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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
P.O. Box 45155
Salt Lake City, Utah 84145-0155

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IN REPLY REFER TO:
3425
UTU-69635
(UT-923)

SEP 22 1995
ACT/007/018

CERTIFIED MAIL--Return Receipt Requested

Sage Point Coal Company
c/o Coastal States Energy Co.
175 East 400 South, Suite 800
Salt Lake City, UT 84111

DECISION

:
: Coal Lease
: UTU-69635
:

Lease Issued
Bond Accepted

Pursuant to the lease by application coal sale held July 19, 1995, the bid of Sage Point Coal Company for the Alkali Creek Tract, assigned serial no. UTU-69635, was determined to be the acceptable high bid. Satisfactory evidence of the qualifications and holdings of Sage Point Coal Company have been filed; therefore, coal lease UTU-69635 is hereby issued effective October 1, 1995.

A surety bond of \$2,140,000 was filed in this office September 21, 1995. The name of the surety is St. Paul Fire and Marine Insurance Company, and the surety bond no. is 400JT1129. The bond is hereby accepted, as of October 1, 1995.

/s/ ROBERT LOPEZ

Chief, Branch of Mineral
Leasing Adjudication

Enclosure
Coal Lease UTU-69635

bc: Resource Development Coordinating Committee w/encl.
MMS, Solid Minerals Staff, Denver, CO w/encl.
Price Coal Office w/encl.
Moab District Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Serial Number

UTU-69635

COAL LEASE

PART I. LEASE RIGHTS GRANTED

This lease, entered into by and between the UNITED STATES OF AMERICA, hereinafter called lessor, through the Bureau of Land Management, and (Name and Address)

Sage Point Coal Company
c/o Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111

hereinafter called lessee, is effective (date) **OCT 01 1995**, for a period of 20 years and for so long thereafter as coal is produced in commercial quantities from the leased lands, subject to readjustment of lease terms at the end of the 20th lease year and each 10-year period thereafter.

Sec. 1. This lease is issued pursuant and subject to the terms and provisions of the:

- Mineral Lands Leasing Act of 1920, Act of February 25, 1920, as amended, 41 Stat. 437, 30 U.S.C. 181-287, hereinafter referred to as the Act;
- Mineral Leasing Act for Acquired Lands, Act of August 7, 1947, 61 Stat. 913, 30 U.S.C. 351-359;

and to the regulations and formal orders of the Secretary of the Interior which are now or hereafter in force, when not inconsistent with the express and specific provisions herein.

Sec. 2. Lessor, in consideration of any bonuses, rents, and royalties to be paid, and the conditions and covenants to be observed as herein set forth, hereby grants and leases to lessee the exclusive right and privilege to drill for, mine, extract, remove, or otherwise process and dispose of the coal deposits in, upon, or under the following described lands:

- T. 13 S., R. 11 E., SLM, Utah
- Sec. 1, lots 1-7; lot 8 (for all coal except the Rock Canyon Bed)
- Sec. 10, E2E2;
- Sec. 11, all;
- Sec. 12, W2W2;
- Sec. 13, W2NW, SENW, SW;
- Sec. 14, N2, N2S2, SESE;
- Sec. 15, NENE;
- Sec. 23, N2NENE;
- Sec. 24, N2N2NW.

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containing **2,177.52** acres, more or less, together with the right to construct such works, buildings, plants, structures, equipment and appliances and the right to use such on-lease rights-of-way which may be necessary and convenient in the exercise of the rights and privileges granted, subject to the conditions herein provided.

PART II. TERMS AND CONDITIONS

Sec. 1. (a) RENTAL RATE - Lessee shall pay lessor rental annually and in advance for each acre or fraction thereof during the continuance of the lease at the rate of \$ **3.00** per acre for each lease year.

(b) RENTAL CREDITS - Rental shall not be credited against either production or advance royalties for any year.

Sec. 2. (a) PRODUCTION ROYALTIES - The royalty shall be **12 1/2 & 8** percent of the value of the coal as set forth in the regulations. Royalties are due to lessor the final day of the month succeeding the calendar month in which the royalty obligation accrues.

(b) ADVANCE ROYALTIES - Upon request by the lessee, the authorized officer may accept, for a total of not more than 10 years, the payment of advance royalties in lieu of continued operation, consistent with the regulations. The advance royalty shall be based on a percent of the value of a minimum number of tons determined in the manner established by the advance royalty regulations in effect at the time the lessee requests approval to pay advance royalties in lieu of continued operation.

Sec. 3. BONDS - Lessee shall maintain in the proper office a lease bond in the amount of \$ **2,140,000**. The authorized officer may require an increase in this amount when additional coverage is determined appropriate.

Sec. 4. DILIGENCE - This lease is subject to the conditions of diligent development and continued operation, except that these conditions are excused when operations under the lease are interrupted by strikes, the elements, or casualties not attributable to the lessee. The lessor, in the public interest, may suspend the condition of continued operation upon payment of advance royalties in accordance with the regulations in existence at the time of the suspension. Lessee's failure to produce coal in commercial quantities at the end of 10 years shall terminate the lease. Lessee shall submit an operation and reclamation plan pursuant to Section 7 of the Act not later than 3 years after lease issuance.

The lessor reserves the power to assent to or order the suspension of the terms and conditions of this lease in accordance with, inter alia, Section 39 of the Mineral Leasing Act, 30 U.S.C. 209.

Sec. 5. LOGICAL MINING UNIT (LMU) - Either upon approval by the lessor or the lessee's application or at the direction of the lessor, this lease shall become an LMU or part of an LMU, subject to the provisions set forth in the regulations.

The stipulations established in an LMU approval in effect at the time of LMU approval will supersede the relevant inconsistent terms of this lease so long as the lease remains committed to the LMU. If the LMU of which this lease is a part is dissolved, the lease shall then be subject to the lease terms which would have been applied if the lease had not been included in an LMU.

Sec. 6. DOCUMENTS, EVIDENCE AND INSPECTION - At such times and in such form as lessor may prescribe, lessee shall furnish detailed statements showing the amounts and quality of all products removed and sold from the lease, the proceeds therefrom, and the amount used for production purposes or unavoidably lost.

Lessee shall keep open at all reasonable times for the inspection of any duly authorized officer of lessor, the leased premises and all surface and underground improvements, works, machinery, ore stockpiles, equipment, and all books, accounts, maps, and records relative to operations, surveys, or investigations on or under the leased lands.

Lessee shall allow lessor access to and copying of documents reasonably necessary to verify lessee compliance with terms and conditions of the lease.

While this lease remains in effect, information obtained under this section shall be closed to inspection by the public in accordance with the Freedom of Information Act (5 U.S.C. 552).

Sec. 7. DAMAGES TO PROPERTY AND CONDUCT OF OPERATIONS - Lessee shall comply at its own expense with all reasonable orders of the Secretary, respecting diligent operations, prevention of waste, and protection of other resources.

Lessee shall not conduct exploration operations, other than casual use, without an approved exploration plan. All exploration plans prior to the commencement of mining operations within an approved mining permit area shall be submitted to the authorized officer.

Lessee shall carry on all operations in accordance with approved methods and practices as provided in the operating regulations, having due regard for the prevention of injury to life, health, or property, and prevention of waste, damage or degradation to any land, air, water, cultural, biological, visual, and other resources, including mineral deposits and formations of mineral deposits not leased hereunder, and to other land uses or users. Lessee shall take measures deemed necessary by lessor to accomplish the intent of this lease term. Such measures may include, but are not limited to, modification to proposed siting or design of facilities, timing of operations, and specification of interim and final reclamation procedures. Lessor reserves to itself the right to lease, sell, or otherwise dispose of the surface or other mineral deposits in the lands and the right to continue existing uses and to authorize future uses upon or in the leased lands, including issuing leases for mineral deposits not covered hereunder and approving easements or rights-of-way. Lessor shall condition such uses to prevent unnecessary or unreasonable interference with rights of lessee as may be consistent with concepts of multiple use and multiple mineral development.

Sec. 8. PROTECTION OF DIVERSE INTERESTS, AND EQUAL OPPORTUNITY - Lessee shall pay when due all taxes legally assessed and levied under the laws of the State or the United States; accord all employees complete freedom of purchase; pay all wages at least twice each month in lawful money of the United States; maintain a safe working environment in accordance with standard industry practices; restrict the workday to not more than 8 hours in any one day for underground workers, except in emergencies, and take measures necessary to protect the health and safety of the public. No person under the age of 16 years shall be employed in any mine below the surface. To the extent that laws of the State in which the lands are situated are more restrictive than the provisions in this paragraph, then the State laws apply.

Lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor. Neither lessee nor lessee's subcontractors shall maintain segregated facilities.

Sec. 15. SPECIAL STIPULATIONS -

Sec. 9. (a) TRANSFERS

- This lease may be transferred in whole or in part to any person, association or corporation qualified to hold such lease interest.
- This lease may be transferred in whole or in part to another public body or to a person who will mine the coal on behalf of, and for the use of, the public body or to a person who for the limited purpose of creating a security interest in favor of a lender agrees to be obligated to mine the coal on behalf of the public body.
- This lease may only be transferred in whole or in part to another small business qualified under 13 CFR 121.

Transfers of record title, working or royalty interest *must* be approved in accordance with the regulations.

(b) **RELINQUISHMENT** - The lessee may relinquish in writing at any time all rights under this lease or any portion thereof as provided in the regulations. Upon lessor's acceptance of the relinquishment, lessee shall be relieved of all future obligations under the lease or the relinquished portion thereof, whichever is applicable.

Sec. 10. DELIVERY OF PREMISES, REMOVAL OF MACHINERY, EQUIPMENT, ETC. - At such time as all portions of this lease are returned to lessor, lessee shall deliver up to lessor the land leased, underground timbering, and such other supports and structures necessary for the preservation of the mine workings on the leased premises or deposits and place all workings in condition for suspension or abandonment. Within 180 days thereof, lessee shall remove from the premises all other structures, machinery, equipment, tools, and materials that it elects to or as required by the authorized officer. Any such structures, machinery, equipment, tools, and materials remaining on the leased lands beyond 180 days, or approved extension thereof, shall become the property of the lessor, but lessee shall either remove any or all such property or shall continue to be liable for the cost of removal and disposal in the amount actually incurred by the lessor. If the surface is owned by third parties, lessor shall waive the requirement for removal, provided the third parties do not object to such waiver. Lessee shall, prior to the termination of bond liability or at any other time when required and in accordance with all applicable laws and regulations, reclaim all lands the surface of which has been disturbed, dispose of all debris or solid waste, repair the offsite and onsite damage caused by lessee's activity or activities incidental thereto, and reclaim access roads or trails.

Sec. 11. PROCEEDINGS IN CASE OF DEFAULT - If lessee fails to comply with applicable laws, existing regulations, or the terms, conditions and stipulations of this lease, and the noncompliance continues for 30 days after written notice thereof, this lease shall be subject to cancellation by the lessor only by judicial proceedings. This provision shall not be construed to prevent the exercise by lessor of any other legal and equitable remedy, including waiver of the default. Any such remedy or waiver shall not prevent later cancellation for the same default occurring at any other time.

Sec. 12. HEIRS AND SUCCESSORS-IN-INTEREST - Each obligation of this lease shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

Sec. 13. INDEMNIFICATION - Lessee shall indemnify and hold harmless the United States from any and all claims arising out of the lessee's activities and operations under this lease.

Sec. 14. SPECIAL STATUTES - This lease is subject to the Clean Water Act (33 U.S.C. 1252 et. seq.), the Clean Air Act (42 U.S.C. 4274 et. seq.), and to all other applicable laws pertaining to exploration activities, mining operations and reclamation, including the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et. seq.).

This coal lease is subject to termination if the lessee is determined at the time of issuance to be in noncompliance with Section 2(a)(2)(A) of the Mineral Leasing Act.

SEE ATTACHED STIPULATIONS

THE UNITED STATES OF AMERICA

Sage Point Coal Company

Company or Lessee Name

Vernor Montensen

(Signature of Lessee)

Executive Vice President

(Title)

September 18, 1995

(Date)

By Bureau of Land Management

R. H. [Signature]

(Signing Officer)

Chief, Branch of Mineral Leasing Adjudication

(Title)

SEP 22 1995

(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

This form does not constitute an information collection as defined by 44 U.S.C. 3502 and therefore does not require OMB approval.

The following stipulations made part of this lease may be waived or amended with the mutual consent of the lessor and lessee.

1. In accordance with Sec. 523(b) of the "Surface Mining Control and Reclamation Act of 1977," surface mining and reclamation operations conducted on this lease are to conform with the requirements of this act and are subject to compliance with Office of Surface Mining regulations, or as applicable, a Utah program equivalent approved under cooperative agreement in accordance with Sec. 523(c). The United States Government does not warrant that the entire tract will be susceptible to mining.

2. The permitting of any mining operations on the lease will be subject to the possible designation of any portion of the lease as unsuitable for some or all kinds of surface mining under the regulations of the Department under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) in effect at the time of action on the mine plan permit.

3. Before undertaking activities that may disturb the surface of previously undisturbed leased lands, the lessee may be required to conduct a cultural resource inventory of the areas to be disturbed. These studies shall be conducted by qualified professional cultural resource specialists and a report prepared itemizing the findings. A plan will then be submitted making recommendations for the protection of, or measures to be taken to mitigate impacts for identified cultural resources.

If significant cultural resources are discovered during operations under this lease, the lessee shall immediately bring them to the attention of the authorized officer who shall evaluate or have evaluated such discoveries and, within 5 working days, shall notify the lessee what action shall be taken with respect to such discoveries.

The cost of conducting the inventory, preparing reports, and carrying out necessary protective mitigating measures shall be borne by the lessee.

4. Before undertaking activities that may disturb the surface of previously undisturbed leased lands, the lessee may be required to conduct a paleontological appraisal of the areas to be disturbed. The appraisal shall be conducted by qualified paleontologists and a report prepared itemizing the findings. A plan will then be submitted making recommendations for the protection of, or measures to be taken to mitigate impacts for identified paleontological resources.

If paleontological remains (fossils) of significant scientific interest are discovered during operations under this lease, the lessee shall immediately bring them to the attention of the authorized officer who shall evaluate or have evaluated such discoveries brought to his attention and, within 5 working days, shall notify the lessee what action shall be taken with respect to such discoveries. Paleontological remains of significant scientific interest do not include leaves, ferns, or dinosaur tracks commonly encountered during underground mining operations.

The cost of conducting the inventory, preparing reports, and carrying out necessary protective mitigating measures shall be borne by the lessee. The cost of salvage of paleontological remains (fossils) shall be borne by the United States.

5. If there is reason to believe that threatened or endangered (T&E) species of plants or animals, or migratory species of high Federal interest occur in the area, the lessee shall be required to conduct an intensive field inventory of the area to be disturbed and/or impacted. A listing of migratory birds of high Federal interest in Federal coal producing regions is published by the Fish and Wildlife Service, Migratory Bird Management Office, Washington, D.C. The inventory shall be conducted by qualified specialist and a report of findings will be prepared. A plan will be prepared making recommendations for the protection of these species or action necessary to mitigate the disturbance.

The cost of conducting the inventory, preparing reports, and carrying out necessary protective mitigating measures shall be borne by the lessee.

6. The lessee shall be required to perform a study to secure adequate baseline data to quantify the existing surface resources on and adjacent to the lease area. Existing data may be used if such data is adequate for the intended purposes. The study shall be adequate to locate, quantify, and demonstrate the inter-relationship of the geology, topography, surface hydrology, vegetation, and wildlife. Baseline data will be established so that future programs of observation can be incorporated at regular intervals for comparison.

7. Powerlines on the lease area used in conjunction with the mining of coal from this lease shall be constructed so as to provide adequate protection for raptors and other large birds. When feasible, powerlines will be located at least 100 yards from public roads.

8. The lessee shall provide for the suppression and control of fugitive dust on haul roads and at coal handling and storage facilities on the lease area. The migration of road surfacing and subsurface materials into streams and water courses shall be prevented.

9. The lessee shall be required to establish a monitoring system to locate, measure, and quantify the progressive and final effects of underground mining activities on the topographic surface, underground and surface hydrology and vegetation. The monitoring system shall utilize techniques which will provide a continuing record of change over time and an analytical method for location and measurement of a number of points over the lease area. The monitoring shall incorporate and be an extension of the baseline data.

10. Except at specifically approved locations, underground mining operations shall be conducted in such a manner so as to prevent surface subsidence that would: 1) cause the creation of hazardous conditions such as potential escarpment failure and landslides, 2) cause damage to existing surface structures, or 3) damage or alter the flow of perennial streams.

11. In order to avoid surface disturbance on steep canyon slopes and to satisfy the need for surface access, all surface breakouts for ventilation tunnels shall be constructed from inside the mine, except at specifically approved locations.

12. Support facilities, structures, equipment, and similar developments will be removed from the lease area within 2 years after the final termination of use of such facilities. This provision shall apply unless the requirement of Section 10 of the lease form is applicable. Disturbed areas and those areas occupied by such facilities will be stabilized and rehabilitated, drainages reestablished, and the areas returned to a premining land use.

13. The lessee shall be required to pay the value of the royalty on coal left unmined without the authorized officer (AO) approval, which should have been recovered under the approval of a mine plan (Resource Recovery and Protection Plan, [R2P2]) and which would otherwise be lost or left economically inaccessible.

14. The unleased coal in this tract is included in Proposed Legislation cited as the "Utah Public Lands Management Act of 1995" concerning the Designation of BLM Wilderness Lands in Utah. Provisions of the Proposed Act call for the exchange of State and Federal Lands. The State of Utah has designated the unleased coal tract (Alkali Creek) for acquisition by the State. Consummation of the exchange under the Proposed Act may, in the future, allow for the State of Utah to succeed to some or all of the United States interest in this tract.

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.

