established between Sage Point Coal Company and the Applicant.

Land Use Permit UTU-66132

(Topsoil Storage Site and Access Road)

Date of Agreement: August 14, 1990

Lessee: Soldier Creek Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 25: S/2 SW/4 NE/4, N/2 NW/4 SE/4

Containing: 4.5 acres

Supporting Documents:

1. Land Use Permit issued for the BLM to Soldier Creek Coal Company on August 14, 1990 authorizing use of the described land.
2. Approved amendment to Land Use Permit UTU-66132 for construction; operation and maintenance of an access road to the permit area.

Amendment of Right-of-Way UTU-62044

(Road Relocation)

Date of Agreement: April 26, 1991

Consentor: Bureau of Land Management

Consentee: Carbon County

Lands Covered:

T13S, R12E, SLB&M

Sec. 7: SE/4 SE/4

Sec. 18: NE/4 NE/4

Supporting Documents:

1. Approved Right-of-Way amendment to relocate the county road for 1235 feet between the BLM and Carbon County on April 26, 1991.
2. Working agreement between Carbon County and the Applicant.

Federal Realty Action UTU-65023

Exchange of Public Lands in Carbon County, Utah (Lands for Refuse Disposal Site, Access Road, Topsoil Storage Site and Future Uses)

Dated: June 17, 1991

Lands Covered:

T13S, R11E, SLB&M

Sec.25: S/2 SW/4 NE/4, E/2 NE/4 SW/4, SE/4 SW/4, W/2 SE/4

Containing: 160.00 ac

Supporting Documents:

1. Notice of Realty Action UTU-65023 from the BLM, dated June 17, 1991 to the Applicant.

Surface Consent Agreements

The Applicant has received consent agreements to conduct coal operation as described below:

Easement

(Power line)

Date of Agreement:

Consentor: Mountain Fuels Supply Company

Consentee: Sage Point Coal Company

Term:

Lands Covered:

T13S, R12E, SLB&M

Sec. 7:

Supporting Documents:

1. Easement license to construct and maintain a power line between Mountain Fuels Company to California Portland Cement Company on July 26, 1982.
2. Assignment of the easement license from California Portland Cement Company to Sunedco Coal Company on September 5, 1985.
3. Working agreement between the Applicant and Sunedco Coal Company.
4. Working agreement between Sunedco Coal Company and Sage Point Coal Company.
5. Working agreement between Sage Point Coal Company and the Applicant.

Conditional Licensee Agreement

(Surface Facilities)

Date of Agreement: December 11, 1989

Consentor: Questar Pipeline Company

Consentee: Soldier Creek Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: NE/4 NE 4

Supporting Document:

Conditional license agreement to construct facilities necessary for the development of the Soldier Canyon Mine between Questar Pipeline Company and the Applicant on December 11, 1989.

Realignment of Portion of Soldier Creek Road

Date of Agreement: July 11, 1990

Lands Covered:

T13S, R12E, SLB&M

Sec. 7: SE/4 SE/4

Sec. 18: NE/4 NE/4

Supporting Document:

Letter from Nick Sampinos (Attorney for Carbon County) to Mark Mackiewicz (BLM) stating the County's supportive position in the realignment project.

Stream Channel Alteration Permit 90-91-23SA

Stream Culvert Extension

Date of Agreement: September 26, 1990

Consentor: State of Utah, Department of Natural Resources
Division of Water Rights

Consentee: Carbon County

Lands Covered:

T13S, R12E, SLB&M

Sec. 18: NE/4 NE/4

Supporting Documents:

1. Stream Channel Alteration Permit 90-91-23SA to install 885 feet of stream culvert between the Division of Water Rights and Carbon County.
2. Working agreement between Carbon County and the Applicant.

