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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

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September 30, 1993

Mr. R. W. Olsen  
Vice President and General Manager  
Soldier Creek Coal Company  
P. O. Box I  
Price, Utah 84501

Re: Revised Findings for Transfer of Permit Rights, Elk River Resources to Coastal States Energy Company, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018, Folder #3, Carbon County, Utah

Dear Mr. Olsen:

The Division has found that an error existed on the Findings Document dated September 14, 1993 for the Transfer of Permit Rights to Coastal States Energy Company. The Bond amount stated in the Findings was incorrect. We have changed the amount to reflect the correct bond figure of \$3,238,000. A revised Findings Document is enclosed for your records. The Approval for Transfer of Permit Rights is not affected by this revised Findings Document.

We apologize for any confusion this may have caused. If you have any questions, please call Daron Haddock, Permit Supervisor, at 538-5340.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James W. Carter', written over a large, stylized circular flourish.

James W. Carter  
Director

Enclosures

cc: V. Mortensen, Coastal  
K. May, Sufco  
R. Dawes, OSM-WSC  
R. Hagen, OSM-AFO  
L. Braxton, DOGM  
D. Haddock, DOGM

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## FINDINGS

Transfer of Permit Rights  
Coastal States Energy Company  
Soldier Creek Coal Company  
ACT/007/018  
Carbon County, Utah

September 30, 1993

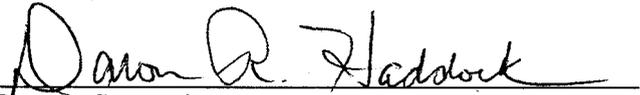
The applicant for transfer of permit rights, Coastal States Energy Company, has committed to continue to conduct the operations involved in full compliance with the terms and conditions of the permit issued to Soldier Creek Coal Company on February 3, 1987 and subsequently renewed on February 3, 1992. Therefore, Findings of the original Decision Document and renewal Decision Document are still pertinent and satisfy the requirements of R645-300-133.

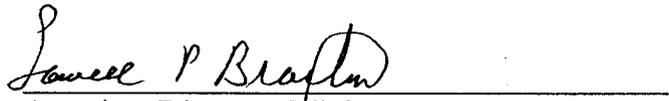
Currently, Coastal States Energy Company has submitted a bond sufficient to cover reclamation costs in the permit area. After this permit transfer has been effected, Coastal States Energy Company will be responsible for the entire area which was under permit by Soldier Creek Coal Company and will assume all liability for compliance with terms and conditions of the Soldier Canyon Mine permit and any orders, stipulations or conditions associated with that permit.

The following findings specifically apply to the application for transfer of permit rights:

1. DOGM's records and the results of a 510{c} clearance check, show that neither Coastal States Energy Company, Soldier Creek Coal Company or any affiliates control or have controlled coal mining and reclamation operations with a demonstrated pattern of willful violations of the Act of such nature and duration and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the Act. At the present time, Coastal States Energy Company does control coal mining and reclamation operations that have current violations, however, all of the violations have been, or are in the process of being, corrected as required by R645-300-132.
2. The State of Utah, DOGM has determined that the application for transfer of permit rights is accurate and complete, and complies with the requirements of R645-300-133.100.
3. The applicant will have the legal right to enter and begin coal mining activities at the Soldier Canyon Mine upon closing of the acquisition agreement between Coastal States Energy and Elk River Resources, Inc. to be executed September 15, 1993. (R645-300-133.300)
4. Coastal States Energy Company and Soldier Creek Coal Company have paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR part 870. (R645-300-133.730)

5. Procedures for public participation have complied with requirements of the Act and the Utah State Program. Notice was published in the Price Sun Advocate on August 12, 1993 as required by R645-303-322. No comments were received.
6. The applicant has obtained a performance bond equivalent to the bonding requirements of the original permit, in the amount of \$3,238,000 (R645-303-342).

  
Permit Supervisor

  
Associate Director, Mining

  
Director