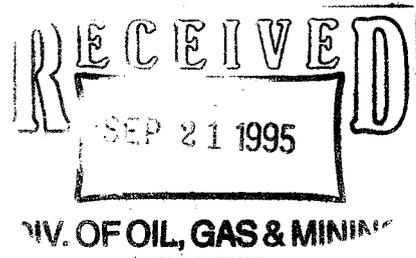
Soldier Creek Coal Company is the operator of an underground coal mining operation located in Carbon County, Utah. The surface facilities for the Soldier Canyon Mine are within Sections 18 and 19, Township 13 South, Range 12 East, and Sections 24 and 25, Township 13 South, Range 11 East, SLBM. These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

1.12.2 Applicant and Operator

APPLICANT: Soldier Creek Coal Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
Ph. (801) 596-7111

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

OPERATOR: (Day-to-Day) Operations, Administration, Permit Revisions and Amendments)
Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542
Ph. (801) 637-6360



1.12.31 OFFICERS OF THE APPLICANT

Soldier Creek Coal Company
 175 East 400 South, Suite 800
 Salt Lake City, Utah 84111
 Incorporated: Delaware 07/18/85
 Employer I.D. No. 23-2360574

Name	Title		Begin Date	End Date
Board of Directors				
David A. Arledge	Chairman	(1)	09/15/93	
James L. VanLanen		(3)	09/15/93	
Jeffrey A. Connelly		(1)	01/31/95	
Robert A. Feilner		(3)	09/15/93	
Vernal J. Mortensen		(2)	09/15/93	
Officers				
James L. VanLanen	President	(3)	09/15/93	
Vernal J. Mortensen	Exec. Vice President	(2)	09/15/93	
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95	
Coby C. Hesse	Sr. Vice President	(1)	01/31/95	
Austin M. O'Toole	Sr. Vice President	(1)	01/31/95	
	Secretary		09/15/93	
Donald J. Appleman	Vice President	(3)	09/15/93	
Robert A. Feilner	Vice President	(3)	09/15/93	
William S. Hudgins, Jr.	Vice President, General Counsel & Asst.			
	Secretary	(3)	09/15/93	
T.E. Jackson, Jr.	Vice President	(1)	01/31/95	
Ronald D. Matthews	Vice President & Treasurer	(1)	01/31/95	
Reid W. Olsen	Vice President	(6)	09/15/93	
Edward P. Gleichauf	Controller	(3)	09/15/93	
Robert A. Shaw, Jr.	Asst. Secretary	(1)	09/15/93	
Dale V. Shultz	Asst. Secretary	(1)	01/31/95	
H.R. Natho	Asst. Controller	(1)	09/15/93	

Sage Point Coal Company
 175 East 400 South, Suite 800
 Salt Lake City, Utah 84111
 Incorporated: Delaware 11/12/85
 Employer I.D. No. 23-2376895

Name	Title		Begin Date	End Date
Board of Directors				
David A. Arledge	Chairman	(1)	09/15/93	
James L. VanLanen		(3)	09/15/93	
Jeffrey A. Connelly		(1)	01/31/95	
Robert A. Feilner		(3)	09/15/93	
Vernal J. Mortensen		(2)	09/15/93	
Officers				
James L. VanLanen	President	(1)	09/15/93	
Vernal J. Mortensen	Exec. Vice President	(2)	09/15/93	
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95	
Coby C. Hesse	Sr. Vice President	(1)	01/31/95	
Austin M. O'Toole	Sr. Vice President	(1)	01/31/95	
	Secretary		09/15/93	
Donald J. Appleman	Vice President	(3)	09/15/93	
Robert A. Feilner	Vice President	(3)	09/15/93	
William S. Hudgins, Jr.	Vice President			
	General Counsel &			
	Asst. Secretary	(3)	09/15/93	
T.E. Jackson, Jr.	Vice President	(1)	01/31/95	
Ronald D. Matthews	Vice President &			
	Treasurer	(1)	01/31/95	
Reid W. Olsen	Vice President	(6)	09/15/93	
Edward P. Gleichauf	Controller	(3)	09/15/93	
Dale V. Shultz	Asst. Secretary	(1)	01/31/95	
H.R. Natho	Asst. Controller	(1)	09/15/93	

Utah Fuel Company
 175 East 400 South, Suite 800
 Salt Lake City, Utah 84110
 Incorporated: Delaware 12/13/78
 Employer I.D. No. 74-2010721

Name	Title		Begin Date	End Date
Board of Directors				
David A. Arledge	Chairman	(1)	01/31/95	
James L. VanLanen		(3)	12/18/85	
Jeffrey A. Connelly		(1)	01/31/95	
Coby C. Hesse		(1)	01/31/95	
Vernal J. Mortensen		(2)	05/09/86	
Officers				
James L. VanLanen	President and Chief Executive Officer	(3)	12/18/85	
Vernal J. Mortensen	Exec. Vice President	(2)	12/18/85	
Robert A. Feilner	Vice President	(3)	10/26/79	
Donald J. Appleman	Vice President	(3)	08/27/87	
William S. Hudgins, Jr.	Vice President General Counsel & Asst. Secretary	(3)	12/18/85	
Kenneth M. Payne	Vice President	(4)	07/01/93	
Edward P. Gleichauf	Controller	(3)	08/27/87	
Austin M. O'Toole	Secretary & Sr. Vice President	(1)	05/24/79 01/31/95	
H.R. Natho	Asst. Controller	(1)	05/09/86	
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95	
Coby C. Hesse	Sr. Vice President	(1)	01/31/95	
Thomas E. Jackson, Jr.	Vice President	(1)	01/31/95	
Ronald D. Mathews	Vice President & Treasurer	(1)	01/31/95	
Dale V. Shultz	Asst. Secretary	(1)	01/31/95	

Skyline Coal Company
 175 East 400 South, Suite 800
 Salt Lake City, Utah 84111
 Incorporated: Delaware 07/28/71
 Employer I.D. No. 73-0932452

Name	Title	Begin Date	End Date
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Board of Directors

James L. VanLanen	Chairman	(3)	10/30/85
Vernal J. Mortensen		(2)	04/29/88
David A. Arledge		(1)	01/31/95
Jeffrey A. Connelly		(1)	01/31/95
Coby C. Hesse		(1)	01/31/95

Officers

James L. VanLanen	President & Chief Executive Officer	(3)	10/30/85
Vernal J. Mortensen	Executive Vice President	(2)	10/30/85
Robert A. Feilner	Vice President	(3)	10/30/85
Donald J. Appleman	Vice President	(3)	08/27/87
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Secretary	(3)	10/30/85
Kenneth M. Payne	Vice President	(4)	07/01/93
Edward P. Gleichauf	Controller	(3)	08/27/87
Austin M. O'Toole	Sr. Vice President Secretary	(1)	01/31/95
Robert A. Shaw, Jr.	Asst. Secretary	(1)	10/30/85
H. R. Natho	Asst. Controller	(1)	10/02/87
Donald H. Gullquist	Sr. Vice President	(1)	05/09/86
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
T. E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Mathews	Vice President & Treasurer	(1)	01/31/95
Dale V. Shultz	Asst. Secretary	(1)	01/31/95

Coastal States Energy Company
 175 East 400 South, Suite 800
 Salt Lake City, Utah 84111
 Incorporated: Texas 07/07/72
 Employer I.D. No. 74-1734211

Name	Title	Begin Date	End Date
Board of Directors			
David A. Arledge	Chairman	(1) 09/02/86	
James L. VanLanen		(3) 08/09/85	
Robert A. Feilner		(3) 04/14/95	
Vernal J. Mortensen		(2) 04/14/95	
Officers			
James L. VanLanen	Chief Executive Officer	04/14/95	
	President	(3) 08/01/91	
Robert A. Feilner	Sr. Vice President	(3) 01/08/93	
Vernal J. Mortensen	Sr. Vice President	(2) 03/12/86	
Austin M. O'Toole	Sr. Vice President	(1) 06/28/84	
	Secretary	(1) 05/28/84	
Donald J. Appleman	Vice President	(3) 08/27/87	
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Secretary	(3) 12/18/85	
T.E. Jackson, Jr.	Vice President	(1) 05/05/89	
Edward P. Gleichauf	Controller	(3) 08/27/87	
Robert A. Shaw, Jr.	Asst. Secretary	(1) 06/28/94	
H. R. Natho	Asst. Controller	(1) 05/17/76	
Coby C. Hesse	Sr. Vice President	(1) 04/14/95	
Donald H. Gullquist	Sr. Vice President	(1) 04/14/95	
Ronald D. Mathews	Vice President & Treasurer	(1) 04/19/95	
Dale V. Shultz	Asst. Secretary	(1) 04/14/95	

The Coastal Corporation
 9 Greenway Plaza
 Houston, Texas 77046
 Incorporated: Delaware 09/07/72
 Restated: 03/22/94
 Employer I.D. No. 74-1734220

Name	Title	Begin Date	End Date
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Board of Directors

Class I (Terms Expiring in 1996)

John M. Bissell		(1)	04/10/85
Harold Burrow		(1)	10/02/73
Roy D. Chapin, Jr.		(1)	04/07/88
Jerome S. Katzin		(1)	11/04/83

Class II (Terms Expiring in 1997)

David A. Arledge		(1)	02/04/88
George L. Brundrett, Jr.		(1)	06/12/73
O.S. Wyatt, Jr.	Chairman	(1)	09/07/72
Lemuel Dale Woody, Jr.		(1)	05/12/92

Class III (Terms Expiring in 1995)

James F. Cordes		(1)	04/10/85
Roy L. Gates		(1)	09/07/72
Kenneth O. Johnson		(1)	02/04/88
Thomas R. McDade		(1)	02/04/93

Officers

O.S. Wyatt, Jr.	Chief Executive Officer	(1)	07/20/93
David A. Arledge	Chief Operating Officer	(1)	08/04/93
	President		03/03/94
James F. Cordes	Executive Vice President	(1)	02/04/86
James A. King	Executive Vice President	(1)	05/12/92
Sam F. Wilson, Jr.	Executive Vice President	(1)	03/03/94
Jerry D. Bullock	Sr. Vice President	(1)	08/01/92
Jeffrey A. Connelly	Sr. Vice President	(1)	03/03/94
Carl A. Corrallo	Sr. Vice Pres. & General Counsel	(1)	03/23/93
Donald H. Gullquist	Sr. Vice President	(1)	03/16/94
Coby C. Hesse	Sr. Vice President & Controller	(1)	03/03/94
Dan J. Hill	Sr. Vice President	(1)	05/10/79
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	05/03/84
Jack C. Pester	Sr. Vice President	(1)	04/01/87
James L. VanLanen	Sr. Vice President	(3)	08/08/85
M.T. Arnold	Vice President	(1)	08/10/93

The Coastal Corporation (Continued)

Daniel F. Collins	Vice President	(5)	01/15/89	
Robert C. Hart	Vice President	(1)	03/16/94	
John J. Lipinski	Vice President	(1)	03/02/95	
Edward A. More	Vice President	(1)	03/02/95	
M. Frank Powell	Vice President	(1)	08/04/93	
Thomas M. Wade	Vice President	(1)	03/02/95	
Ronald D. Mathews	Treasurer	(1)	09/15/94	
Jay L. Gallia	Asst. Secretary	(1)	04/28/88	
John S. Gennaro	Asst. Secretary	(1)	05/04/89	
Robert A. Shaw, Jr.	Asst. Secretary	(1)	05/10/89	
Dale V. Shultz	Asst. Secretary	(1)	08/09/78	
Kirk W. Weinert	Asst. Secretary	(1)	05/10/77	
Roger F. Mechura	Asst. Treasurer	(1)	10/13/94	
James M. Rauch	Asst. Treasurer	(1)	12/17/91	
J.W. French	Asst. Controller	(1)	09/12/80	
Fred H. Hallman	Asst. Controller	(1)	09/12/80	
H.R. Natho	Asst. Controller	(1)	04/06/78	
Kenneth O. Johnson	Sr. Vice President	(1)	02/22/78	
Charles M. Oglesby	Vice President	(1)	08/09/91	03/31/95

Stock Ownership (10% or More)

O.S. Wyatt, Jr.
 Trustee Employee Thrift
 ESPO
 Pension

Southern Utah Fuel Company
 175 East 400 South, Suite 800
 Salt Lake City, Utah 84111
 Incorporated: Delaware 04/17/76
 Employer I.D. No. 74-2010288

Name	Title	Begin Date	End Date
Board of Directors			
David A. Arledge	Chairman	(1) 06/06/85	
James L. VanLanen		(3) 11/18/85	
Jeffrey A. Connelly		(1) 01/31/95	
Coby C. Hesse		(1) 01/31/95	
Vernal J. Mortensen		(2) 11/18/85	
Officers			
James L. VanLanen	President & Chief Executive Officer	(3) 12/18/85	
Vernal J. Mortensen	Exec. Vice President	(2) 12/18/85	
Donald H. Gullquist	Sr. Vice President	(1) 01/31/95	
Coby C. Hesse	Sr. Vice President	(1) 01/31/95	
Austin M. O'Toole	Sr. Vice President	(1) 01/31/95	
	Secretary	(1) 05/24/79	
Donald J. Appleman	Vice President	(3) 08/27/87	
Robert A. Feilner	Vice President	(3) 10/26/79	
William S. Hudgins, Jr.	Vice President, General Counsel, & Asst. Secretary	(3) 12/18/85	
T.E. Jackson, Jr.	Vice President	(1) 01/31/95	
Ronald D. Mathews	Vice President & Treasurer	(1) 01/31/95	
Kenneth M. Payne	Vice President	(4) 05/14/82	
Kenneth E. May	Asst. Vice President & General Manager	(7) 07/01/93	
Edward P. Gleichauf	Controller	(3) 08/27/87	
Robert A. Shaw, Jr.	Asst. Secretary	(1) 10/02/87	
Dale V. Shultz	Asst. Secretary	(1) 01/31/95	
H.R. Natho	Asst. Controller	(1) 05/09/86	

Coastal Natural Gas Company
 9 Greenway Plaza
 Houston, Texas 77046
 Incorporated: Delaware 04/16/82
 Employer I.D. No. 84-0890602

Name	Title		Begin Date	End Date
Board of Directors				
Harold Burrow	Chairman	(1)	04/16/82	
O.S. Wyatt, Jr.		(1)	04/16/82	
David A. Arledge		(1)	09/02/86	
James F. Cordes		(1)	05/09/86	
Carl A. Corrallo		(1)	05/07/93	
Officers				
James F. Cordes	President & Chief Executive Officer	(1)	11/10/94	
Carl A. Corrallo	Sr. Vice President		05/07/93	
	General Counsel	(1)	11/10/94	
Donald H. Gullquist	Sr. Vice President	(1)	11/10/94	
Coby H. Hesse	Sr. Vice President	(1)	11/10/94	
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	06/28/84	
T.E. Jackson, Jr.	Vice President	(1)	05/05/89	
Michael B. Lobin	Vice President	(1)	04/11/94	
Ronald D. Mathews	Vice President & Treasurer	(1)	11/10/94	
Bette B. Carter	Asst. Secretary	(1)	09/23/93	
Sara R. Schafer	Asst. Secretary	(1)	09/23/93	
Dale V. Shultz	Asst. Secretary	(1)	04/16/82	
Roger F. Mechura	Asst. Secretary	(1)	11/10/94	

American Natural Resources Company
 One Woodward Avenue
 Detroit, Michigan 48226
 Incorporated: New Jersey 04/06/1901
 Reincorporated: Delaware 02/16/83
 Employer I.D. No. 13-5553550

Name	Title	Begin Date	End Date
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Board of Directors

O.S. Wyatt, Jr.		(1)	03/23/85
Harold Burrow	Chairman	(1)	03/23/85
David A. Arledge		(1)	12/02/93
James F. Cordes		(1)	03/23/85
John M. Bissell		(8)	04/25/79
Roy D. Chapin, Jr.		(1)	09/21/73
Jeffrey A. Connelly		(1)	09/21/94
Lawrence P. Doss		(8)	05/14/80
Martha O. Hesse		(8)	07/01/90
Richard A. Lietz		(8)	09/21/94
Wilber H. Mack		(8)	06/23/86
J. Carleton MacNeil, Jr.		(8)	08/17/93
James H. McNeal, Jr.		(8)	04/28/82

Officers

James F. Cordes	President		08/31/88
	Chief Executive Off.	(1)	07/21/93
Jeffrey A. Connelly	Exec. Vice President	(1)	09/21/94
Richard A. Lietz	Exec. Vice President	(8)	09/21/94
Donald H. Gullquist	Sr. Vice President	(1)	09/21/94
Coby C. Hesse	Sr. Vice President	(1)	09/21/94
Rebecca H. Noecker	Sr. Vice President & General Counsel	(1)	09/21/94
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	09/21/94 06/16/86
T.E. Jackson, Jr.	Vice President	(1)	09/21/94
William L. Johnson	Vice President & Controller	(8)	08/01/91
Michael E. Maslyn	Vice President	(8)	06/23/86
Ronald D. Mathews	Vice President & Treasurer	(1)	09/21/94
Frederich H. Clark	Asst. Secretary	(8)	05/17/89
Dale V. Shultz	Asst. Secretary	(1)	05/17/89
H.R. Natho	Asst. Controller	(1)	07/01/86
John C. Mills	Asst. Treasurer	(8)	09/19/90

ANR Coal Company
 310 First Street
 P.O. Box 1871
 Roanoke, Virginia 24011
 Incorporated: Delaware 12/01/78
 Employer I.D. No. 38-2239482

Name	Title	Begin Date	End Date
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Board of Directors

David A. Arledge		(1)	01/31/95
James F. Cordes		(1)	04/24/85
James L. VanLanen		(3)	07/01/84
Jeffrey A. Connelly		(1)	01/31/95
Robert A. Feilner		(3)	01/08/93

Officers

James L. VanLanen	President & Chief Executive Officer	(3)	06/18/84
Robert A. Feilner	Sr. Vice President	(3)	01/08/93
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President	(1)	01/31/95
	Secretary		09/01/85
Glen A. Zumwalt	Sr. Vice President	(3)	07/01/93
Donald J. Appleman	Vice President	(3)	08/07/87
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Sec.	(3)	09/11/86
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Mathews	Vice President & Treasurer	(1)	01/31/95
S. Frank Smith	Vice President	(1)	01/08/93
Edward P. Gleichauf	Controller	(3)	08/27/87
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	05/09/86

Birmingham Coal Company
P.O. Box 1083
Lewisburg, West Virginia 24901
Incorporated: West Virginia 12/29/89
Employer I.D. No. 54-1537026

Name	Title	Begin Date	End Date
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Board of Directors

James L. VanLanen		(3)	08/31/92
David A. Arledge		(1)	01/31/95
Jeffrey A. Connelly		(1)	01/31/95
William S. Hudgins, Jr.		(3)	08/31/92
Paul K. Moran		(11)	08/31/92
Glen A. Zumwalt		(3)	07/01/93

Officers

James L. VanLanen	President	(3)	08/31/92
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President	(1)	01/31/95
	Secretary		08/31/92
Glen A. Zumwalt	Sr. Vice President	(3)	07/01/93
Donald J. Appleman	Vice President	(3)	08/31/92
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Sec.	(3)	08/31/92
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Matthews	Vice President & Treasurer	(1)	01/31/95
Paul K. Moran	Vice President	(11)	08/31/92
Edward P. Gleichauf	Controller	(3)	08/31/92
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	08/31/92

Brooks Run Coal Company
P.O. Box 303
Birch River, West Virginia 26610
Incorporated: Delaware 09/26/77
Employer I.D. No. 38-2174137

Name	Title		Begin Date	End Date
Board of Directors				
David A. Arledge	Chairman	(1)	01/31/95	
James L. VanLanen		(3)	07/01/84	
Jeffrey A. Connelly		(1)	01/31/95	
William S. Hudgins, Jr.		(3)	09/11/86	
Glen A. Zumwalt		(3)	07/01/93	
Officers				
James L. VanLanen	President	(3)	06/18/84	
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95	
Coby C. Hesse	Sr. Vice President	(1)	01/31/95	
Austin M. O'Toole	Sr. Vice President		01/31/95	
	Secretary	(1)	09/01/85	
Glen A. Zumwalt	Sr. Vice President	(3)	07/01/93	
Donald J. Appleman	Vice President	(3)	08/27/87	
James W. Copley, Jr.	Vice President	(9)	07/01/93	
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Sec.	(3)	09/11/86	
T.E. Jackson, Jr.	Vice President	(1)	01/31/95	
Ronald D. Matthews	Vice President & Trs.	(1)	01/31/95	
S. Frank Smith	Vice President	(3)	01/08/93	
Edward P. Gleichauf	Controller	(3)	08/27/87	
Dale V. Shultz	Asst. Secretary	(1)	01/31/95	
H.R. Natho	Asst. Controller	(1)	05/09/86	
John S. Gennaro	Asst. Secretary	(3)	05/05/89	01/31/95

Enterprise Coal Company
P.O. Box 244
Dorton, Kentucky 41520
Incorporated: Kentucky 01/08/74
Employer I.D. No. 61-0855798

Name	Title	Begin Date	End Date
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Board of Directors

David A. Arledge	Chairman	(1)	01/31/95
James L. VanLanen		(3)	07/01/84
Jeffrey A. Connelly		(1)	01/31/95
William S. Hudgins, Jr.		(3)	09/01/85
Bobby Lee Ketron		(10)	05/21/92
Glen A. Zumwalt		(3)	07/01/93