County Road Relocation Project

Date of Agreement: March 25, 1991

Consentor: Carbon County

Consentee: Soldier Creek Coal Company

Lands Covered:

T13S, R12E, SLB&M

Sec. 7: SE/4 SE/4

Sec. 18: NE/4 NE/4

Supporting Documents:

Letter from William D. Krompel (Carbon County Commissioner) to Soldier Creek Coal Company (SC3), giving SC3 its approval to proceed with the road relocation.

County Road Right-of-Way Encroachment Authorization

(Topsoil Storage Access Road)

Date of Agreement: April 4, 1991

Consentor: Carbon County

Consentee: Soldier Creek Coal Company

Lands Covered:

Area of access road that will encroach upon Carbon County's right-of-way.

Supporting Documents:

Letter from Evan Hansen (County Engineer) granting Soldier Creek Coal Company permission to encroach

upon Carbon County's road right-of-way.

Other Licenses and Permits

Permits and licenses held by the Applicant are listed along with the governmental agency issuing the approvals on Table 1.14-1.

TABLE 1.14-1

PERMITS AND APPROVALS
SOLDIER CREEK COAL COMPANY

<u>PERMIT/ APPROVAL</u>	<u>AGENCY</u>	<u>DATE</u>
Mine I.D. 42-00077	MINE SAFETY AND HEALTH ADMINISTRATION Federal Center P.O. Box 25367 Denver, CO 80225	02/27/73
Permit to Mine UT-0023	U.S. OFFICE OF SURFACE MINING Brooks Tower 1020 15th Street Denver, CO 80202	05/31/85
NPDES UT-0023680	U.S. ENVIRONMENTAL PROTECTION AGENCY 1860 Lincoln Street Suite 103 Denver, CO 80295	06/01/91
Rights-of Way Sewage Lagoons U-50167	U.S. BUREAU OF LAND MANAGEMENT	07/08/82
Rights-of Way Sediment Pond U-52071	U.S. BUREAU OF LAND MANAGEMENT	06/07/83
Permit to Mine ACT/007/018	UTAH DIVISION OF OIL, GAS AND MINING 355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, UT 84180	05/29/85
Air Quality Approval Order	UTAH DIVISION OF ENVIRONMENTAL HEALTH P.O. Box 2500 Salt Lake City, UT 84110	09/03/91
Safe Drinking Water Approval	UTAH DIVISION OF ENVIRONMENTAL HEALTH	01/17/79
Waste water System Sewage Lagoons Approval Order	UTAH DIVISION OF ENVIRONMENTAL HEALTH	05/07/82
Wastewater System Septic Tank Approval Order	UTAH DIVISION OF ENVIRONMENTAL HEALTH	06/02/82
Land Use Permit UTU-66132	U.S. BUREAU OF LAND MANAGEMENT	08/14/90
Conditional License Agreement	QUESTAR PIPELINE COMPANY 79 South State Street P.O. Box 11450 Salt Lake City, UT 84147	12/11/89

TABLE 1.14-1 (Continued)

<u>PERMIT/ APPROVAL</u>	<u>AGENCY</u>	<u>DATE</u>
Land Use Permit UTU-66132	U.S. BUREAU OF LAND MANAGEMENT	08/14/90
Conditional License Agreement	QUESTAR PIPELINE COMPANY 79 South State Street P.O. Box 11450 Salt Lake City, UT 84147	12/11/89
Stream Channel Alteration Permit 90-91-23SA	STATE OF UTAH, DEPARTMENT OF NATURAL RESOURCES DIVISION OF WATER RIGHTS 1636 West North Temple Suite 220 Salt Lake City, UT 84116-3156	09/26/90
Amendment of Right-of-Way UTU-62044	U.S. BUREAU OF LAND MANAGEMENT	04/26/91
Federal Realty Action Land Exchange UTU-65023	U.S. BUREAU OF LAND MANAGEMENT	Pending

1.15 Status of Unsuitability Claims

After reviewing the description of the proposed permit area, the Regulatory Authority should determine that this area is:

- a. Not included within an area designated unsuitable for surface coal mining operations. {R614-301-115.100}
- b. Not within an area under study for designating lands unsuitable for surface coal mining operations. {R614-301-115.100}
- c. Not on any lands subject to the prohibitions or limitations for R614-103-322.
- d. Within 100 ft. of the outside right-of-way of a public road {R614-103-234}. The Applicant has received formal permission from the Carbon County Commissioners to mine within 100 ft. of the right-of-way of a public road.
- e. Not within 300 ft. of any occupied dwelling. {R614-103-235}
- f. Not unsuitable in accordance with 522 of SMCRA.