Officers

James L. VanLanen	President	(3)	06/18/84
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President	(1)	01/31/95
	Secretary		09/01/85
Donald J. Appleman	Vice President	(3)	08/27/87
William S. Hudgins, Jr.	Vice President, General		
	Counsel & Asst. Sec.	(3)	09/01/85
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Bobby Lee Ketron	Vice President	(10)	05/21/92
Ronald D. Matthews	Vice President & Trs.	(1)	01/31/95
S. Frank Smith	Vice President	(1)	01/08/93
Edward P. Gleichauf	Controller	(3)	08/27/87
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	05/09/86

Greenbrier Coal Company
P.O. Box 1083
Lewisburg, West Virginia 24901
Incorporated: Delaware 02/13/90
Employer I.D. No. 76-0301391

Name	Title	Begin Date	End Date
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Board of Directors

David A. Arledge		(1)	01/31/95
James L. VanLanen		(3)	02/03/90
Jeffrey A. Connelly		(1)	01/31/95
William S. Hudgins, Jr.		(3)	02/13/90
Paul K. Moran		(11)	08/01/91
Glen A. Zumwalt		(3)	07/01/93

Officers

James L. VanLanen	President	(3)	02/13/90
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	01/31/95 02/31/90
Glen A. Zumwalt	Sr. Vice President	(3)	07/01/93
Donald J. Appleman	Vice President	(3)	02/13/90
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Sec.	(3)	02/13/90
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Matthews	Vice President & Trs.	(1)	01/31/95
Paul K. Moran	Vice President	(11)	08/01/91
S. Frank Smith	Vice President	(1)	01/08/93
Edward P. Gleichauf	Controller	(3)	02/13/90
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	02/13/90

Kingwood Coal Company
 84 Albright Road
 Kingwood, West Virginia 26536
 Incorporated: Delaware 11/30/89
 Employer I.D. No. 76-0292683

Name	Title	Begin Date	End Date
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Board of Directors

David A. Arledge	Chairman	(1)	01/31/95
James L. VanLanen		(3)	11/30/89
Jeffrey A. Connelly		(1)	01/31/95
William S. Hudgins, Jr.		(3)	11/30/89
Glen A. Zumwalt		(3)	07/01/93

Officers

James L. VanLanen	President	(3)	11/30/89
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	01/31/95 11/30/89
Glen A. Zumwalt	Sr. Vice President	(3)	07/01/93
Donald J. Appleman	Vice President	(3)	11/30/89
James F. Daugherty	Vice President	(12)	07/01/93
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Sec.	(3)	11/30/89
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Matthews	Vice President & Trs.	(1)	01/31/95
S. Frank Smith	Vice President	(1)	01/08/93
Edward P. Gleichauf	Controller	(3)	11/30/89
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	11/30/89

Virginia City Coal Company
P.O. Box 1578
Coeburn, Virginia 24230-1578
Incorporated: Delaware 02/15/83
Employer I.D. No. 54-1262278

Name	Title	Begin Date	End Date
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Board of Directors

David A. Arledge		(1)	01/31/95
James L. VanLanen		(3)	07/01/84
Jeffrey A. Connelly		(1)	01/31/95
William S. Hudgins, Jr.		(3)	02/15/83
Rodney G. Poindexter		(13)	10/14/85

Officers

James L. VanLanen	President	(3)	06/18/84
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	01/31/95 09/01/85
Donald J. Appleman	Vice President	(3)	08/27/87
William S. Hudgins, Jr.	Vice President		05/14/84
	General Counsel		02/15/83
	Asst. Secretary	(3)	09/01/85
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Matthews	Vice President & Trs.	(1)	01/31/95
Rodney G. Poindexter	Vice President	(13)	10/14/85
Edward J. Gleichauf	Controller	(3)	08/27/87
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	05/09/86

Virginia Iron, Coal & Coke Company
P.O. Box 1578
Coeburn, Virginia 24230-1578
Incorporated: Delaware 12/13/78
Employer I.D. No. 38-2240920

Name	Title	Begin Date	End Date
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Board of Directors

David A. Arledge		(1)	01/31/95
James L. VanLanen		(3)	07/01/84
William S. Hudgins, Jr.		(3)	09/11/86
Rodney G. Poindexter		(13)	10/14/85
Glen A. Zumwalt		(3)	07/01/93

Officers

James L. VanLanen	President	(3)	06/18/84
Donald H. Gullquist	Sr. Vice President	(1)	01/31/95
Coby C. Hesse	Sr. Vice President	(1)	01/31/95
Austin M. O'Toole	Sr. Vice President & Secretary	(1)	01/31/95 09/01/85
Donald J. Appleman	Vice President	(3)	08/27/87
William S. Hudgins, Jr.	Vice President, General Counsel & Asst. Sec.	(3)	09/11/86
T.E. Jackson, Jr.	Vice President	(1)	01/31/95
Ronald D. Matthews	Vice President & Trs.	(1)	01/31/95
Rodney G. Poindexter	Vice President	(13)	10/24/85
S. Frank Smith	Vice President	(1)	01/08/93
Edward P. Gleichauf	Controller	(3)	08/27/87
Dale V. Shultz	Asst. Secretary	(1)	01/31/95
H.R. Natho	Asst. Controller	(1)	05/09/86

1.12.32 Affiliates

INDICATES BUSINESS ADDRESSES AND TELEPHONE NUMBERS
SHOWN BELOW FOR EACH OFFICE

1. The Coastal Corporation
Nine Greenway Plaza
Houston, Texas 77046
713-877-1400
2. Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
801-596-7111
3. ANR Coal Company
P.O. Box 1871
Roanoke, Va. 24008
703-983-0222
4. Utah Fuel Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
801-596-7111
5. The Coastal Corporation
Federal Affairs Office
2000 M Street NW
Suite 300
Washington, DC 20036
202-466-7430
6. Soldier Creek Coal Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
801-596-7111
7. Southern Utah Fuel Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
801-596-7111
8. American Natural Resources
One Woodward Avenue
Detroit, Michigan 48226
313-496-0200
9. Brooks Run Coal Company
P.O. Box 303
Buck River, WV 26610
304-649-5761
10. Enterprise Coal Company
P.O. Box 244
Dorton, Kentucky 41520
606-639-4323
11. Greenbrier Coal Company
P.O. Box 1083
Lewisburg, WV 24901
12. Kingwood Coal Company
84 Albright Road
Kingwood, WV 26537
13. Virginia Iron, Coal & Coke
P.O. Box 1578
Coeburn, Va. 24230-1578
703-395-3316

BROOKS RUN COAL COMPANY Permit List Group (4/25/1995 - 7:43)

Company Name: Brooks Run Coal Company

P.O. Box 303

Birch River, West Virginia 26610

Employer ID: 38-2174137

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Brooks Run Coal Company (Brooks Run Coal Company)	Haulroad (Released)	H-451	NONE	N/A
2). Brooks Run Coal Company (Brooks Run Coal Company)	Haulroad (Active)	H-529	NONE	N/A
3). Brooks Run Coal Company (Brooks Run Coal Company)	Haulroad (Active)	H-562	NONE	N/A
4). Brooks Run Coal Company (Brooks Run Coal Company)	Prospect Permit (Active)	P-2005-94	N/A	N/A
5). Brooks Run Coal Company (Brooks Run Coal Company)	Prospect Permit (Active)	P-2015-92	NONE	N/A
6). Brooks Run Coal Company (Brooks Run Coal Company)	Prospect Permit (Released)	P-3021-88	NONE	N/A
7). Brooks Run Coal Company (Brooks Run Coal Company)	Prep. Plant (Active)	P-612	46-06045	9/04/1979
8). Brooks Run Coal Company (Pammlid Coal Company)	Underground (Active)	U-1019-91	46-08129	1/15/1992
9). Brooks Run Coal Company (BJM Coal Company)	Underground (Active)	U-2004-93	46-08284	3/17/1993
10). Brooks Run Coal Company (BJM Coal Company)	Underground (Active)	U-2005-93	46-08284	3/17/1993
11). Brooks Run Coal Company (Tygart Coal Company)	Underground (Active)	U-3071-86	46-08426	7/22/1994

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: D & K Coal Company

Box 418

Summersville, West Virginia 26651

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). D & K Coal Company (D & K Coal Company)	Deep Mine (Active)	UO-516	46-07125	5/16/86
2). D & K Coal Company (D & K Coal Company)	Deep Mine (Released)	UO-651	46-07125	5/16/86

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: Grafton Coal Company
 P. O. Box 2150
 Clarksburg, West Virginia 26302

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Grafton Coal Company (Grafton Coal Company)	Surface (#1 Grade Release)	S-1017-90	46-08076	7/16/91
2). Grafton Coal Company (Grafton Coal Company)	Surface (#1 Grade Release)	S-1026-90	46-08076	7/16/91
3). Grafton Coal Company (Grafton Coal Company)	Surface (Released)	S-3021-87	46-07097	4/09/86
4). Grafton Coal Company (Grafton Coal Company)	Surface (#1 Grade Release)	S-3034-89	46-07097	4/09/86
5). Grafton Coal Company (Grafton Coal Company)	Surface (#1 Grade Release)	S-3042-88	46-07097	4/09/86
6). Grafton Coal Company (Grafton Coal Company)	Surface (Released)	S-3051-86	46-07097	4/09/86
7). Grafton Coal Company (Grafton Coal Company)	Surface (#1 Grade Release)	S-3055-89	46-07790	11/09/89

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: Lackey Coals, Inc.
 Box 284
 Summersville, West Virginia 26651

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Lackey Coals, Inc. (Lackey Coals, Inc.)	Deep Mine (#1 Grade Release)	UO-619	46-06203	8/20/80

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: Lexie Coal Corporation
 P. O. Drawer R
 Summersville, West Virginia 26651

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Lexie Coal Corporation (Lexie Coal Corporation)	Deep Mine (Active)	UO-679	46-06284	1/28/81

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: Pammlid Coal Company

Box 394

Summersville, West Virginia 26651

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Pammlid Coal Company (Pammlid Coal Company)	Deep Mine (#1 Grade Release)	UO-631	46-06202	8/20/80

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: T & R Coal Company

Box 418

Summersville, West Virginia 26651

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). T & R Coal Company (T & R Coal Company)	Deep Mine (#1 Grade Release)	UO-512	46-06114	7/02/80

BROOKS RUN COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:43)

Company Name: Tygart Coal Company

P. O. Box 2150

Clarksburg, West Virginia 26302

Employer ID: Unknown

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Tygart Coal Company (Tygart Coal Company)	Deep Mine (#1 Grade Release)	U-3057-87	46-07497	10/20/88
2). Tygart Coal Company (Tygart Coal Company)	Deep Mine (#1 Grade Release)	U-3058-87	46-07498	1/30/89

COASTAL STATES ENERGY COMPANY Permit List Group (4/25/1995 - 7:43)

Company Name: Coastal States Energy Company
175 East, 400 South
Suite 800
Salt Lake City, Utah 84111

Employer ID: 74-1734211

Regulatory Authority: Utah Division of Oil, Gas and Mining

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Coastal States Energy Company (Utah Fuel Company)	Underground (Active)	ACT/007/005	42-01435 42-01565 42-01566	1979 1979 1979
2). Coastal States Energy Company (Southern Utah Fuel Company)	Underground (Active)	ACT/041/002	42-00089	1973

COASTAL STATES ENERGY COMPANY Permit List Group (4/25/1995 - 7:43)

Company Name: Soldier Creek Coal Company
175 East, 400 South
Suite 800
Salt Lake City, Utah 84111

Employer ID: 23-2360574

Regulatory Authority: Utah Division of Oil, Gas and Mining

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Soldier Creek Coal Company (Soldier Creek Coal Company)	Underground (Active)	Act/007/018	42-00077	1977
2). Soldier Creek Coal Company (Soldier Creek Coal Company)	Surface Loadout (Active)	Act/007/034	42-01756	1981

ENTERPRISE COAL COMPANY Permit List Group (4/25/1995 - 7:43)

Company Name: Enterprise Coal Company

P.O. Box 244

Dorton, Kentucky 41520

Employer ID: 61-0855798

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Enterprise Coal Company (R. S. Mining, Inc.)	Deep Mine (Phase I Bond Rel.)	498-5399	15-13905	N/A
2). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Inactive)	498-5409	15-17577	8/12/1994
3). Enterprise Coal Company (Enterprise Coal Company)	Prep./Refuse (Active)	498-8011	15-13857	2/16/1982
4). Enterprise Coal Company (Enterprise Coal Company)	Surface Mine (Transferred)	836-0217	N/A	N/A
5). Enterprise Coal Company (ARC Energies, Inc.)	Deep Mine (Active)	836-5297	15-17490	02-01-1994
6). Enterprise Coal Company (Buckhorn Coal, Inc.)	Deep Mine (Active)	836-5303	15-16789	Unknown
7). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Reclamation Only)	860-5173	15-11152	N/A
8). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Reclamation Only)	860-5174	15-13308	N/A
9). Enterprise Coal Company (Enterprise Coal Company)	Surface Mine (Phase II Bond Rel)	867-0319	N/A	N/A
10). Enterprise Coal Company (Freeman Fuels of Kentucky, Inc.)	Surface Mine (Reclamation Only)	867-0342	N/A	N/A
11). Enterprise Coal Company (Enterprise Coal Company)	Surface Mine (Reclamation Only)	867-0343	N/A	N/A
12). Enterprise Coal Company (Enterprise Coal Company)	Surface Mine (Active)	867-0354	15-17530	04-01-1994
13). Enterprise Coal Company (Iva Coal Co., Inc.)	Deep Mine (Active)	867-0354	15-17605	11/01/1994
14). Enterprise Coal Company (Enterprise Coal Company)	Strip (Phase I Bond Rel.)	867-0361	N/A	N/A
15). Enterprise Coal Company (Kinney Branch Coal Co., Inc.)	Deep Mine (Phase I Bond Rel.)	867-5090	15-09982	N/A
16). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Released)	867-5099	N/A	N/A

ENTERPRISE COAL COMPANY Permit List Group (4/25/1995 - 7:43)

Company Name: Enterprise Coal Company

P.O. Box 244

Dorton, Kentucky 41520

Employer ID: 61-0855798

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
17). Enterprise Coal Company (ARC Energies, Inc.)	Deep Mine (Active)	867-5100	15-14687	7/01/1990
18). Enterprise Coal Company (Domestic Coal Energies, Inc.)	Deep Mine (Transferred)	867-5100	15-14687	N/A
19). Enterprise Coal Company (Tara John Coal Co.)	Deep Mine (Phase I Bond Rel.)	867-5101	15-16752	7/01/1989
20). Enterprise Coal Company (ARC Energies, Inc.)	Deep Mine (Phase II Release)	867-5102	15-16127 15-16822	7/01/1987 N/A
21). Enterprise Coal Company (Lucky Branch Coal Co.)	Deep Mine (Temp. Inactive)	867-5103	15-14533	7/01/1984
22). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Phase II Release)	867-5105	N/A	N/A
23). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Phase I Bond Rel.)	867-5106	15-12517	7/13/1981
24). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Released)	867-5107	N/A	N/A
25). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Active)	867-5109	15-15110 15-16741	N/A 7/01/1989
26). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Temp. Abandonment)	867-5110	15-16898	7/01/1990
27). Enterprise Coal Company (Roxana Coal Co., Inc.)	Deep Mine (Temp. Cessation)	867-5146	15-16530	7/01/1989
28). Enterprise Coal Company (ProMod Mining Co., Inc.)	Deep Mine (Active)	867-5157	15-17408	6/09/1993
29). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Active)	867-5167	15-17571	8/05/1994
30). Enterprise Coal Company (Kipar, Inc.)	Deep/Surface (Active)	867-5173	15-17581	8/12/1994
31). Enterprise Coal Company (ARC Energies, Inc.)	Deep Mine (PENDING)	867-5175	15-17595	9/01/1994
32). Enterprise Coal Company (Enterprise Coal Company)	Haulroad Only (Active)	867-7005	15-14533	7/01/1984
33). Enterprise Coal Company (Enterprise Coal Company)	Haulroad Only (Active)	867-7006	15-11121	3/23/1978

ENTERPRISE COAL COMPANY Permit List Group (4/25/1995 - 7:43)

Company Name: Enterprise Coal Company

P.O. Box 244

Dorton, Kentucky 41520

Employer ID: 61-0855798

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
34). Enterprise Coal Company (Enterprise Coal Company)	Refuse Fill (Active)	867-8017	15-11121	3/23/1978
35). Enterprise Coal Company (Enterprise Coal Company)	Prep. Plant (Active)	867-8018	15-11121	3/23/1978
36). Enterprise Coal Company (Enterprise Coal Company)	Loadout (Reclamation Only)	867-8028	N/A	N/A
37). Enterprise Coal Company (Enterprise Coal Company)	Surface Mine (Phase II Release)	898-0353	N/A	N/A
38). Enterprise Coal Company (Enterprise Coal Company)	Strip (Phase II Release)	898-0354	N/A	N/A
39). Enterprise Coal Company (Enterprise Coal Company)	Strip (Reclamation Only)	898-0355	15-16506	1991
40). Enterprise Coal Company (SweatBee Coal Co.)	Surface Mine (Active)	898-0377	PENDING	PENDING
41). Enterprise Coal Company (Kinney Branch Coal Co., Inc.)	Deep Mine (Reclamation Only)	898-5374	15-16434	7/01/1988
42). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Reclamation Only)	898-5554	15-05435	10/02/1982
43). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (Phase II Release)	898-5574	N/A	N/A
44). Enterprise Coal Company (R. S. Mining, Inc.)	Deep Mine (Active)	898-5585	15-17260	7/01/1992
45). Enterprise Coal Company (Joshco Mining, Inc.)	Deep Mine (Active)	898-5692	15-14977	11/26/1984
46). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (PENDING)	898-5858	PENDING	PENDING
47). Enterprise Coal Company (Enterprise Coal Company)	Deep Mine (PENDING)	898-5860	PENDING	PENDING
48). Enterprise Coal Company (Enterprise Coal Company)	Loadout (Active)	898-6020	15-11528	7/01/1988

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Anita Coal Company
 Rt. 4, Box 902
 Pikeville, Kentucky 41501

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Anita Coal Company (Anita Coal Company)	Deep Mine (Released)	236-5111	15-10396	N/A
2). Anita Coal Company (Anita Coal Company)	Deep Mine (Released)	636-5111	15-10396	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Birchfield Mining Company, Inc.
 P. O. Box 1627
 Wise, Virginia 24293

Employer ID: 54-1169629

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Transferred)	867-0313	N/A	N/A
2). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Transferred)	898-0294	N/A	N/A
3). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Transferred)	898-0295	N/A	N/A
4). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Transferred)	898-5461	N/A	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Black Dragon Mining Co.
 c/o Roger Martin
 P. O. Box 3562
 Pikeville, Kentucky 41501

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Black Dragon Mining Co. (Black Dragon Mining Co.)	Deep Mine (Active)	898-5556	15-11986	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Buckhorn Coal, Inc.
 HC 78 Box 60
 McDowell, Kentucky 41647

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Buckhorn Coal, Inc. (Buckhorn Coal, Inc.)	Deep Mine (Transferred)	836-5213	15-16789	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bullion Hollow Mining, Inc.
P. O. Box 2800
Wise, Virginia 24293

Employer ID: 54-1175001

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bullion Hollow Mining, Inc. (Bullion Hollow Mining, Inc.)	Deep Mine (Transferred)	860-5123	15-11152	N/A
2). Bullion Hollow Mining, Inc. (Bullion Hollow Mining, Inc.)	Deep Mine (Transferred)	860-5124	15-13308	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Cimaron Minerals, Inc.
P. O. Box 2723
Pikeville, Kentucky 41501

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Cimaron Minerals, Inc. (Cimaron Minerals, Inc.)	Deep Mine (Forfeit)	898-5270	15-15966	17491

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Coal Mole, Inc
P. O. Box 59
Roxana, Kentucky 41848

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Coal Mole, Inc (Coal Mole, Inc)	Deep Mine (Phase II Release)	867-5032	15-15352	Unknown
2). Coal Mole, Inc (Coal Mole, Inc)	Deep Mine (Active)	867-5088	15-16959	9/11/90

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Coon Mining Company
P. O. Box 519
Virgie, Kentucky 41572

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Coon Mining Company (Coon Mining Company)	Deep Mine (Forfeit)	098-5377	15-11617 15-11986	N/A N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Crockett Coal Company, Inc.

P. O. Box 2280

Wise, Virginia 24293

Employer ID: 54-1146706

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Crockett Coal Company, Inc. (Crockett Coal Company, Inc.)	Deep Mine (Transferred)	898-5268	15-11986	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: E & B Energy Corp.

P. O. Box 704

Clintwood, Virginia 24228

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). E & B Energy Corp. (E & B Energy Corp.)	Deep Mine (Forfeit)	098-5150	15-10588	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Eldorado Coal Co.

P. O. Box 1270

Elkhorn City, Kentucky 41256

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Eldorado Coal Co. (Eldorado Coal Co.)	Deep Mine (Phase II Release)	898-5267	15-05435	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Freeman Fuels of Kentucky, Inc.

P. O. Box 2350

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Freeman Fuels of Kentucky, Inc. (Freeman Fuels of Kentucky, Inc.)	Strip (Transferred)	867-0336	N/A	N/A
2). Freeman Fuels of Kentucky, Inc. (Freeman Fuels of Kentucky, Inc.)	Strip (Transferred)	898-0271	15-16506	1991

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Kinney Branch Coal Co., Inc.
 120 Pine Fork Road
 Pikeville, Kentucky 41502

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Kinney Branch Coal Co., Inc. (Kinney Branch Coal Co., Inc.)	Deep Mine (Completed)	898-5046	15-12076 15-15543	N/A N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Kinney Branch Coal Co., Inc.
 120 Pine Fork Road
 Pikeville, Kentucky 41502

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
2). Kinney Branch Coal Co., Inc. (Kinney Branch Coal Co., Inc.)	Deep Mine (Phase I Bond Rel.)	898-5306	15-15921	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Manning Coal Corporation
 Rt. 1, Box 3A
 Jenkins, Kentucky 41537

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Manning Coal Corporation (Manning Coal Corporation)	Strip (Active)	867-0335	15-17058	04/18/91
2). Manning Coal Corporation (Manning Coal Corporation)	Deep Mine (Active)	867-5152	15-17251	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Stallion Coal Co., Inc.
 P. O. Box 160
 Virgie, Kentucky 41572

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Stallion Coal Co., Inc. (Stallion Coal Co., Inc.)	Deep Mine (Phase II Release)	898-5267	15-05435	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Sure-Fire Coal, Inc.
 HC 78 Box 60
 McDowell, Kentucky 41647

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Sure-Fire Coal, Inc. (Sure-Fire Coal, Inc.)	Deep Mine (Transferred)	898-5262	15-14977	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: W & P Coal Co.
P. O. Box 2216
Whitesburg, Kentucky 41858

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). W & P Coal Co. (W & P Coal Co.)	Deep Mine (Completed)	867-5113	15-15587	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Wampler Bros. Coal Company
Rt. 3, Box 6B
Lebanon, Virginia 24266

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Wampler Bros. Coal Company (Wampler Bros. Coal Company)	Deep Mine (Completed)	667-5064	15-16722	N/A

ENTERPRISE COAL COMPANY - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Wilgar Land Co.
P. O. Box 266
Robinson Creek, Kentucky 41560

Employer ID: Unknown

Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Wilgar Land Co. (Wilgar Land Co.)	Deep Mine (Released)	636-5113	15-10396	N/A
2). Wilgar Land Co. (Wilgar Land Co.)	Deep Mine (Active)	898-5396	15-10396	03/17/89

GREENBRIER COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Greenbrier Coal Company

P.O. Box 1083

Lewisburg, West Virginia 24901

Employer ID: 76-0301391

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Greenbrier Coal Company (Greenbrier Coal Company)	Haulroad (Active)	H-353	N/A	N/A
2). Greenbrier Coal Company (Greenbrier Coal Company)	Haulroad (Active)	O-3026-92	N/A	N/A
3). Greenbrier Coal Company (Greenbrier Coal Company)	Refuse Area (Active)	O-3029-93	1211WV40229-01	8/04/93
4). Greenbrier Coal Company (Greenbrier Coal Company)	Prep. Plant (Active)	O-3047-92	46-08303	05/19/1993
5). Greenbrier Coal Company (Greenbrier Coal Company)	Haulroad (Active)	O-3048-92	46-07376	1987
6). Greenbrier Coal Company (Greenbrier Coal Company)	Loadout (Active)	O-99-83	46-00376	1983
7). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Active)	P-3005-93	N/A	N/A
8). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Active)	P-3016-92	N/A	N/A
9). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Active)	P-3017-92	N/A	N/A
10). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Active)	P-3025-94	N/A	N/A
11). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Released)	P-3033-90	N/A	N/A
12). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Released)	P-3038-90	N/A	N/A
13). Greenbrier Coal Company (Greenbrier Coal Company)	Prospect Permit (Released)	P-3042-90	N/A	N/A
14). Greenbrier Coal Company (Greenbrier Coal Company)	Refuse Area (Active)	R-681	N/A	N/A
15). Greenbrier Coal Company (Greenbrier Coal Company)	Surface Mine (Phase I Bond Rel.)	S-101-79	46-06033	1979
16). Greenbrier Coal Company (Greenbrier Coal Company)	Surface Mine (Phase I Bond Rel.)	S-137-78	46-06947	1985
17). Greenbrier Coal Company (Coal Auger Mining Co., Inc.)	Surface Mine (Active)	S-138-78	46-07376	1987

GREENBRIER COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Greenbrier Coal Company

P.O. Box 1083

Lewisburg, West Virginia 24901

Employer ID: 76-0301391

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
18). Greenbrier Coal Company (Diamond Black Mining, Inc.)	Surface Mine (Active)	S-138-78	46-07376	1987
19). Greenbrier Coal Company (H & M Augering, Inc.)	Surface Mine (Active)	S-138-78	46-07376	1987
20). Greenbrier Coal Company (McCullough Mining, Inc.)	Surface Mine (Active)	S-138-78	46-07376	1987
21). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (Reclaimed)	S-139-78	46-08182	06/1992
22). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (In-active)	S-3009-93	46-08321	8/09/93
23). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (In-active)	S-3009-93	46-08321	8/09/93
24). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (In-active)	S-3010-93	46-08321	8/09/93
25). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (In-active)	S-3010-93	46-08321	8/09/93
26). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (In-active)	S-3011-93	46-08321	8/09/93
27). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (In-active)	S-3011-93	46-08321	8/09/93
28). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (Phase I Release)	S-3022-91	46-08127	01/17/1992
29). Greenbrier Coal Company (Bundy Auger Mining, Inc.)	Surface Mine (In-active)	S-3029-89	46-08059	7/11/1991
30). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (In-active)	S-3029-89	46-08059	7/11/1991
31). Greenbrier Coal Company (McCullough Mining, Inc.)	Surface Mine (In-active)	S-3029-89	46-08059	7/11/1991
32). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (Active)	S-3030-92	46-07376	1987
33). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (Reclaimed)	S-3032-86	46-06895	10/87
34). Greenbrier Coal Company (Diamond Black Mining, Inc.)	Surface Mine (Active)	S-3033-93	46-07376	1987

GREENBRIER COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Greenbrier Coal Company

P.O. Box 1083

Lewisburg, West Virginia 24901

Employer ID: 76-0301391

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
35). Greenbrier Coal Company (Bryant Mining Company, Inc.)	Surface Mine (Transferred 1992)	S-3039-86	46-07136	1986
36). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (Active)	S-3050-91	46-07997	1991
37). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (Reclaimed)	S-3051-91	46-08013	03/1991
38). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (Active)	S-51-76	46-08059	1991
39). Greenbrier Coal Company (McCullough Mining, Inc.)	Surface Mine (Active)	S-51-76	46-08059	1991
40). Greenbrier Coal Company (Coal Rush Mining, Inc.)	Surface Mine (Active)	S-68-77	46-08059	1991
41). Greenbrier Coal Company (McCullough Mining, Inc.)	Surface Mine (Active)	S-68-77	46-08059	1991
42). Greenbrier Coal Company (Greenbrier Coal Company)	Surface Mine (Phase III Release)	S-77-84	46-06560	1984
43). Greenbrier Coal Company (Greenbrier Coal Company)	Surface Mine (In-active)	S-97-82	46-06560	1982
44). Greenbrier Coal Company (Greenbrier Coal Company)	Deep Mine (PENDING)	SMA-3029-94	Pending	Pending
45). Greenbrier Coal Company (Greenbrier Coal Company)	Haulroad (PENDING)	SMA-3030-94	Pending	Pending
46). Greenbrier Coal Company (Greenbrier Coal Company)	Surface Mine (PENDING)	SMA-3032-93	Pending	Pending
47). Greenbrier Coal Company (Greenbrier Coal Company)	Deep Mine (In-active)	U-3015-92	46-08189	06/24/1992
48). Greenbrier Coal Company (Greenbrier Coal Company)	Deep Mine (In-active)	U-3019-91	46-08319	7/20/93
49). Greenbrier Coal Company (Greenbrier Coal Company)	Underground (Reclaimed)	U-3045-91	46-08123	1/1992
50). Greenbrier Coal Company (South Fork Energy Corporation)	Underground (Active)	U-3053-89	46-07814	9/21/1990
51). Greenbrier Coal Company (Greenbrier Coal Company)	Underground (Reclaimed)	U-3061-87	46-07976	11/03/1990

GREENBRIER COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Greenbrier Coal Company

P.O. Box 1083

Lewisburg, West Virginia 24901

Employer ID: 76-0301391

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
52). Greenbrier Coal Company (Greenbrier Coal Company)	Deep Mine (Reclaimed)	UO-27	46-03816	N/A

KINGWOOD COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Kingwood Coal Company

84 Albright Road

Kingwood, West Virginia 26537

Employer ID: 76-0292683

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Kingwood Coal Company (Kingwood Coal Company)	Surface Mine (Pending Bond Rel.)	3-80	46-02560	1/04/1980
2). Kingwood Coal Company (Lenox Mining Co., Inc.)	Deep Mine (Active)	D-39-82	46-07912	09/02/1987
3). Kingwood Coal Company (J.C.B. Mining Inc.)	Deep Mine (Active)	D-82-82	46-08201	7/15/1982
4). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Active)	P-1008-94	N/A	N/A
5). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Released)	P-1009-92	N/A	N/A
6). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Released)	P-1011-92	N/A	N/A
7). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Released)	P-1011-93	N/A	N/A
8). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Released)	P-1022-90	N/A	N/A
9). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Released)	P-1025-91	N/A	N/A
10). Kingwood Coal Company (Kingwood Coal Company)	Prospect (Released)	P-1040-91	N/A	N/A
11). Kingwood Coal Company (Kingwood Coal Company)	Prep. Plant (Active)	P-685	46-02560	4/30/1974
12). Kingwood Coal Company (Kingwood Coal Company)	Refuse Area (Active)	R-673	46-02560	4/30/1974
13). Kingwood Coal Company (J.C.B. Mining Inc.)	Deep Mine (In-active)	U-1010-89	46-07732	7/31/1989
14). Kingwood Coal Company (Kingwood Coal Company)	Deep Mine (Active)	U-1014-92	46-08285	11/30/92

PAUL K. MORAN - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Kent Coal Company

P. O. Box 990

Lewisburg, West Virginia 24901

Employer ID: 55-0644193

Regulatory Authority: West Virginia Department of Environmental Protection

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Kent Coal Company (Kent Coal Company)	Surface (Phase I Bond Rel.)	S-77-82	46-06553	07/01/1982

VIRGINIA CITY COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Virginia City Coal Company

P.O. Box 1578

Coeburn, Virginia 24230-1578

Employer ID: 54-1262278

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Virginia City Coal Company (Virginia City Coal Company)	Deep Mine (Active - T.C.)	1200763	NONE	N/A
2). Virginia City Coal Company (Virginia City Coal Company)	Deep/Prep/Refuse (Transferred)	1400479	44-00294 44-05517	1983 1983
3). Virginia City Coal Company (Virginia City Coal Company)	Deep/Refuse (Active - T.C.)	1401453	44-00294 44-05517	1983 1983

VIRGINIA IRON, COAL & COKE CO. Permit List Group (4/25/1995 - 7:44)

Company Name: Virginia Iron, Coal & Coke Co.

P. O. Box 1578

Coeburn, Virginia 24230-1578

Employer ID: 38-2240920

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Surface Mine (Transferred)	1101203	N/A	N/A
2). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Surface Mine (Completed)	1101250	44-06021	5/30/1991
3). Virginia Iron, Coal & Coke Co. (A & G Coal Corporation)	Surface Mine (Active)	1101396	44-06661	9/06/1991
4). Virginia Iron, Coal & Coke Co. (A & G Coal Corporation)	Surface Mine (Active - T.C.)	1101397	44-06662	9/06/1991
5). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	1179	N/A	N/A
6). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	1197	N/A	N/A
7). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	1200267	N/A	N/A

VIRGINIA CITY COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Virginia City Coal Company

P.O. Box 1578

Coeburn, Virginia 24230-1578

Employer ID: 54-1262278

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
8). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	1200347	44-04962	N/A
9). Virginia Iron, Coal & Coke Co. (Minutemen Coal Company, Inc.)	Deep Mine (Released)	1200374	44-06280	1986
10). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Transferred)	1200571	44-05657	1981
11). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	1201256	N/A	N/A
12). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Active)	1201322	N/A	N/A
13). Virginia Iron, Coal & Coke Co. (Guest Mountain Mining Corporation)	Deep Mine (Active)	1201454	44-06736	3/04/1993
14). Virginia Iron, Coal & Coke Co. (Bullion Hollow Enterprises, Inc.)	Deep Mine (Active)	1201459	44-04871	2/01/1991
15). Virginia Iron, Coal & Coke Co. (Big Laurel Mining Corporation)	Deep Mine (Transferred)	1201464	44-06594	04/01/1993
16). Virginia Iron, Coal & Coke Co. (Mountaineer Coal Company, Inc.)	Deep Mine (Active - w/ T.C.)	1201475	44-05090 44-06760	2/1990 5/04/1994
17). Virginia Iron, Coal & Coke Co. (Big Laurel Mining Corporation)	Deep Mine (Active)	1201476	44-06594	04/01/1993
18). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	1300373	N/A	N/A
19). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Prep/Refuse (Active)	1300400	44-05270	8/28/1979
20). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Active - T.C.)	1300401	44-01462	3/18/1976
21). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Active - T.C.)	1300937	44-04301	3/19/1976
22). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Active - T.C.)	1300938	44-05270	5/01/1980
23). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Transferred)	1300971	44-05028	5/12/1978
24). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Active)	1301071	44-05863	11/24/1987

VIRGINIA CITY COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Virginia City Coal Company

P.O. Box 1578

Coeburn, Virginia 24230-1578

Employer ID: 54-1262278

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
25). Virginia Iron, Coal & Coke Co. (Parts Corporation of America)	Deep Mine (Active)	1401520	44-06788	01/04/95
26). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	1413	N/A	N/A
27). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep/Surface (Released)	1600984	N/A	N/A
28). Virginia Iron, Coal & Coke Co. (A & G Coal Corporation)	Deep/Surface (Active)	1601503	44-06771	08-03-1994
29). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	1765	N/A	N/A
30). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Haulroad (Active - T.C.)	1801138	N/A	N/A
31). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	2500	N/A	N/A
32). Virginia Iron, Coal & Coke Co. (Little John Coal Co., Inc.)	Deep Mine (Released)	2521-U	44-05073 44-04962	1978 1978
33). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Released)	2572-U	44-01463	3/18/1976
34). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Prep. Plant (Released)	2573-U	44-01463	3/18/1976
35). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Released)	2579-U	44-04743	1978
36). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Released)	2619-U	44-02712	1978
37). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Prep. Plant (Released)	3065-U	44-01462	3/18/1976
38). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	3074-U	N/A	N/A
39). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Prep/Refuse (Released)	3077-U	44-05270	8/28/1979
40). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	3215-U	N/A	N/A
41). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3280-U	N/A	N/A

VIRGINIA CITY COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Virginia City Coal Company

P.O. Box 1578

Coeburn, Virginia 24230-1578

Employer ID: 54-1262278

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
42). Virginia Iron, Coal & Coke Co. (Crockett Coal Company, Inc.)	Deep Mine (Released)	3286-U	44-05649	1981
43). Virginia Iron, Coal & Coke Co. (Crockett Coal Company, Inc.)	Deep Mine (Released)	3287-U	44-05697	1981
44). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3323-U	N/A	N/A
45). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Refuse Area (Released)	3347-AF	N/A	N/A
46). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3355-U	N/A	N/A
47). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3361-U	N/A	N/A
48). Virginia Iron, Coal & Coke Co. (Jackson Coal Co.)	Deep Mine (Released)	3503-U	44-05550	1980
49). Virginia Iron, Coal & Coke Co. (Little R. Coal Co., Inc.)	Deep Mine (Released)	3503-U	44-05550	1981
50). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3504-U	N/A	N/A
51). Virginia Iron, Coal & Coke Co. (Edison Coal Company, Inc.)	Deep Mine (Released)	3505-U	44-05033	1981
52). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3505-U	44-05033	1981
53). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3523-U	N/A	N/A
54). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Released)	3524-AF	44-05008	1979
55). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Released)	3525-AF	44-05028	5/12/1978
56). Virginia Iron, Coal & Coke Co. (Crockett Coal Company, Inc.)	Deep Mine (Released)	3526-U	44-05515	1980
57). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Deep Mine (Released)	3527-U	N/A	N/A
58). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Loading Dock (Released)	3602-AF	44-04301	3/19/1976

VIRGINIA CITY COAL COMPANY Permit List Group (4/25/1995 - 7:44)

Company Name: Virginia City Coal Company
P.O. Box 1578
Coeburn, Virginia 24230-1578

Employer ID: 54-1262278

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
59). Virginia Iron, Coal & Coke Co. (Virginia Iron, Coal & Coke Co.)	Surface Mine (Released)	3757	N/A	N/A

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: A & G Coal Corporation
P. O. Box 1010
Wise, Virginia 24293

Employer ID: 54-1557615

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). A & G Coal Corporation (A & G Coal Corporation)	Strip (Active)	1101352	44-06603	06/91
2). A & G Coal Corporation (Southern Auger, Inc.)	Strip & Auger (Active)	1101352	44-06603	06/91
3). A & G Coal Corporation (A & G Coal Corporation)	Strip (Completed)	1101406	44-05807	06/91

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Adkins & Beverly Coal Co., Inc.
Rt. 2, Box 469-A
Coeburn, Virginia 24230

Employer ID: 54-1180984

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Adkins & Beverly Coal Co., Inc. (Adkins & Beverly Coal Co., Inc.)	Deep Mine (Released)	3401-U	44-05759	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: B & E Mining Corporation
P. O. Box 3007
Roanoke, Virginia 24008

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). B & E Mining Corporation (B & E Mining Corporation)	Strip (Forfeit)	1100428	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Baker Hollow Coal Company

Rt. 2

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Baker Hollow Coal Company (Blackstone Mining Corporation)	Strip (Forfeit)	3238	44-04695	1979

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bear Branch Coal Co., Inc.