1.16 Permit Term

Soldier Canyon Mine's origin dates back to 1906 when limited prospecting was done on the property. A Federal coal lease was granted in 1935 and mining commenced on the property.

Mine rehabilitation was initiated in 1975 and consisted of a general clean-up to meet federal safety standards, driving two rock tunnels and installing a conveyor belt system. The underground work was completed in June, 1976. Surface rehabilitation work began in August, 1975 and continued until completion in May, 1978. The outside rehabilitation work included the construction of a substation, power centers, office, warehouse, shop and bathhouse. Construction of a sedimentation pond was completed in November, 1979 and sewage lagoons were completed in October, 1982.

A permanent program mining permit (ACT/007/018) was issued by the State and OSM (UT 0023) on May 19, 1985. Subsequently, the mine was acquired by Sunedco Coal Company on September 5, 1985, and Sunedco reincorporated the Applicant in Delaware and transferred the mine assets back to the Applicant. Federal and State leases are held by two affiliate companies, Sunedco Coal Company and

Sunoco Energy Development Company. A working agreement was established between them and the Applicant to continue operating the mine.

Thereafter, a corporate reorganization on December 31, 1987, by Sun Coal Company, Inc., initiated a corporate merger of Sunedco Coal Company and Sunoco Energy Development Company into Sage Point Coal Company. As a result of the corporate merger, Sage Point Coal Company became the sole shareholder of Soldier Creek Coal Company. A working agreement was thereafter established between Sage Point Coal Company and the Applicant. The Applicant intends to add additional coal reserves to its present base and seeks a new mine permit to include these reserves. The Applicant foresees the need to expand its surface facilities and are described within this permit application.

Exhibits 5.21-1, 5.26-1, and Plate 5-1 show the location of each surface mining activity within the 6958.19 ac life of mine area and 4,909.69 ac five-year term of permit area.

The horizontal and vertical extent of the proposed underground mine workings for each phase of mining is shown on Exhibits 5.21-4, 5.21-5 and 5.21-6. Mining will be restricted to the reduced five-year term until the necessary leases and permits are obtained to extend mining activities.

The Applicant proposes to operate Soldier Canyon Mine for 30 years and requests that a permit be issued for the first five years. This application presents information on the construction of surface facilities, mine operation and reclamation over the anticipated 30 year life of the mine.

The Applicant is conducting mining activities within 100 ft. of a public road. Soldier Creek Road is the public road and the affected portion is a stretch within the permit area, T13S, R12E, Sec. 18 and 7, Carbon County, Utah. The legal description of the permit boundary is provided in Sec. 1.17.200. Areas of disturbance are illustrated on Exhibits 5.21-2, 5.21-3, 5.26-1 and Plate 5-1.

1.17 Insurance, Proof of Publication

1.17.1 Insurance

The following page is a Certificate of Liability Insurance with the Applicant listed as the insured.