P. O. Drawer F

Rosedale, Virginia 24280

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bear Branch Coal Co., Inc. (Bear Branch Coal Co., Inc.)	Deep Mine (Released)	3289-U	44-05657	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Berry Coal Company

Rt. 3, Box 810

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Berry Coal Company (Berry Coal Company)	Strip (Released)	1100284	44-03782	Unknown
2). Berry Coal Company (Berry Coal Company)	Strip (Released)	1100611	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Betty B. Coal Company, Inc.

P. O. Box 1139

Coeburn, Virginia 24230

Employer ID: 54-1191154

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Betty B. Coal Company, Inc. (Betty B. Coal Company, Inc.)	Deep Mine (Completed)	1200301	44-05118 44-04073	Unknown Unknown
2). Betty B. Coal Company, Inc. (Betty B. Coal Company, Inc.)	Deep Mine (Released)	1200394	44-00266 44-01647 44-02136	Unknown Unknown Unknown
3). Betty B. Coal Company, Inc. (Wolverine Coal Company)	Deep Mine (Active)	1200755	44-04204	1985
4). Betty B. Coal Company, Inc. (Wolverine Coal Company)	Deep Mine (Active)	1201117	44-04204	1985

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Betty B. Coal Corporation

P. O. Box 414

Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Betty B. Coal Corporation (Betty B. Coal Corporation)	Deep Mine (Released)	2484-U	44-05118 44-04073	Unknown Unknown
2). Betty B. Coal Corporation (Betty B. Coal Corporation)	Deep Mine (Released)	3064-U	44-00266 44-01647 44-02136	Unknown Unknown Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Birchfield Mining Company, Inc.

P. O. Box 1627

Wise, Virginia 24293

Employer ID: 54-1169629

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Released)	1100031	44-05642	1981
2). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Completed)	1100754	44-05642	1981
3). Birchfield Mining Company, Inc. (Ison Coal Co., Inc.)	Strip (Completed)	1100754	44-06245	1989
4). Birchfield Mining Company, Inc. (Birchfield Mining Company, Inc.)	Strip (Released)	3284	44-05642	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Black & White Mining Co.

Box 656

Lebanon, Virginia 24266

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Black & White Mining Co. (Black & White Mining Co.)	Deep Mine (Released)	3186-U	44-05100	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Black Creek Coal Company

Box 682

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Black Creek Coal Company (Black Creek Coal Company)	Strip (Released)	2435	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Black Energy Mining Company

P. O. Box 1627

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Black Energy Mining Company (Black Energy Mining Company)	Strip (Released)	2332	44-04872	1978
2). Black Energy Mining Company (Black Energy Mining Company)	Strip (Released)	2463	44-04872	1978
3). Black Energy Mining Company (Black Energy Mining Company)	Strip (Released)	3045	44-04872	1978
4). Black Energy Mining Company (Black Energy Mining Company)	Strip (Released)	3062	44-04872	1978

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bull Run Coal Company

P. O. Drawer G

Coeburn, Virginia 24230

Employer ID: 54-1065903

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bull Run Coal Company (Bull Run Coal Company)	Strip (Released)	2610	Unknown	Unknown
2). Bull Run Coal Company (Bull Run Coal Company)	Strip (Released)	3112	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bull Run Coal Company, Inc.

P. O. Drawer G

Coeburn, Virginia 24230

Employer ID: 54-1065903

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bull Run Coal Company, Inc. (Bull Run Coal Company, Inc.)	Strip (Released)	1100062	44-05020	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bullion Hollow Coal Company, Inc.

Rt. 1, Box 260-B

Wise, Virginia 24293

Employer ID: 54-0682667

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bullion Hollow Coal Company, Inc. (Bullion Hollow Coal Company, Inc.)	Deep Mine (Released)	2995-U	44-01295	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bullion Hollow Enterprises, Inc.

Rt. #1, Box 1090

Wise, Virginia 24293

Employer ID: 54-1247507

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bullion Hollow Enterprises, Inc. (Bullion Hollow Enterprises, Inc.)	Deep Mine (Completed)	1200331	44-05097	1983

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Bullion Hollow Mining, Inc.

P. O. Box 2800

Wise, Virginia 24293

Employer ID: 54-1175001

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Bullion Hollow Mining, Inc. (Bullion Hollow Mining, Inc.)	Deep Mine (Completed)	1200317	44-05763	1981
2). Bullion Hollow Mining, Inc. (Bullion Hollow Mining, Inc.)	Deep Mine (Released)	3405-U	44-05763	1981
3). Bullion Hollow Mining, Inc. (Bullion Hollow Mining, Inc.)	Deep Mine (Released)	3608-U	N/A	N/A

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Burke Coal Co., Inc.

P. O. Box 950

Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Burke Coal Co., Inc. (Burke Coal Co., Inc.)	Strip (Released)	1100098	Unknown	Unknown
2). Burke Coal Co., Inc. (Burke Coal Co., Inc.)	Strip (Released)	3385	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Burke Coal Company

P. O. Box 950

Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Burke Coal Company (Burke Coal Company)	Strip (Released)	3174	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Burke Coal Company
P. O. Box 950
Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
2). Burke Coal Company (Burke Coal Company)	Strip (Released)	3192	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Car Coals, Ltd.
P. O. Box 210
Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Car Coals, Ltd. (Car Coals, Ltd.)	Strip (Released)	2468	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Coeburn Industries, Inc.
P. O. Box 91
Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Coeburn Industries, Inc. (Coeburn Industries, Inc.)	Strip/Auger (Forfeit)	2511	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Crockett Coal Company, Inc.
P. O. Box 2280
Wise, Virginia 24293

Employer ID: 54-1146706

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Crockett Coal Company, Inc. (Crockett Coal Company, Inc.)	Deep Mine (Released)	1200637	44-05920	1982
2). Crockett Coal Company, Inc. (Crockett Coal Company, Inc.)	Deep Mine (Released)	3691-U	44-05649 44-05697	1981 1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Crystal Coal Company
P. O. Box 106
Pound, Virginia 24279

Employer ID: 54-1181953

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Crystal Coal Company (Crystal Coal Company)	Strip (Released)	3522	44-05789	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: D. K. D. Contractors, Inc.

P. O. Box 2037

Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). D. K. D. Contractors, Inc. (D. K. D. Contractors, Inc.)	Strip (Completed)	1101122	Unknown	Unknown
2). D. K. D. Contractors, Inc. (D. K. D. Contractors, Inc.)	Strip (Completed)	1101123	Unknown	Unknown
3). D. K. D. Contractors, Inc. (D. K. D. Contractors, Inc.)	Strip (Completed)	1101137	Unknown	Unknown
4). D. K. D. Contractors, Inc. (D. K. D. Contractors, Inc.)	Strip (Transferred)	1101201	Unknown	Unknown
5). D. K. D. Contractors, Inc. (D. K. D. Contractors, Inc.)	Strip (Completed)	1101249	44-06409	1987
6). D. K. D. Contractors, Inc. (Virginia Iron, Coal & Coke Co.)	Strip (Completed)	1101249	44-06409	1992

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Double "B" Coal & Lumber Company

P. O. Box 1559

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Double "B" Coal & Lumber Company (Double "B" Coal & Lumber Company)	Strip (Forfeit)	2240	Unknown	Unknown
2). Double "B" Coal & Lumber Company (Double "B" Coal & Lumber Company)	Strip (Forfeit)	3230	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Eastern Energy Resources, Inc.

Rt. 1, Box 28

Pound, Virginia 24279

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Eastern Energy Resources, Inc. (Bluston Mining, Inc.)	Strip (Forfeit)	1846	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Edison Coal Company, Inc.
 Rt. 2, Box 334
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Edison Coal Company, Inc. (Edison Coal Company, Inc.)	Deep Mine (Released)	3249-U	44-05549	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Freeman Fuel Company
 P. O. Box 2000
 Wise, Virginia 24293

Employer ID: 54-1178789

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Freeman Fuel Company (Freeman Fuel Company)	Strip (Released)	1100251	44-05909	6/82

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Freeman Fuels, Inc.
 P. O. Box 2000
 Wise, Virginia 24293

Employer ID: 54-1178789

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Completed)	1100610	44-05909	6/82
2). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Released)	1100741	44-06232	7/85
3). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Released)	1100790	44-05909	6/82
4). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Released)	1100826	44-05909	6/82
5). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Completed)	1100884	44-06304	7/86
6). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Transferred)	1101041	44-06391	7/87
7). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Completed)	1101080	44-06412	9/87
8). Freeman Fuels, Inc. (C & M Coal, Inc.)	Strip/Auger (Active)	1101086	44-06752	5/94
9). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Completed)	1101134	44-06466	6/88

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Freeman Fuels, Inc.
 P. O. Box 2000
 Wise, Virginia 24293

Employer ID: 54-1178789

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
10). Freeman Fuels, Inc. (Freeman Fuels, Inc.)	Strip (Transferred)	1101307	44-06615	2/87

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: G & M Construction Company
 Box 1517
 Wise, VA 24293

Employer ID: 54-1176466

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). G & M Construction Company (G & M Construction Company)	Strip (Released)	1100564	Unknown	Unknown
2). G & M Construction Company (G & M Construction Company)	Strip (Released)	3424	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: H & G Mining Company
 P. O. Box 1348
 Wise, VA 24293

Employer ID: 54-0987313

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). H & G Mining Company (H & G Mining Company)	Strip (Completed)	1100503	44-04072	1978
2). H & G Mining Company (H & G Mining Company)	Strip (Active)	1100757	44-04072	1978
3). H & G Mining Company (H & G Mining Company)	Strip (Released)	1720	44-04072	1978
4). H & G Mining Company (H & G Mining Company)	Strip (Released)	2090	Unknown	Unknown
5). H & G Mining Company (H & G Mining Company)	Strip (Released)	3071	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Ison Coal Co., Inc.
 P. O. Box 726
 Pound, Virginia 24279

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Ison Coal Co., Inc. (Ison Coal Co., Inc.)	Strip (Completed)	1101211	44-06245	1989

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Ison Coal Co., Inc.
P. O. Box 726
Pound, Virginia 24279

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
2). Ison Coal Co., Inc. (Ison Coal Co., Inc.)	Strip (Completed)	1101212	44-06245	1989
3). Ison Coal Co., Inc. (Ison Coal Co., Inc.)	Strip (Active)	1101223	44-06245	1989

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Ison Coal Company
P. O. Box 726
Pound, Virginia 24279

Employer ID: 54-0846455

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Ison Coal Company (Ison Coal Company)	Strip (Completed)	1100432	44-03280	1978
2). Ison Coal Company (Ison Coal Company)	Strip (Active)	1101036	44-03280	1978
3). Ison Coal Company (Ison Coal Company)	Strip (Released)	2535	44-03280	1978

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: J & R Contractors, Inc.
Rte. 1, Box 756
Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). J & R Contractors, Inc. (J & R Contractors, Inc.)	Strip (Completed)	1101104	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: J. B. Enterprises
Box 29
St. Paul, Virginia 24283

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). J. B. Enterprises (J. B. Enterprises)	Strip (Released)	3291	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: J. K. & G. Coal Company

Rt. 1, Box 317

Wise, Virginia 24293

Employer ID: 54-0969425

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). J. K. & G. Coal Company (J. K. & G. Coal Company)	Strip (Released)	3245	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: J. M. G. Coal Company

Rt. 2, Box 155

Wise, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). J. M. G. Coal Company (J. M. G. Coal Company)	Deep Mine (Released)	3360-U	44-05073 44-04962	1980 1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Jackson Coal Co.

P. O. Box 264

Castlewood, Virginia 24224

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Jackson Coal Co. (Jackson Coal Co.)	Deep Mine (Released)	3237-U	44-05550	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Jil Mar Coal Co.

P. O. Box 1187

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Jil Mar Coal Co. (Jil Mar Coal Co.)	Strip (Forfeit)	2958	44-04441	1979
2). Jil Mar Coal Co. (Jil-Mar Coal Co.)	Strip (Released)	3317	44-04441	1979

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: K. J. & W., Inc.

Box 363

Wise, VA 24293

Employer ID: 54-1148346

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). K. J. & W., Inc. (K. J. & W., Inc.)	Strip (Released)	3318	44-04483	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: KimCar Coal Company, Inc.

P. O. Box 264

Castlewood, Virginia 24224

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). KimCar Coal Company, Inc. (KimCar Coal Company, Inc.)	Deep Mine (Released)	3692-U	44-05100	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Little David Coal Co., Inc.

Rt. 3, Box 155-D

Coeburn, VA 24230

Employer ID: 54-1173744

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Little David Coal Co., Inc. (Little David Coal Co., Inc.)	Deep Mine (Released)	1200183	44-05033	1983
2). Little David Coal Co., Inc. (Little David Coal Co., Inc.)	Deep Mine (Released)	1200625	44-05657	1984
3). Little David Coal Co., Inc. (Little David Coal Co., Inc.)	Deep Mine (Completed)	1200886	44-06297	1986
4). Little David Coal Co., Inc. (Little David Coal Co., Inc.)	Deep Mine (Released)	3364-U	44-05061	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Lonesome Pine Energy Co., Inc.

P. O. Box 682

Wise, Virginia 24293

Employer ID: 54-1169945

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Lonesome Pine Energy Co., Inc. (Lonesome Pine Energy Co., Inc.)	Strip (Released)	1100188	44-04483	1981
2). Lonesome Pine Energy Co., Inc. (Lonesome Pine Energy Co., Inc.)	Strip (N/A)	1100635	44-06041	1984
3). Lonesome Pine Energy Co., Inc. (Lonesome Pine Energy Co., Inc.)	Strip (Released)	1100890	44-06324	1986
4). Lonesome Pine Energy Co., Inc. (Lonesome Pine Energy Co., Inc.)	Strip (Released)	3326	44-04483	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: M. E. Coal Co.
 P. O. Box 1417
 Coeburn, VA 24230

Employer ID: 54-0789169

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). M. E. Coal Co. (M. E. Coal Co.)	Strip (Completed)	1100695	44-06133	1985
2). M. E. Coal Co. (M. E. Coal Co.)	Strip (Completed)	1101228	44-06133	1988

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Marco, Inc.
 P. O. Box 210
 Wise, VA 24293

Employer ID: 54-0906656

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Marco, Inc. (Marco, Inc.)	Strip (Released)	1100013	44-03105	1975
2). Marco, Inc. (Marco, Inc.)	Strip (Released)	1100447	44-06021	1983
3). Marco, Inc. (Marco, Inc.)	Strip (Released)	1356	44-03105	1975
4). Marco, Inc. (SRM Excavating)	Strip (Released)	1356	Unknown	Unknown
5). Marco, Inc. (Marco, Inc.)	Strip (Released)	2469	44-03105	1975
6). Marco, Inc. (Marco, Inc.)	Strip (Released)	3752	44-03105	1975

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Minutemen Coal Company, Inc.
 Route 2, Box 66
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Minutemen Coal Company, Inc. (Minutemen Coal Company, Inc.)	Deep Mine (Completed)	1200010	44-00288	1982
2). Minutemen Coal Company, Inc. (Bullion Hollow Enterprises, Inc.)	Deep Mine (Transferred)	1201029	44-04871	1987
3). Minutemen Coal Company, Inc. (Minutemen Coal Company, Inc.)	Deep Mine (Transferred)	1201029	44-04871	1987

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Minutemen Coal Company, Inc.

Route 2, Box 66

Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
4). Minutemen Coal Company, Inc. (Minutemen Coal Company, Inc.)	Deep Mine (Released)	3229-U	44-05562	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Moly Ore Mines, LTD.

Fountain Bay Mining Corporation

550 Greystone Heights

Abingdon, Virginia 24210

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Moly Ore Mines, LTD. (Fountain Bay Mining Corporation)	Deep Mine (Released)	1200108	44-05167	1979
2). Moly Ore Mines, LTD. (Fountain Bay Mining Corporation)	Deep Mine (Released)	2857-U	44-05167	1979

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Moose Coal Co., Inc.

P. O. Box 1010

Wise, Virginia 24293

Employer ID: 54-1123081

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Moose Coal Co., Inc. (Moose Coal Co., Inc.)	Strip (Released)	1100907	44-06245	10/86

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Morning Glory Coal Corporation

Rt. 2, Box 226

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Morning Glory Coal Corporation (Morning Glory Coal Corporation)	Strip (Released)	1100141	44-05854	1982
2). Morning Glory Coal Corporation (Morning Glory Coal Corporation)	Strip (Released)	3792	44-05854	1982

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Mountaineer Coal Company, Inc.

Route 2, Box 66

Coeburn, Virginia 24230

Employer ID: 54-1353026

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Mountaineer Coal Company, Inc. (Mountaineer Coal Company, Inc.)	Deep Mine (Transferred)	1201251	44-05090	2/1990

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Nessa Coal Company, Inc.

P. O. Box 2000

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Nessa Coal Company, Inc. (Nessa Coal Company, Inc.)	Strip (Released)	3377	44-05791	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Palmer Coal Co.

Rt. 1, Box 74

Coeburn, VA 24230

Employer ID: 54-0789169

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Palmer Coal Co. (Palmer Coal Co.)	Strip (Completed)	1100430	44-04059	1981
2). Palmer Coal Co. (Palmer Coal Co.)	Strip (Released)	3378	44-04059	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Pasco, Inc.