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

9-7-93

PRODUCER

Flat Top Insurance
P. O. Box 1439
Bluefield, WV 24701

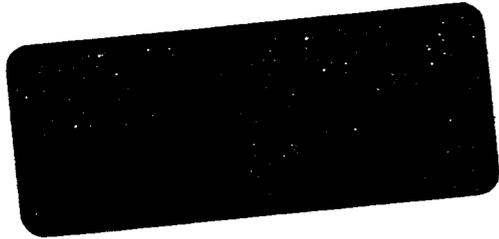
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

INSURED

The Coastal Corporation, Etal.
c/o Energy Insurance Int'l.
P. O. Box 36429
Houston, TX 77236-6429

- COMPANY LETTER **A** Fidelity & Casualty Co. of New York
- COMPANY LETTER **B**
- COMPANY LETTER **C**
- COMPANY LETTER **D**
- COMPANY LETTER **E**



COVERAGES

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY				GENERAL AGGREGATE \$2,000,000
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OP AGG. \$2,000,000
	CLAIMS MADE <input checked="" type="checkbox"/> OCCUR.	MCD001405	12/31/92	12/31/93	PERSONAL & ADV. INJURY \$2,000,000
	<input checked="" type="checkbox"/> OWNER'S & CONTRACTOR'S PROT.				EACH OCCURRENCE \$2,000,000
	<input checked="" type="checkbox"/> XCU				FIRE DAMAGE (Any one fire) \$100,000
					MED. EXPENSE (Any one person) \$10,000
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$
	ANY AUTO				BODILY INJURY (Per person) \$
	ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	SCHEDULED AUTOS				PROPERTY DAMAGE \$
	HIRED AUTOS				
	NON-OWNED AUTOS				
	GARAGE LIABILITY				
	EXCESS LIABILITY				EACH OCCURRENCE \$
	UMBRELLA FORM				AGGREGATE \$
	OTHER THAN UMBRELLA FORM				
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY LIMITS
					EACH ACCIDENT \$
					DISEASE-POLICY LIMIT \$
					DISEASE-EACH EMPLOYEE \$
A	OTHER Pollution	MCP001406	12/31/92	12/31/93	\$500,000 Ea. Incident \$500,000 Aggregate \$5,000 Deductible

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

Soldier Creek Coal Company is included as a Named Insured under the referenced policies as respects Permits No. ACT/007/034 and ACT/007/018

CERTIFICATE HOLDER

State of Utah
Div. of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84108-1203

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 90 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE

Advey O. Mesh
AGENCY

EXCLUSIONS

General Liability Exclusions include, but are not limited to:

Pollution, Asbestos, Discrimination, Wrongful Termination,
Nuclear, Tanker or Barge Operation, Property in Insured's Care,
Custody or Control, Aircraft Liability, and War.

1.17.2 Proof of Publication

A copy of the newspaper advertisement of the application for the transfer of Soldier Canyon Mine's permit has been filed with the Division and is part of the application as required under R614-300-121.100.

1.18 Filing Fee

This permit application to conduct coal mining and reclamation operations pursuant to the State Program will be accompanied by a fee of \$5.00.

1.20 Application Format and Contents

This application is structured based on the R614 regulations of the Division of Oil, Gas and Mining. The chapter divisions in the application are based on the section subdivisions in the R614 regulations. Additionally, each section of the application is based on a corresponding subsection of the various regulation sections (i.e., section 1.20 addresses the concerns of R614-301-120 in the regulations).

PROPOSED LEGAL NOTICE

APPLICATION FOR PERMIT TRANSFER SOLDIER CANYON MINE

Soldier Creek Coal Company, P.O. Box 1029, Wellington, Utah 84542, is authorized, as applicant and operator, to operate the Soldier Canyon Mine in Carbon County, Utah under Permit Number ACT/007/018 issued by the State of Utah, Division of Oil, Gas, and Mining. Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111, has entered into an acquisition agreement with Elk River Resources, Inc. the owner of Sage Point Coal Company, to purchase 100% of the Sage Point stock from Elk River Resources, Inc.

Soldier Creek Coal Company has filed a Permit Transfer Application, in advance of closing, with the Division of Oil, Gas, and Mining to document change of Sage Point Coal Company ownership from Elk River Resources, Inc. to Coastal States Energy Company.