Rt. 1, Box 2645

Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Pasco, Inc. (Pasco, Inc.)	Strip (Forfeit)	3067	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Pilot Coal Corporation

P. O. Box 343

Norton, Virginia 24276

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Pilot Coal Corporation (Pilot Coal Corporation)	Strip (Released)	2394	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Pilot Coal Corporation
P. O. Box 343
Norton, Virginia 24276

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
2). Pilot Coal Corporation (Pilot Coal Corporation)	Deep Mine (Released)	3055-U	44-05061	1978

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: R. B. J. Coal Co., Inc.
Box 120
Oakwood, VA 24631

Employer ID: 54-1076769

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). R. B. J. Coal Co., Inc. (R. B. J. Coal Co., Inc.)	Deep Mine (Released)	1200353	44-05594	1981
2). R. B. J. Coal Co., Inc. (R. B. J. Coal Co., Inc.)	Deep Mine (Released)	3242-U	44-05594	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Randa Coal Corporation
P. O. Box 896
Lebanon, Virginia 24266

Employer ID: 54-1182526

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Randa Coal Corporation (Randa Coal Corporation)	Deep Mine (Released)	3747-U	44-05657	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Red Man Trucking
Rt. 3, Box 468
Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Red Man Trucking (Mountaineer Coal Company, Inc.)	Deep/Refuse Proc. (Completed)	1100789	44-06317	1989
2). Red Man Trucking (Red Man Trucking)	Deep/Refuse Proc. (Completed)	1100789	44-06122	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Robin Coal Corporation
 P. O. Box 543
 Pound, Virginia 24279

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Robin Coal Corporation (Robin Coal Corporation)	Strip (Forfeit)	1100580	44-05986	1984

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Rocon Mining Company
 235 Glenville Road
 Greenwich, Connecticut 06830

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Rocon Mining Company (Rocon Mining Company)	Auger (Transferred)	1100745	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Ruth Coal, Incorporated
 P. O. Box 310
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Ruth Coal, Incorporated (Ruth Coal, Incorporated)	Strip (Released)	3384	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Salyers Coal Co., Inc
 Route 1, Box 144
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Salyers Coal Co., Inc (Salyers Coal Co., Inc)	Deep Mine (Released)	3033-U	44-05100	1979

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Short Hollow Coal Company, Inc.
 Rt. 1, Box 1090
 Wise, Virginia 24293

Employer ID: 54-1300990

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Short Hollow Coal Company, Inc. (Short Hollow Coal Company, Inc.)	Deep Mine (Transferred)	1200979	N/A	N/A

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Silver Eagle Mining Co., Inc.
 Rt. 2, Box 440-A
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Silver Eagle Mining Co., Inc. (Silver Eagle Mining Co., Inc.)	Deep Mine (Forfeit)	1200286	44-05759	1980

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Silver Eagle Resources, Inc.
 Rt. 2, Box 258
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Silver Eagle Resources, Inc. (Silver Eagle Resources, Inc.)	Deep Mine (Forfeit)	1400604	44-06568	1990

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Southland Contractors, Inc.
 1512 Eighth Avenue South
 Nashville, Tennessee 37203

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Southland Contractors, Inc. (Southland Contractors, Inc.)	Refuse Processing (Released)	2614-U	N/A	N/A

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Southmountain Coal Company, Inc.
 P. O. Box 950
 Coeburn, VA 24230

Employer ID: 54-1208975

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Southmountain Coal Company, Inc. (Southmountain Coal Company, Inc.)	Deep Mine (Released)	1200395	44-05769	1982
2). Southmountain Coal Company, Inc. (Southmountain Coal Company, Inc.)	Deep Mine (Completed)	1200885	44-06335	Unknown
3). Southmountain Coal Company, Inc. (Southmountain Coal Company, Inc.)	Deep Mine (Transferred)	1201277	44-06594	1990

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Southwest Coal Co., Inc.
 P. O. Box 1169
 Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Southwest Coal Co., Inc. (Southwest Coal Co., Inc.)	Strip (Active)	1101268	44-06247	1989

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Stallion Coal Company, Inc.
 P. O. Box 1578
 Coeburn, Virginia 24230

Employer ID: 54-1286151

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Stallion Coal Company, Inc. (Stallion Coal Company, Inc.)	Auger (Released)	1100585	44-06110	1984

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: T. D. L. Coal Co., Inc.
 Rt. 1, Box 654
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). T. D. L. Coal Co., Inc. (T. D. L. Coal Co., Inc.)	Deep Mine (Active - T.C.)	1201103	44-00266 44-06503	1987 1989

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Three Forks Mining, Inc.
 P. O. Box 3298
 Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Three Forks Mining, Inc. (Three Forks Mining, Inc.)	Strip (Completed)	1101043	Unknown	Unknown
2). Three Forks Mining, Inc. (Three Forks Mining, Inc.)	Strip (Completed)	1101241	44-06385	6/87
3). Three Forks Mining, Inc. (Three Forks Mining, Inc.)	Strip (Completed)	1101357	44-06604	5/91
4). Three Forks Mining, Inc. (Three Forks Mining, Inc.)	Strip (Active)	1101460	44-06693	2/93

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Tray Coal Processors, Inc.
 P. O. Box 29
 St. Paul, Virginia 24283

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Tray Coal Processors, Inc. (Tray Coal Processors, Inc.)	Strip (Released)	3076	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Triple B. Coal Corp.
 P. O. Box 628
 Coeburn, Virginia 24230

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Triple B. Coal Corp. (Triple B. Coal Corp.)	Deep Mine (Released)	3261-U	44-05590	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Triple B. Mining, Inc.
 P. O. Box 3298
 Wise, Virginia 24293

Employer ID: 54-1456226

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Triple B. Mining, Inc. (Triple B. Mining, Inc.)	Strip (Active)	1101414	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Turner Coal Co., Inc.
 P. O. Box 3036
 Roanoke, Virginia 24015

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Turner Coal Co., Inc. (Turner Coal Co., Inc.)	Strip (Forfeit)	3036	44-05240	1979

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: VAB Coal Co., Inc.
 Box 1500
 Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). VAB Coal Co., Inc. (VAB Coal Co., Inc.)	Strip (Forfeit)	3061	44-05113	1981

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: W. P. Corporation
P. O. Box 235
Wytheville, Virginia 24382

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). W. P. Corporation (W. P. Corporation)	Strip (Released)	2492	Unknown	Unknown

VIRGINIA IRON, COAL & COKE CO. - O & C Permit List Group (4/25/1995 - 7:44)

Company Name: Wilder Coal Corporation
P. O. Box 1439
Wise, Virginia 24293

Employer ID: Unknown

Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Permittee/(Operator)</u>	<u>Facility/(Status)</u>	<u>Permit No.</u>	<u>MSHA ID. No.</u>	<u>MSHA Date</u>
1). Wilder Coal Corporation (Wilder Coal Corporation)	Strip (Released)	1100785	44-02860	1985

BOND FORFEITURE LIST
September 14, 1995

- 1) B & E Mining Corporation - P.N. 1100428
Forfeiture Date: 8/30/85
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$73,500.00
Bond Pool Expenditures: \$102.52

Reclamation Status: Area reclaimed by Virginia Iron, Coal & Coke Company in 1986-1987.

Current Status: Settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation signed and executed January 24, 1994.

OSM Status: C

- 2) Robin Coal Corporation - P.N. 1100580
Forfeiture Date: 3/28/88
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$59,500.00
Bond Pool Expenditures: \$266,128.49

Reclamation Status: Area reclaimed by the Division of Mined Land Reclamation.

Current Status: Settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation signed and executed January 24, 1994.

OSM Status: C

- 3) Silver Eagle Mining Co., Inc. - P.N. 1200286
Forfeiture Date: 10/14/92
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$100,000.00
Bond Pool Expenditures: \$0.00

Reclamation Status: Area reclaimed by Virginia Iron, Coal & Coke Company in 1994.

Current Status: Settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation dated September 9, 1993.

OSM Status: C

- 4) Silver Eagle Resources, Inc. - P.N. 1400604
Forfeiture Date: 10/14/92
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$100,000.00
Bond Pool Expenditures: \$0.00

BOND FORFEITURE LIST
September 14, 1995

Reclamation Status: Area reclaimed by Virginia Iron, Coal & Coke Company in 1994.

Current Status: Settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation dated September 9, 1993

OSM Status: C

5) Turner Coal Co., Inc. - P.N. 3036

Forfeiture Date: 6/19/81

Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$74,800.00

Bond Expenditures: \$75,816.90

Reclamation Status: Area reclaimed by Virginia Iron, Coal & Coke Company in 1993.

Current Status: Settlement agreement between Virginia Iron, Coal & Coke Company and the Federal Office of Surface Mining dated 1993. No outstanding reclamation or civil penalty liabilities are known to exist for this site.

OSM Status: C

6) Coeburn Industries, Inc. - P.N. 2511

Forfeiture Date: 9/09/80

Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$16,000.00

Bond Expenditures: \$16,000.00

Reclamation Status: Area reclaimed by Virginia Iron, Coal & Coke Company.

Current Status: Settlement agreement between Virginia Iron, Coal & Coke Company and the Federal Office of Surface Mining dated April 16, 1990. No outstanding reclamation or civil penalty liabilities are known to exist for this site.

OSM Status: C

7) Double B. Coal & Lumber Co. - P.N. 3230

Forfeiture Date: 6/08/81

Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$10,400.00 (Returned to Operator 12-14-81)

Bond Expenditures: None - Repermitted

Reclamation Status: Total Double B. permit area was repermitted by Nessa Coal Co. P.N. 3377. When Nessa repermitted the site, the entire bond of \$10,400 was returned to Double B. Coal & Lumber Co. on 12/14/81. Permit no. 3377 was converted to Nessa Coal Co. permanent program permit No. 1100429 except for approx 20 acres (Hollow Fill 1A) which remained on interim permit 3377. Permit 1100429 was transferred to Red River Coal Co., Permit

BOND FORFEITURE LIST
September 14, 1995

No. 1100574. Nessa Permit 1100429 was released on Aug. 1, 1984 due to transfer to Red River. Nessa permit 3377 was released on 11/05/87 (\$4,900 bond). Red River Coal Co. permit 1100574 is awaiting bond release. No outstanding Reclamation liabilities.

Current Status: No outstanding reclamation or civil penalty liabilities are known to exist for this site.

OSM Status: C

8) Double B. Coal & Lumber Co. - P.N. 2240

Forfeiture Date: 6/09/81

Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$52,000.00

Bond Expenditures: \$59,413.10

Reclamation Status: Area reclaimed by the Virginia Division of Mined Land Reclamation using all available bond money.

Current Status: A settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation was executed June 13, 1994 covering the reclamation obligations for the site. Settlement payments covered under the agreement paid June 29, 1994.

OSM Status: C

9) Jil Mar Coal Co. - P.N. 2958

Forfeiture Date: 3/08/83

Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$33,200.00

Bond Expenditures: \$33,200.41

Reclamation Status: Area reclaimed by the Virginia Division of Mined Land Reclamation using all available bond money.

Current Status: Portion repermited and remined by Ison Coal Company, Inc. P.N. 1101036. A settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation was executed June 13, 1994 covering the reclamation obligations for the site. Settlement payments covered under the agreement paid June 29, 1994.

OSM Status: C

10) Baker Hollow Coal Co. - P.N. 3238

Forfeiture Date: 12/17/81

Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$8,000.00 collected \$7,530.00

Bond Expenditures: \$7,588.90

BOND FORFEITURE LIST
September 14, 1995

Reclamation Status: Area reclaimed by the Virginia Division of Mined Land Reclamation using all available bond money.

Current Status: Area repermited by Birchfield Mining P.N. 1100754 and Ison Coal Company P.N. 1101223. No reclamation liabilities are known to exist. A settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation was executed June 13, 1994 covering the reclamation obligations for the site. Settlement payments covered under the agreement paid June 29, 1994.

OSM Status: C

- 11) Pasco, Inc. - P.N. 3067
Forfeiture Date: 9/02/80
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$12,000.00
Bond Expenditures: \$12,010.63

Reclamation Status: Area reclaimed by the Virginia Iron, Coal & Coke Company in February and March 1995.

Current Status: A settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation was executed June 13, 1994 covering the reclamation obligations for the site. Settlement payments covered under the agreement paid June 29, 1994.

OSM Status: C

- 12) VAB Coal Co., Inc. - P.N. 3061
Forfeiture Date: 11/23/81
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$36,000 collected \$35,863.95
Bond Expenditures: \$35,863.95

Reclamation Status: Area reclaimed by the Virginia Division of Mined Land Reclamation using all available bond money.

Current Status: Portions require reclamation on adverse surface and mineral areas. No reclamation work required on VICC controlled mineral tract.

- 13) E & B Energy Corp. - P.N. 098-5150
Forfeiture Date: April 8, 1985
Regulatory Agency: Kentucky DSMRE

Bond Amount Forfeited: \$5,000
Bond Pool Expenditures: N/A

Reclamation Status: Area reclaimed by Enterprise Coal Company.

BOND FORFEITURE LIST
September 14, 1995

Current Status: The Office of Surface Mining and the Kentucky Department for Surface Mining Reclamation and Enforcement reached a Comprehensive Agreement with ANR Coal Company's affiliate, Enterprise Coal Company, which was executed on May 12, 1993, detailing remedial measures for the E & B Energy Corp. permit.

OSM Status: C

- 14) Cimaron Minerals, Inc. - P.N. 898-5270
Forfeiture Date: February 12, 1992
Regulatory Agency: Kentucky DSMRE

Bond Amount Forfeited: \$10,000
Bond Pool Expenditures: N/A

Reclamation Status: Area reclaimed by Enterprise Coal Company.

Current Status: The Office of Surface Mining and the Kentucky Department for Surface Mining Reclamation and Enforcement reached a Comprehensive Agreement with ANR Coal Company's affiliate, Enterprise Coal Company, which was executed on May 12, 1993, detailing remedial measures for the Cimaron Minerals, Inc. permit.

OSM Status: C

- 15) Coon Mining Company - P.N. 098-5377
Forfeiture Date: Unknown
Regulatory Agency: Kentucky DSMRE

Bond Amount Forfeited: Unknown
Bond Pool Expenditures: N/A

Reclamation Status: Reclaimed

Current Status: ANR Coal Company's affiliate, Enterprise Coal Company signed and executed a settlement agreement with the Kentucky Department for Surface Mining Reclamation and Enforcement in April of 1994.

OSM Status: C Kentucky Department for Surface Mining Reclamation and Enforcement in April of 1994.

- 16) Eastern Energy Resources, Inc. - P.N. 1846
Forfeiture Date: 11/13/84
Regulatory Agency: Virginia Division of Mined Land Reclamation

Bond Amount Forfeited: \$118,400.00
Bond Expenditures: \$1909.00

Reclamation Status: Portions unreclaimed.

Current Status: Virginia Iron, Coal & Coke Company owned or controlled only a portion of the area covered under this permit. The area was amended to the permit after its original

**BOND FORFEITURE LIST
September 14, 1995**

issuance. The original permit area was located on private surface and mineral. A settlement agreement between Virginia Iron, Coal & Coke Company and the Virginia Division of Mined Land Reclamation was executed June 13, 1994 covering the reclamation obligations for the site.

OSM Status: C

NOTE: This list is being supplied to fulfill the regulatory requirements of submitting permit and violation history information for entities which are covered under the current regulatory definition of ownership and control. Virginia Iron, Coal and Coke Company and its affiliates do not concede or admit to ownership or control of these entities as is defined by the Surface Mining Act or by State or Federal Regulations. Virginia Iron, Coal and Coke Company and its affiliates do not admit liability or obligation for actions or failures to take action on the part of the independent contractors which resulted in Notices of Violations, Cessation Orders, Civil Penalties or Bond Forfeitures.

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
N93-38-1-3 SCCC Minesite	9/22/93	Violation 1 of 3 issued for failure to provide certification for the design of an existing primary road.	Submitted Response		Terminated
N93-38-1-3 SCCC Minesite	9/22/93	Violation 2 of 3 issued for failure to provide design information for a ditch/berm system associated with an existing road.	Submitted Response		Terminated
N93-38-1-3 SCCC Minesite	9/22/93	Violation 3 of 3 issued for failure to include power lines on maps approved within the MRP.	Submitted Response		Terminated
N94-38-1-1 SCCC Minesite	1/26/94	Failure to comply with TDS limitation for discharge at facility sedimentation pond.	None Required	01/26/94	Terminated

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.

Federal Coal Lease UTU-69635

Date of Lease: October 1, 1995

Lessee: Sage Point Coal Company

Lands Covered:

T13S, R11E, SLB&M

Sec. 1: Lots 1-7, Lot 8 for all coal except the Rock Canyon seam

Sec. 10: E 1/2 E 1/2

Sec. 11: All

Sec. 12: W 1/2 W 1/2

Sec. 13: W 1/2 NW 1/4, SE 1/4 NW 1/4, SW 1/4

Sec. 14: N 1/2, N 1/2 S 1/2, SE 1/4 SE 1/4

Sec. 15: NE 1/4 NE 1/4

Sec. 23: N 1/2 NE 1/4 NE 1/4

Sec. 24: N 1/2 N 1/2 NW 1/4

Containing 2,177.52 acres

Supporting Documents:

1. Coal Lease UTU-69635 Form 3400-12, Appendix 1B
2. BLM Environmental Assessment, March 1995, Appendix 1A

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



DEPARTMENT OF OIL, GAS & MINERAL RESOURCES

APPENDIX 1B

COAL LEASE UTU-69635



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
324 South State, Suite 301
Salt Lake City, Utah 84111-2303

IN REPLY REFER TO:

3425
UTU-69635
(UT-923)

SEP 22 1995

CERTIFIED MAIL—Return Receipt Requested

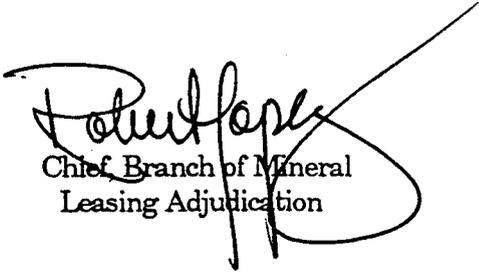
DECISION

Sage Point Coal Company	:	
c/o Coastal States Energy Co.	:	Coal Lease
175 East 400 South, Suite 800	:	UTU-69635
Salt Lake City, UT 84111	:	

Lease Issued
Bond Accepted

Pursuant to the lease by application coal sale held July 19, 1995, the bid of Sage Point Coal Company for the Alkali Creek Tract, assigned serial no. UTU-69635, was determined to be the acceptable high bid. Satisfactory evidence of the qualifications and holdings of Sage Point Coal Company have been filed; therefore, coal lease UTU-69635 is hereby issued effective October 1, 1995.

A surety bond of \$2,140,000 was filed in this office September 21, 1995. The name of the surety is St. Paul Fire and Marine Insurance Company, and the surety bond no. is 400JT1129. The bond is hereby accepted, as of October 1, 1995.


Chief Branch of Mineral
Leasing Adjudication

Enclosure
Coal Lease UTU-69635

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Serial Number
UTU-69635

COAL LEASE

PART I. LEASE RIGHTS GRANTED

This lease, entered into by and between the UNITED STATES OF AMERICA, hereinafter called lessor, through the Bureau of Land Management, and
(Name and Address)

Sage Point Coal Company
c/o Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111

hereinafter called lessee, is effective (date) **OCT 01 1995**, for a period of 20 years and for so long thereafter as coal is produced in commercial quantities from the leased lands, subject to readjustment of lease terms at the end of the 20th lease year and each 10-year period thereafter.

Sec. 1. This lease is issued pursuant and subject to the terms and provisions of the:
 Mineral Lands Leasing Act of 1920, Act of February 25, 1920, as amended, 41 Stat. 437, 30 U.S.C. 181-287, hereinafter referred to as the Act;
 Mineral Leasing Act for Acquired Lands, Act of August 7, 1947, 61 Stat. 913, 30 U.S.C. 351-359;

and to the regulations and formal orders of the Secretary of the Interior which are now or hereafter in force, when not inconsistent with the express and specific provisions herein.

Sec. 2. Lessor, in consideration of any bonuses, rents, and royalties to be paid, and the conditions and covenants to be observed as herein set forth, hereby grants and leases to lessee the exclusive right and privilege to drill for, mine, extract, remove, or otherwise process and dispose of the coal deposits in, upon, or under the following described lands:

- T. 13 S., R. 11 E., SLM, Utah
- Sec. 1, lots 1-7; lot 8 (for all coal except the Rock Canyon Bed)
- Sec. 10, E2E2;
- Sec. 11, all;
- Sec. 12, W2W2;
- Sec. 13, W2NW, SENW, SW;
- Sec. 14, N2, N2S2, SESE;
- Sec. 15, NENE;
- Sec. 23, N2NENE;
- Sec. 24, N2N2NW.

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DEPT OF INTERIOR
BUREAU OF LAND RIGHTS

containing 2,177.52 acres, more or less, together with the right to construct such works, buildings, plants, structures, equipment and appliances and the right to use such on-lease rights-of-way which may be necessary and convenient in the exercise of the rights and privileges granted, subject to the conditions herein provided.

PART II. TERMS AND CONDITIONS

Sec. 1. (a) RENTAL RATE - Lessee shall pay lessor rental annually and in advance for each acre or fraction thereof during the continuance of the lease at the rate of \$ 3.00/ per acre for each lease year.

(b) RENTAL CREDITS - Rental shall not be credited against either production or advance royalties for any year.

Sec. 2. (a) PRODUCTION ROYALTIES - The royalty shall be 12 1/2 & 8 percent of the value of the coal as set forth in the regulations. Royalties are due to lessor the final day of the month succeeding the calendar month in which the royalty obligation accrues.

(b) ADVANCE ROYALTIES - Upon request by the lessee, the authorized officer may accept, for a total of not more than 10 years, the payment of advance royalties in lieu of continued operation, consistent with the regulations. The advance royalty shall be based on a percent of the value of a minimum number of tons determined in the manner established by the advance royalty regulations in effect at the time the lessee requests approval to pay advance royalties in lieu of continued operation.

Sec. 3. BONDS - Lessee shall maintain in the proper office a lease bond in the amount of \$2,140,000. The authorized officer may require an increase in this amount when additional coverage is determined appropriate.