Approval by the Division of this application will allow coal mining operations to continue within the leasehold interest and fee lands owned by Sage Point Coal Company. The lands on which mining activity is to occur are located in Carbon County. The mine portals are located 12 miles northeast of Wellington, Utah, in Soldier Creek Canyon. The approximately 4,909.69 acre leasehold associated with the five-year plan involves all or part of the following coal lands which are assigned or deeded to Sage Point Coal Company:

T. 12 S., R. 12 E. SL Meridian, Utah, Sec. 32: NW-1/4, SW-1/4 NE-1/4, E-1/2 NE-1/4, S-1/2.

T. 13 S., R. 11 E. SL Meridian, Utah, Sec. 1: lot 8; Sec. 12: E-1/2, E-1/2 W-1/2; Sec. 13: NE-1/4 NW-1/4, N-1/2 NE-1/4, SE-1/4 NE-1/4, NE-1/4 SE-1/4; Sec. 24: S-1/2 S-1/2 SW-1/4 SE1/4, portion of SE-1/4 SE-1/4 used for sewage lagoon site; Sec.25: N-1/2 NW-1/4 NE-1/4, portion of N-1/2 NW-1/4 SE-1/4 used for topsoil storage area, portion of S-1/2 SW-1/4 NE-1/4 used for refuse disposal site.

T. 13 S., R. 12 E. SL Meridian, Utah, Sec. 4: All; Sec. 5: All; Sec. 6: All; Sec. 7: All; Sec. 8: All; Sec. 9: W-1/2, NE-1/4, N-1/2 SE-1/4; Sec. 17: N-1/2; Sec.18: N-1/2 N-1/2, SE-1/4 NE-1/4, S-1/2NW1/4, NE-1/4 SW-1/4 NE-1/4, NW-1/4 SW-1/4 NE-1/4; and Sec. 19: portion of SW-1/4 SW-1/4 used for sewage lagoon site.

Copies of the advance Permit Transfer Application will be available for inspection at the following locations: Utah Division of Oil, Gas, and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah; Carbon County Courthouse, Price, Utah; Soldier Canyon Mine, 12 miles Northeast of Wellington, Utah; and Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah.

Written comments on the application must be submitted within 30 days of this first public notice to the Utah Division of Oil, Gas, and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180 with copies to Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111.

Published in the Price Sun Advocate _____, 1993

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Carbon,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for One (1) consecutive issues, and that the first publication was on the

12th day of August, 1993

and that the last publication of such notice was in the issue of such newspaper dated the

 day of , 19

Kevin Ashby
.....
Notary Public

Subscribed and sworn to before me this

12th day of August, 1993

Lynette May
.....
Notary Public

My Commission expires January 10, 1995

Residing at Price, Utah

Publication fee, \$ 40.00

**LEGAL NOTICE
APPLICATION FOR PERMIT TRANSFER
SOLDIER CANYON MINE**

Soldier Creek Coal Company, P.O. Box 1, Price, Utah 84501, is authorized, as applicant and operator, to operate the Soldier Canyon Mine in Carbon County, Utah under Permit Number ACT/007/018 issued by the State of Utah, Division of Oil, Gas and Mining. Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111 has entered into an acquisition agreement with Elk River Resources, Inc the owner of Sage Point Coal Company, to purchase 100% of the Sage Point stock from Elk River Resources, Inc.

Soldier Creek Coal Company has filed a Permit Transfer Application in advance of closing, with the Division of Oil, Gas and Mining to document change of Sage Point Coal Company ownership from Elk River Resources, Inc. to Coastal States Energy Company.

Approval by the Division of this application will allow coal mining operations to continue within the leasehold interest and fee lands owned by Sage Point Coal Company. The lands on which mining activity is to occur are located in Carbon County. The mine portals are located 12 miles northeast of Wellington, Utah, in Soldier Creek Canyon. The approximately 4,909.69 acre leasehold associated with the five-year plan involves all or part of the following coal lands which are assigned or deeded to Sage Point Coal Company:

T.12S., R.12E. SL Meridian, Utah, Sec. 32: NW- $\frac{1}{4}$, SW- $\frac{1}{4}$, NE- $\frac{1}{4}$, E- $\frac{1}{2}$ NE- $\frac{1}{2}$, S- $\frac{1}{2}$.