Sec. 4. DILIGENCE - This lease is subject to the conditions of diligent development and continued operation, except that these conditions are excused when operations under the lease are interrupted by strikes, the elements, or casualties not attributable to the lessee. The lessor, in the public interest, may suspend the condition of continued operation upon payment of advance royalties in accordance with the regulations in existence at the time of the suspension. Lessee's failure to produce coal in commercial quantities at the end of 10 years shall terminate the lease. Lessee shall submit an operation and reclamation plan pursuant to Section 7 of the Act not later than 3 years after lease issuance.

The lessor reserves the power to assent to or order the suspension of the terms and conditions of this lease in accordance with, inter alia, Section 39 of the Mineral Leasing Act, 30 U.S.C. 209.

Sec. 5. LOGICAL MINING UNIT (LMU) - Either upon approval by the lessor of the lessee's application or at the direction of the lessor, this lease shall become an LMU or part of an LMU, subject to the provisions set forth in the regulations.

The stipulations established in an LMU approval in effect at the time of LMU approval will supersede the relevant inconsistent terms of this lease so long as the lease remains committed to the LMU. If the LMU of which this lease is a part is dissolved, the lease shall then be subject to the lease terms which would have been applied if the lease had not been included in an LMU.

Sec. 6. DOCUMENTS, EVIDENCE AND INSPECTION - At such times and in such form as lessor may prescribe, lessee shall furnish detailed statements showing the amounts and quality of all products removed and sold from the lease, the proceeds therefrom, and the amount used for production purposes or unavoidably lost.

Lessee shall keep open at all reasonable times for the inspection of any authorized officer of lessor, the leased premises and all surface and underground improvements, works, machinery, ore stockpiles, equipment, and all books, accounts, maps, and records relative to operations, surveys, or investigations on or under the leased lands.

Lessee shall allow lessor access to and copying of documents reasonably necessary to verify lessee compliance with terms and conditions of the lease.

While this lease remains in effect, information obtained under this section shall be closed to inspection by the public in accordance with the Freedom of Information Act (5 U.S.C. 552).

Sec. 7. DAMAGES TO PROPERTY AND CONDUCT OF OPERATIONS - Lessee shall comply at its own expense with all reasonable orders of the Secretary, respecting diligent operations, prevention of waste, and protection of other resources.

Lessee shall not conduct exploration operations, other than casual use, without an approved exploration plan. All exploration plans prior to the commencement of mining operations within an approved mining permit area shall be submitted to the authorized officer.

Lessee shall carry on all operations in accordance with approved methods and practices as provided in the operating regulations, having due regard for the prevention of injury to life, health, or property, and prevention of waste, damage or degradation to any land, air, water, cultural, biological, visual, and other resources, including mineral deposits and formations of mineral deposits not leased hereunder, and to other land uses or users. Lessee shall take measures deemed necessary by lessor to accomplish the intent of this lease term. Such measures may include, but are not limited to, modification to proposed siting or design of facilities, timing of operations, and specification of interim and final reclamation procedures. Lessor reserves to itself the right to lease, sell, or otherwise dispose of the surface or other mineral deposits in the lands and the right to continue existing uses and to authorize future uses upon or in the leased lands, including issuing leases for mineral deposits not covered hereunder and approving easements or rights-of-way. Lessor shall condition such uses to prevent unnecessary or unreasonable interference with rights of lessee as may be consistent with concepts of multiple use and multiple mineral development.

Sec. 8. PROTECTION OF DIVERSE INTERESTS, AND EQUAL OPPORTUNITY - Lessee shall pay when due all taxes legally assessed and levied under the laws of the State or the United States; accord all employees complete freedom of purchase; pay all wages at least twice each month in lawful money of the United States; maintain a safe working environment in accordance with standard industry practices; restrict the workday to not more than 8 hours in any one day for underground workers, except in emergencies, and take measures necessary to protect the health and safety of the public. No person under the age of 16 years shall be employed in any mine below the surface. To the extent that laws of the State in which the lands are situated are more restrictive than the provisions in this paragraph, then the State laws apply.

Lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor. Neither lessee nor lessee's subcontractors shall maintain segregated facilities.

Sec. 15. SPECIAL STIPULATIONS -

Sec. 9. (a) TRANSFERS

- This lease may be transferred in whole or in part to any person, association or corporation qualified to hold such lease interest.
- This lease may be transferred in whole or in part to another public body or to a person who will mine the coal on behalf of, and for the use of, the public body or to a person who for the limited purpose of creating a security interest in favor of a lender agrees to be obligated to mine the coal on behalf of the public body.
- This lease may only be transferred in whole or in part to another small business qualified under 13 CFR 121.

Transfers of record title, working or royalty interest must be approved in accordance with the regulations.

(b) RELINQUISHMENT - The lessee may relinquish in writing at any time all rights under this lease or any portion thereof as provided in the regulations. Upon lessor's acceptance of the relinquishment, lessee shall be relieved of all future obligations under the lease or the relinquished portion thereof, whichever is applicable.

Sec. 10. DELIVERY OF PREMISES, REMOVAL OF MACHINERY, EQUIPMENT, ETC. - At such time as all portions of this lease are returned to lessor, lessee shall deliver up to lessor the land leased, underground timbering, and such other supports and structures necessary for the preservation of the mine workings on the leased premises or deposits and place all workings in condition for suspension or abandonment. Within 180 days thereof, lessee shall remove from the premises all other structures, machinery, equipment, tools, and materials that it elects to or as required by the authorized officer. Any such structures, machinery, equipment, tools, and materials remaining on the leased lands beyond 180 days, or approved extension thereof, shall become the property of the lessor, but lessee shall either remove any or all such property or shall continue to be liable for the cost of removal and disposal in the amount actually incurred by the lessor. If the surface is owned by third parties, lessor shall waive the requirement for removal, provided the third parties do not object to such waiver. Lessee shall, prior to the termination of bond liability or at any other time when required and in accordance with all applicable laws and regulations, reclaim all lands the surface of which has been disturbed, dispose of all debris or solid waste, repair the offsite and onsite damage caused by lessee's activity or activities incidental thereto, and reclaim access roads or trails.

Sec. 11. PROCEEDINGS IN CASE OF DEFAULT - If lessee fails to comply with applicable laws, existing regulations, or the terms, conditions and stipulations of this lease, and the noncompliance continues for 30 days after written notice thereof, this lease shall be subject to cancellation by the lessor only by judicial proceedings. This provision shall not be construed to prevent the exercise by lessor of any other legal and equitable remedy, including waiver of the default. Any such remedy or waiver shall not prevent later cancellation for the same default occurring at any other time.

Sec. 12. HEIRS AND SUCCESSORS-IN-INTEREST - Each obligation of this lease shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

Sec. 13. INDEMNIFICATION - Lessee shall indemnify and hold harmless the United States from any and all claims arising out of the lessee's activities and operations under this lease.

Sec. 14. SPECIAL STATUTES - This lease is subject to the Clean Water Act (33 U.S.C. 1252 et. seq.), the Clean Air Act (42 U.S.C. 4274 et. seq.), and to all other applicable laws pertaining to exploration activities, mining operations and reclamation, including the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et. seq.).

This coal lease is subject to termination if the lessee is determined at the time of issuance to be in noncompliance with Section 2(a)2(A) of the Mineral Leasing Act.

SEE ATTACHED STIPULATIONS

THE UNITED STATES OF AMERICA

Sage Point Coal Company

Company or Lessee Name

Vernon A. Mortensen

(Signature of Lessee)

Executive Vice President

(Title)

September 18, 1995

(Date)

By Bureau of Land Management

John Hope

(Signing Officer)

Chief, Branch of Mineral Leasing Adjudication

(Title)

SEP 22 1995

(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

This form does not constitute an information collection as defined by 44 U.S.C. 3502 and therefore does not require OMB approval.

The following stipulations made part of this lease may be waived or amended with the mutual consent of the lessor and lessee.

1. In accordance with Sec. 523(b) of the "Surface Mining Control and Reclamation Act of 1977," surface mining and reclamation operations conducted on this lease are to conform with the requirements of this act and are subject to compliance with Office of Surface Mining regulations, or as applicable, a Utah program equivalent approved under cooperative agreement in accordance with Sec. 523(c). The United States Government does not warrant that the entire tract will be susceptible to mining.

2. The permitting of any mining operations on the lease will be subject to the possible designation of any portion of the lease as unsuitable for some or all kinds of surface mining under the regulations of the Department under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) in effect at the time of action on the mine plan permit.

3. Before undertaking activities that may disturb the surface of previously undisturbed leased lands, the lessee may be required to conduct a cultural resource inventory of the areas to be disturbed. These studies shall be conducted by qualified professional cultural resource specialists and a report prepared itemizing the findings. A plan will then be submitted making recommendations for the protection of, or measures to be taken to mitigate impacts for identified cultural resources.

If significant cultural resources are discovered during operations under this lease, the lessee shall immediately bring them to the attention of the authorized officer who shall evaluate or have evaluated such discoveries and, within 5 working days, shall notify the lessee what action shall be taken with respect to such discoveries.

The cost of conducting the inventory, preparing reports, and carrying out necessary protective mitigating measures shall be borne by the lessee.

4. Before undertaking activities that may disturb the surface of previously undisturbed leased lands, the lessee may be required to conduct a paleontological appraisal of the areas to be disturbed. The appraisal shall be conducted by qualified paleontologists and a report prepared itemizing the findings. A plan will then be submitted making recommendations for the protection of, or measures to be taken to mitigate impacts for identified paleontological resources.

If paleontological remains (fossils) of significant scientific interest are discovered during operations under this lease, the lessee shall immediately bring them to the attention of the authorized officer who shall evaluate or have evaluated such discoveries brought to his attention and, within 5 working days, shall notify the lessee what action shall be taken with respect to such discoveries. Paleontological remains of significant scientific interest do not include leaves, ferns, or dinosaur tracks commonly encountered during underground mining operations.

The cost of conducting the inventory, preparing reports, and carrying out necessary protective mitigating measures shall be borne by the lessee. The cost of salvage of paleontological remains (fossils) shall be borne by the United States.

5. If there is reason to believe that threatened or endangered (T&E) species of plants or animals, or migratory species of high Federal interest occur in the area, the lessee shall be required to conduct an intensive field inventory of the area to be disturbed and/or impacted. A listing of migratory birds of high Federal interest in Federal coal producing regions is published by the Fish and Wildlife Service, Migratory Bird Management Office, Washington, D.C. The inventory shall be conducted by qualified specialist and a report of findings will be prepared. A plan will be prepared making recommendations for the protection of these species or action necessary to mitigate the disturbance.

The cost of conducting the inventory, preparing reports, and carrying out necessary protective mitigating measures shall be borne by the lessee.

6. The lessee shall be required to perform a study to secure adequate baseline data to quantify the existing surface resources on and adjacent to the lease area. Existing data may be used if such data is adequate for the intended purposes. The study shall be adequate to locate, quantify, and demonstrate the inter-relationship of the geology, topography, surface hydrology, vegetation, and wildlife. Baseline data will be established so that future programs of observation can be incorporated at regular intervals for comparison.

7. Powerlines on the lease area used in conjunction with the mining of coal from this lease shall be constructed so as to provide adequate protection for raptors and other large birds. When feasible, powerlines will be located at least 100 yards from public roads.

8. The lessee shall provide for the suppression and control of fugitive dust on haul roads and at coal handling and storage facilities on the lease area. The migration of road surfacing and subsurface materials into streams and water courses shall be prevented.

9. The lessee shall be required to establish a monitoring system to locate, measure, and quantify the progressive and final effects of underground mining activities on the topographic surface, underground and surface hydrology and vegetation. The monitoring system shall utilize techniques which will provide a continuing record of change over time and an analytical method for location and measurement of a number of points over the lease area. The monitoring shall incorporate and be an extension of the baseline data.

10. Except at specifically approved locations, underground mining operations shall be conducted in such a manner so as to prevent surface subsidence that would: 1) cause the creation of hazardous conditions such as potential escarpment failure and landslides, 2) cause damage to existing surface structures, or 3) damage or alter the flow of perennial streams.

11. In order to avoid surface disturbance on steep canyon slopes and to satisfy the need for surface access, all surface breakouts for ventilation tunnels shall be constructed from inside the mine, except at specifically approved locations.

12. Support facilities, structures, equipment, and similar developments will be removed from the lease area within 2 years after the final termination of use of such facilities. This provision shall apply unless the requirement of Section 10 of the lease form is applicable. Disturbed areas and those areas occupied by such facilities will be stabilized and rehabilitated, drainages reestablished, and the areas returned to a premining land use.

13. The lessee shall be required to pay the value of the royalty on coal left unmined without the authorized officer (AO) approval, which should have been recovered under the approval of a mine plan (Resource Recovery and Protection Plan, [R2P2]) and which would otherwise be lost or left economically inaccessible.

14. The unleased coal in this tract is included in Proposed Legislation cited as the "Utah Public Lands Management Act of 1995" concerning the Designation of BLM Wilderness Lands in Utah. Provisions of the Proposed Act call for the exchange of State and Federal Lands. The State of Utah has designated the unleased coal tract (Alkali Creek) for acquisition by the State. Consummation of the exchange under the Proposed Act may, in the future, allow for the State of Utah to succeed to some or all of the United States interest in this tract.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Serial Number

UTU-69635

Bond Number

400JT1129

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RECEIVED

U.S. DEPARTMENT OF THE INTERIOR

BOND* UNDER LEASE FOR
MINING Coal DEPOSITS

KNOW ALL MEN BY THESE PRESENTS, That Sage Point Coal Company

of Roanoke, Virginia

, as principal,

and St. Paul Fire and Marine Insurance Company

of St. Paul, Minnesota

, as surety,

Two Million One Hundred Forty

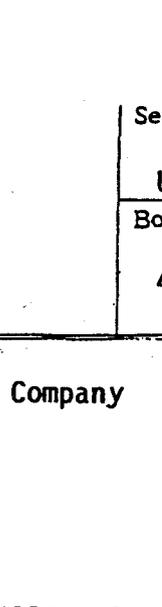
are held and firmly bound unto the United States in the sum of Thousand and No/100----- dollars

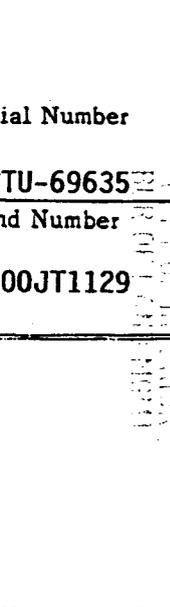
(\$ 2,140,000.00), lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, and each of us, and each of our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

The conditions of this obligation are such, that whereas the said principal entered into a lease of the lands described therein and upon conditions therein expressed, which lease bears the above serial number.

NOW, THEREFORE, if the said principal, his heirs, executors, administrators, or successors, shall faithfully carry out the obligations and observe the requirements of said lease, and shall duly keep, perform, and abide by each and every term and provision of said lease as therein stipulated and agreed, then this obligation shall be null and void; otherwise to remain in full force and effect.

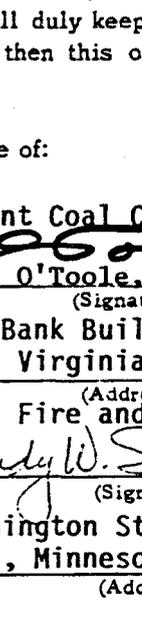
Signed on this 6th day of September, 19 95, in the presence of:

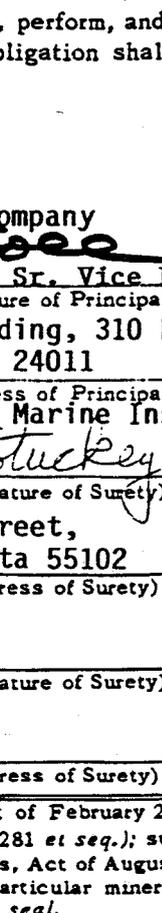

Bernie Sweazie
(Signature of Witness)
9 Greenway Plaza
Houston, Texas 77046


(Address of Witness)
Simon Swerney
(Signature of Witness)
2000 Bering Drive, Suite 900
Houston, Texas 77057
(Address of Witness)

(Signature of Witness)

(Address of Witness)

Sage Point Coal Company

Austin M. O'Toole, Sr. Vice President
(Signature of Principal)
Crestar Bank Building, 310 First Street
Roanoke, Virginia 24011
(Address of Principal)

St. Paul Fire and Marine Insurance Company

(Signature of Surety) Wendy W. Stuckey
385 Washington Street,
St. Paul, Minnesota 55102
(Address of Surety)

(Signature of Surety)

(Address of Surety)

This form of bond may be used in connection with coal, phosphate, and sodium leases, Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.); potassium leases, Act of February 7, 1927, as amended (30 U.S.C. 281 et seq.); sulphur leases, Act of April 17, 1926, as amended (30 U.S.C. 271 et seq.); all such leases involving acquired lands, Act of August 7, 1947 (30 U.S.C. 351), and asphalt leases, Act of June 28, 1944 (58 Stat. 463, 483-485), by inserting the particular mineral applicable in the space provided therefor. If this bond is executed by a corporation, it must bear the corporate seal.

CERTIFIED
COPY NO.

For verification of the authenticity of this Power of Attorney, you may telephone toll free 1-800-421-3880 and ask for the Power of Attorney Clerk. Please refer to the Certificate of Authority No. and the named individual(s).

1839696

F-13338

GENERAL POWER OF ATTORNEY - CERTIFIED COPY
(Original on File at Home Office of Company. See Certification.)

OW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, a corporation organized and existing under the laws of the State Minnesota, having its principal office in the City of St. Paul, Minnesota, does hereby constitute and appoint:

**William N. Burke, Elsa Alvarez, Mary C. Jones, Dan W. Burton, Wendy W. Stuckey,
Sharon J. Sweeney, individually, Houston, Texas**

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise,

NOT TO EXCEED IN PENALTY THE SUM OF TWENTY-FIVE MILLION DOLLARS (\$25,000,000) EACH

and the execution of all such instrument(s) in pursuance of these presents, shall be as binding upon said St. Paul Fire and Marine Insurance Company, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be certified to and may be revoked, pursuant to and by authority of Article V.-Section 6(C), of the By-Laws adopted by the Shareholders of ST. PAUL FIRE AND MARINE INSURANCE COMPANY at a meeting called and held on the 28th day of April, 1978, of which the following is a true transcript of said Section 6 (C):

"The President or any Vice President, Assistant Vice President, Secretary or Service Center General Manager shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and
- (2) To appoint special Attorneys-in-fact, who are hereby authorized to certify to copies of any power-of-attorney issued in pursuance of this section and/or any of the By-Laws of the Company, and
- (3) To remove, at any time, any such Attorney-in-fact or Special Attorney-in-fact and revoke the authority given him."

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 5th day of May, 1959, of which the following is a true excerpt:

"Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN TESTIMONY WHEREOF, St. Paul Fire and Marine Insurance Company has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 30th day of November, A.D. 1990.

ST. PAUL FIRE AND MARINE INSURANCE COMPANY



STATE OF NEW JERSEY } ss.
County of Somerset

Michael B. Keegan

MICHAEL B. KEEGAN, Secretary

On this 5th day of May, 19 95, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said that he/she is the therein described and authorized officer of St. Paul Fire and Marine Insurance Company; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his/her signature were duly affixed by order of the Board of Directors of said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the township of Bedminster, New Jersey, the day and year first above written.



Linda Smethers

LINDA SMETHERS, Notary Public, Middlesex, NJ
My Commission Expires December 16, 1996

CERTIFICATION

I, the undersigned officer of St. Paul Fire and Marine Insurance Company, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.



IN TESTIMONY WHEREOF, I have hereunto set my hand this

6th day of September, 19 95

Michael W. Anderson
MICHAEL W. ANDERSON, Asst. Secretary

Only a certified copy of Power of Attorney bearing the Certificate of Authority No. printed in red on the upper right corner is binding. Photocopies, carbon copies or other reproductions of this document are invalid and not binding upon the Company.