T.13S., R.11E. SL Meridian, Utah Sec. 1: lot 8; Sec. 12: E- $\frac{1}{2}$, E- $\frac{1}{2}$ W- $\frac{1}{2}$; Sec. 13: NE- $\frac{1}{4}$ NW- $\frac{1}{4}$, N- $\frac{1}{2}$ NE- $\frac{1}{2}$, SE- $\frac{1}{2}$ NE- $\frac{1}{2}$, NE- $\frac{1}{4}$ SE- $\frac{1}{4}$; Sec. 24: S- $\frac{1}{2}$ S- $\frac{1}{2}$ SW- $\frac{1}{4}$ SE- $\frac{1}{4}$, portion of SE- $\frac{1}{4}$ S- $\frac{1}{4}$ used for sewage lagoon site; Sec. 25: N- $\frac{1}{2}$ NW- $\frac{1}{4}$ NE- $\frac{1}{4}$, portion of N- $\frac{1}{2}$ NW- $\frac{1}{4}$ SE- $\frac{1}{4}$ used for topsoil storage area; portion of S- $\frac{1}{2}$ SW- $\frac{1}{4}$ NE- $\frac{1}{4}$ used for refuse disposal site.

T.13S., R.12E. SL Meridian, Utah, Sec. 4: All; Sec 5: All; Sec 6: All; Sec. 7: All; Sec. 8: All; Sec. 9: W- $\frac{1}{2}$, NE- $\frac{1}{4}$, N- $\frac{1}{2}$ SE- $\frac{1}{4}$; Sec. 17: N- $\frac{1}{2}$; Sec. 18: N- $\frac{1}{2}$ N- $\frac{1}{4}$, SE- $\frac{1}{4}$ NE- $\frac{1}{4}$, S- $\frac{1}{2}$ NW- $\frac{1}{4}$, NE- $\frac{1}{4}$ SW- $\frac{1}{4}$ NE- $\frac{1}{4}$, NW- $\frac{1}{4}$ SW- $\frac{1}{4}$ NE- $\frac{1}{4}$; and Sec. 19: portion of SW- $\frac{1}{4}$ SW- $\frac{1}{4}$ used for sewage lagoon site.

Copies of the Advance Permit Transfer Application will be available for inspection at the following locations: Utah Division of Oil, Gas and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah; Carbon County Courthouse, Price, Utah; Soldier Canyon Mine, 12 miles Northeast of Wellington, Utah; and Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah.

Written comments on the application must be submitted within 30 days of this first public notice to the Utah Division of Oil, Gas and Mining, 335 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180 with copies to Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah 84111.

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SOUTHERN UTAH FUEL CO.

1.23 Verification of Application

I, the undersigned say:

I am the Vice President and General Manager of Soldier Creek Coal Company. I make this verification as such on behalf of Applicant.

I declare that the following information contained in this application is true and correct to the best of my knowledge, information and belief.

Executed this 9 day of NOVEMBER, 1993.

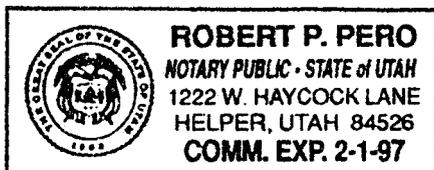


R.W. Olsen
Vice President & General Manager
Soldier Creek Coal Company

Attest:



Robert P. Pero
Data Processing Manager



1.30 Technical Data

The technical data collected for this permit application were collected by the staff of Soldier Creek Coal Company or its consultants. In each chapter, a list of the contributing individuals and firms are presented.

1.40 Maps and Plans

The maps submitted in this application are suitable to the presentation of the information required by the regulations. Every attempt has been made to adjust the scale of the various maps to the data being presented.