ANY INSTRUMENT ISSUED IN EXCESS OF THE PENALTY AMOUNT STATED ABOVE IS TOTALLY VOID AND WITHOUT ANY VALIDITY.

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. {R645-301-115.100}
- b. Not within an area under study for designating lands unsuitable for surface coal mining operations. {R645-301-115.100}
- c. Not on any lands subject to the prohibitions or limitations for R645-103-322.
- d. Within 100 ft. of the outside right-of-way of a public road {R645-103-234}. 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. {R645-103-235}
- f. Not unsuitable in accordance with 522 of SMCRA.

There are no public roads and no occupied dwellings within the area proposed to be added to the permit by Incidental Boundary Change.

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

of mine entries. These entries are associated with the existing mine ventilation shaft, and lie directly beneath the Soldier Creek channel. All such entries, which have less than 100 feet of overburden shall be backfilled with available underground development waste. Backfilling of additional entries with 100 to 250 feet of overburden may also be considered, but only if these entries show significant signs of deterioration upon abandonment. It should be noted that the available information on pillar strengths and overburden characteristics indicate that backfilling is not required for long-term stability. The backfilling proposed is considered a precautionary measure only.

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Monitoring will entail the establishment of surface control monuments within and adjacent to the permit area. This initial survey will provide the Applicant with a base network which will be expanded each progressive year to obtain subsidence information over the permit area. The expanded network will cover the expected development for each progressive year. Each monument will have horizontal and vertical control determined during the initial survey. This information will be used as a comparison tool for all future monitoring.

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5.21.15 Land Surface Configuration Maps

Topographic maps used by the Applicant clearly indicate surface contours to adequately represent the existing land surface configuration within the permit area.

5.21.16 Maps and Cross-sections of the Features and Proposed Features

Maps produced by the Applicant will show the facilities, disturbed area, disturbed area boundary, explosive storage and point source discharges for their specific requirement are included within this application.

5.21.17 Transportation Facilities Maps

This application describes each road and conveyor system to be constructed and used by the Applicant as required by R614-301-527.

5.21.20 Signs and Markers

Signs and markers will be posted, maintained, and removed by the operator; will be a uniform design that can be easily seen and read; be made of durable material; and conform to local laws and regulations; and be maintained during all activities to which they pertain.

These signs shall include a mine and permit identification sign, perimeter markers, buffer zone, and topsoil markers.

5.22 Coal Recovery

Conservation of Coal Resources

The Bureau of Land Management (BLM) and the Utah Division of State Lands &

Forestry govern the conservation and royalty payments of the coal located within Applicant's proposed permit boundary. Mining plans for all seams must be approved by the BLM (43 CFR 3480 et al) and the Utah Division of Oil, Gas & Mining (Regulatory Authority) before mining can occur within the new area. This prior approval ensures the diligent development and extraction of all minable coal.

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This application describes each road and conveyor system to be constructed and used by the Applicant as required by R614-301-527.

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These signs shall include a mine and permit identification sign, perimeter markers, buffer zone, and topsoil markers.

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Forestry govern the conservation and royalty payments of the coal located within Applicant's proposed permit boundary. Mining plans for all seams must be approved by the BLM (43 CFR 3480 et al) and the Utah Division of Oil, Gas & Mining (Regulatory Authority) before mining can occur within the new area. This prior approval ensures the diligent development and extraction of all minable coal.

of mine entries. These entries are associated with the existing mine ventilation shaft, and lie directly beneath the Soldier Creek channel. All such entries, which have less than 100 feet of overburden shall be backfilled with available underground development waste. Backfilling of additional entries with 100 to 250 feet of overburden may also be considered, but only if these entries show significant signs of deterioration upon abandonment. It should be noted that the available information on pillar strengths and overburden characteristics indicate that backfilling is not required for long-term stability. The backfilling proposed is considered a precautionary measure only.

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mining and reclamation operations, sequence and timing of the mining of subareas for which additional permits will be sought, the coal mining and reclamation operations to be conducted, the lands to be affected throughout the operation and any change in a facility or feature to be caused by the Soldier Canyon Mine operations. Also, the underground workings and location and extent of areas where subsidence is planned and where measures will be taken to prevent, control or minimize subsidence-related damage. As part of the next 5-year permit renewal all relevant maps will be revised to show the mine workings in existence at that time as well as the mine workings planned for the 1995 Incidental Boundary Change, the Alkali Lease area, and all other mining areas within the permit area during the 5-year term of the renewal. Also during permit renewal all permit maps which show the permit boundary will be revised to show the 1995 Incidental Boundary Change.

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Date: 10-25-95

FAX COVER SHEET

TO: DARON HADDOCK

COMPANY: DIVISION OF OIL, GAS, & MINING

FAX NO: _____

FROM: BARRY

Utah Fuel Company-Skyline Mines
P.O. Box 719
Helper, UT 84526
Fax Number: (801) 636-2632
Direct Dial: (801) 636-2669

PAGES: 6 (including this one)

NOTES: IS THIS WHAT YOU HAD IN
MIND?

Confidentiality Notice: This message is intended only for the use of the individual or entity designated above, is confidential, and may contain information that is legally privileged or exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile transmission by or to anyone other than the recipient designated above by the sender is *not authorized and strictly prohibited*. If you have received this communication in error, please immediately notify the sender by telephone and return it to the sender by U.S. Mail, or destroy it if authorization is granted by the sender.

If you have any trouble receiving the above specified pages, please call sender.

October 30, 1995

Daron R. Haddock
Permit Supervisor
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: Incidental Boundary Change, Soldier Creek Coal Company, ACT/007/018

Dear Mr. Haddock:

As a result of discussions between you and Keith ZoBell during a meeting on October 25, we submit the following revisions to the Soldier Creek Coal Company permit. It is our understanding that these revisions will facilitate approval of the Incidental Boundary Change with fewer conditions. The revisions are shown as shaded text.

In order to address the conditions found in paragraphs three and four of the October 17, 1995, Draft Technical Analysis of the above referenced Incidental Boundary Change, Page 5-4 of the permit has been revised to include statements that all relevant maps will be revised during 5-year permit renewal to show: existing and planned mine workings within the Incidental Boundary Change; and the permit boundary as modified by the Incidental Boundary Change. Please replace page 5-4 in the permit with the enclosed copy of page 5-4 and insert page 5-4a, also enclosed.

Pages 5-20 and 5-20a have been re-revised to address the condition found in paragraph five of the Draft Technical Analysis, to include a statement that, during permit renewal, a subsidence monitoring plan will be developed and implemented for the Incidental Boundary Change area. Please replace previously submitted copies of pages 5-20 and 5-20a with the enclosed pages.

We appreciate your help with this permit change and giving consideration to our tight time schedule on this project. We are impressed that the review has been handled quickly and effectively by you and your staff. If there are any questions, please contact us.

Very truly yours,

Barry Barnum

mining and reclamation operations, sequence and timing of the mining of subareas for which additional permits will be sought, the coal mining and reclamation operations to be conducted, the lands to be affected throughout the operation and any change in a facility or feature to be caused by the Soldier Canyon Mine operations. Also, the underground workings and location and extent of areas where subsidence is planned and where measures will be taken to prevent, control or minimize subsidence-related damage. As part of the next 5-year permit renewal all relevant maps will be revised to show the mine workings in existence at that time as well as the mine workings planned for the 1995 Incidental Boundary Change, the Alkali Lease area, and all other mining areas within the permit area during the 5-year term of the renewal. Also during permit renewal all permit maps which show the permit boundary will be revised to show the 1995 Incidental Boundary Change.

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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

October 30, 1995

Robert D. Williams
Assistant Field Supervisor
U.S. Fish and Wildlife Service
Ecological Services
145 East 1300 South, Suite 404
Salt Lake City, Utah 84115

Re: Alkali Lease Tract, Soldier Creek Mine, Soldier Creek Coal Company,
ACT/007/018-95B, Folder #2, Carbon County, Utah

Dear Mr. Williams:

The Division received a response from your agency dated October 4, 1995 that stated "Due to lack of staff and time constraints, the U.S. Fish and Wildlife Service cannot offer comments at this time. This should not be construed as concurrence with the action. Should issues of concern arise or come to our attention, we (USFWS) may provide comments at a later date."

Pursuant to 30 CFR 944.30 Article VI, Section C, Part 2, (the State [Division] / Federal [OSMRE] Cooperative Agreement, attached) ".....DOGM will request all Federal agencies to furnish their findings or any request for additional information to DOGM within 45 days of the date of receipt of the PAP. OSMRE will assist DOGM in obtaining this information, upon request of DOGM." In this case, the Division (DOGM) sent the PAP to USFWS on September 19, 1995, and the 45 days would end on November 3, 1995.

In bringing this part of the Alkali Lease Tract permit process to conclusion, I want to reflect my sensitivity to USFWS's need to prioritize its own workload, while at the same time reflecting the need for the Division to meet its own programmatic mandates with respect to timeliness. Accordingly, the Division will go forward with the approval of the Alkali Lease Tract, and will show for the record that USFWS was given an opportunity to comment as required by our Cooperative Agreement, but USFWS declined to do so.



Alkali Lease Tract
Soldier Canyon Mine
Page 2

Should USFWS desire future involvement of the Alkali Lease Tract, I recommend that the Division, USFWS and the permittee meet to discuss a methodology with the Division permit process that will achieve our respective needs.

If you have any questions, please call me or Pamela Grubaugh-Littig. Thank you.

Sincerely,

Lowell P. Braxton
Associate Director, Mining

Enclosure

cc: Ranvir Singh, OSM-WRCC, Denver
Pamela Grubaugh-Littig (w/o enclosure)
Daron Haddock (w/o enclosure)
Joe Helfrich (w/o enclosure)

H:alkfw

PART 944—UTAH

Sec.

- 944.1 Scope.
- 944.10 State regulatory program approval.
- 944.15 Approval of amendments to State regulatory program.
- 944.16 Required program amendments.
- 944.20 Approval of Utah abandoned mine plan.
- 944.25 Approval of amendments to State abandoned mine plan.
- 944.30 State-Federal Cooperative Agreement.

AUTHORITY: 30 U.S.C. 1201 *et seq.*

§ 944.1 Scope.

This part contains all rules applicable only within Utah that have been adopted under the Surface Mining and Reclamation Act of 1977.

[46 FR 5913, Jan. 21, 1981]

§ 944.10 State regulatory program approval.

The Utah State program as submitted on March 3, 1980, and as amended and clarified on June 16 and July 24, 1980, and resubmitted on December 23, 1980, was conditionally approved effective January 21, 1981. Copies of the approved program, together with copies of the letter of the Division of Oil, Gas and Mining agreeing to the conditions in section 944.11, are available at:

- (a) Division of Oil, Gas and Mining, Department of Natural Resources, 3 Triad Center, suite 350, 355 West North Temple, Salt Lake City, UT 84180-1203.
- (b) Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 505 Marquette NW., suite 1200, Albuquerque, NM 87102.

[59 FR 17933, Apr. 15, 1994]

§ 944.15 Approval of amendments to State regulatory program.

- (a) The following amendments were approved effective June 22, 1982:
 - (1) Utah House Bill 66 which amends section 40-10-10, 40-10-11, 40-10-16, 40-10-17, 40-10-18, 40-10-21, 40-10-22, and 40-10-24, Utah Code Annotated 1953.
 - (2) Utah revised regulations UMC 817.124(b) and UMC 784.20(b)(3)(v) adopted April 30 and May 1, 1981.
- (b) The following amendments are approved effective (date of publication).

- (1) Regulatory modifications to UMC/SMC 845 adopted April 30 and May 1, 1981, as revised August 26, 1982.
- (2) Modification of guidelines to allow use of the range site method of measuring revegetation success pursuant to SMC 816.116 and UMC 817.116 submitted to OSM May 21, 1981, together with supplements submitted October 20, 1981 and February 5, 1982.
- (c) The following amendments are approved effective December 13, 1982:
 - (1) UMC 817.42(a)(3)(i) and UMC 817.42(a)(3)(ii) adopted June 29, 1981, as amended August 26, 1982.
 - (2) UMC 817.53(c) and SMC 816.53(c) adopted June 29, 1981, as amended August 26, 1982.
 - (3) UMC 817.101(c) adopted June 29, 1981, as amended August 26, 1982.
 - (4) UMC 817.101(b)(8) adopted August 26, 1982.
- (d) The amendments to the following sections were adopted.
 - (1) November 30, 1982, are approved effective March 7, 1983.
 - (i) SMC 816.72/UMC 817.72 subparts (b) and (c).
 - (ii) UMC/SMC 785.19 subpart (c)(3)(ii).
 - (e) The following amendments are approved effective August 29, 1984.
 - (1) Modifications to Utah regulations, section UMC 816.42 and UMC 817.42, adopted August 26, 1983.
 - (2) Modifications to Utah regulations section UMC 840.11 and SMC 840.11 adopted October 27, 1983.
 - (3) Modifications to Utah regulations, section SMC/UMC 843.12 adopted January 27, 1984.
 - (f) The following amendments are approved effective December 3, 1985: modifications to the Utah State Program regulations adopted by the Utah Board of Oil, Gas and Mining on June 28, 1984, as revised on June 20, 1985. Those modifications included the following. The following rules in existence prior to June 28, 1984, were repealed: SMC/UMC 800, 805, 806, 807, 808 and UMC 843.11, 843.15, 843.16, 845.12, 845.13, 845.17, 845.18 and 845.19. The following new or revised sections were adopted: (1) UMC/SMC 700.1, 800.5, 800.11, 800.12, 800.13, 800.14, 800.15, 800.16, 800.17, 800.20, 800.21, 800.23, 800.30, 800.40, 800.50, and 800.60; (2) UMC 843.11, 843.15, 843.16, 845.12, 845.13, 845.17, 845.18, 845.19 and 845.20; and (3) definition of "af-

- ected area" at UMC/SMC 700.5, with the exception of the exemption for public roads. The portion of the definition after the word "operations" is not approved:
- (g) The affected area shall include every road used for purposes of access to, or for hauling coal to or from, surface coal mining and reclamation operations, unless the road (a) was designated as a public road pursuant to the laws of the jurisdiction in which it is located; (b) is maintained with public funds, and constructed, in a manner similar to other public roads of the same classification within the jurisdiction; and (c) there is substantial (more than incidental) public use.
- (h) The amendments to UMC/SMC 843.13 submitted to OSM by Utah on February 6, 1984, as revised and clarified by the State in its submittal to OSM dated September 25, 1984 are approved effective December 18, 1985.
- (i) The following amendment is approved effective January 16, 1986, modifications to the Utah State Program regulations adopted by the Utah Board of Oil, Gas and Mining on January 31, 1985, as revised on October 2, 1985. Those modifications were as follows: SMC/UMC 700.5—A definition for "incidental boundary change" was added; SMC/UMC 771.21—Paragraph (b)(3) was revised; SMC/UMC 778.12—The existing section was deleted in its entirety and a new section titled "Permit Changes" was adopted.
- (j) The following amendments to the Utah State program listed below which were submitted to OSMRE by Utah on January 21, and November 19, 1985 are approved effective June 10, 1986. Revision of the definitions for "adjacent area", "disturbed area" and "permit area"; Deletion of the definition for "mine plan area"; Revisions to SMC 843.11, 843.15, 843.16, 845.12, 845.13, 845.17, 845.18, and 845.19 with the exception of the definition of "mining" to the extent that it excludes the processing, cleaning, concentrating, preparing, or loading of coal at a place other than the mine site; Adoption of SMC 843.20.
- (k) The following amendments as submitted to OSMRE on March 3, 1986, are approved effective July 28, 1986.
 - (1) Modifications to Utah regulations, sections SMC 816.61 and UMC 817.61, revised February 5, 1986.
 - (2) Modifications to Utah regulations, sections SMC/UMC 850.5 *et seq.*, revised February 5, 1986.
 - (3) Memorandum of Agreement between the Board and Division of Oil, Gas, and Mining and the Utah Industrial Commission.
 - (4) Utah Code Annotated Title 40, Chapter 2, Coal Mines, Utah Industrial Commission, sections 40-2-14 through 40-2-16.
 - (5) General Safety Orders, Utah Industrial Commission, Coal Mines, sections 51 through 53.
 - (k) The following amendment to the Utah State program which was submitted to OSMRE by Utah on September 3, 1986, is approved effective January 28, 1987.
 - Revision of the definition for "coal processing plant" and adoption of a definition for "coal processing" under SMC/UMC 700.5.
 - (l) The following amendment is approved effective March 28, 1988: Modification to the Utah State Program regulations submitted to OSMRE by Utah on January 8, 1988. The modification was as follows: redesignation of the existing SMC/UMC 845.15 (b)(2) as (b)(1)(ii) and adding a new paragraph (b)(2) to provide for a 30-day cap on civil penalty assessments.
 - (m) The following amendment is approved effective August 18, 1988: Revision of SMC/UMC 785.19(e)(2) regarding alluvial valley floors as submitted by Utah to OSMRE on September 24, 1987, and revised by Utah on April 6, 1988.
 - (n) With the exceptions of R614-100-200, the first definition of "fragile lands"; R614-100-200, the definition of "previously mined area" to the extent that the definition interprets or contemplates the temporal concept of "previously" as being any other date than August 3, 1977, or allows lands which have once been fully and satisfactorily reclaimed to be remined and then only partially reclaimed; R614-100-200, the definition of "road", to the extent that it includes the phrase "public roads when an evaluation of the extent of the mining-related uses of the road to the public uses of the road has been made by the Division or;" R614-100-200, the "takings" test as it applies to the definition of "valid existing rights;" R614-100-415, Federal lands coal exploration operation re-

quirements to the extent the rule includes the phrase "which removes less than 250 tons;" R614-301-731.212 and R614-301-731.223, ground and surface-water monitoring requirements to the extent the rule includes the word "accessible;" R614-103-221 and R614-103-222, areas unsuitable for coal mining and reclamation operations; R614-301-352, contemporaneous reclamation; R614-301-411.145, land use; R614-301-525.160 and R614-301-525.232, subsidence control requirements to the extent the rules include the phrase "to the extent required by Utah law;" R614-301-528.320, coal waste disposal requirements to the extent that the rule would allow end dumping or side dumping of coal mine waste in coal mine waste disposal areas; R614-301-553.700 and R614-301-553.800, backfilling and grading of thin and thick overburden surface mines; and R614-302-271, variances from approximate original contour (AOC) requirements to the extent that the rule does not limit the allowance of variance from AOC to steep-slope mining operations, the following revisions to the Utah permanent regulatory program rules submitted to OSM on August 11, 1989, are approved effective April 12, 1990:

- R614-301-200 Soils.
- R614-301-300 Biology.
- R614-301-400 Land use and Air Quality.
- R614-301-500 Engineering.
- R614-301-600 Geology.
- R614-301-700 Hydrology.
- R614-301-800 Bonding and Insurance.
- R614-302 Coal Mine Permitting: Special Categories and Areas of Mining.
- R614-302-100 General.
- R614-302-200 Special Categories of Mining.
- R614-302-300 Special Areas of Mining.
- R614-303 Coal Mine Permitting: Change; Renewal; and Transfer, Assignment, or Sale of Permit Rights.
- R614-303-100 General Information on the Change, Renewal Assignment of Sale of Permit Rights.
- R614-303-200 Permit Review, Change and Renewal.
- R614-303-300 Transfer, assignment, or Sale of Permit Rights.
- R614-400 Inspection and Enforcement: Division Authority and Procedures.
- R614-400-100 General Information on Authority and Procedures.
- R614-400-200 Information Related to Inspections.
- R614-400-300 Provisions of State Enforcement.
- R614-401 Inspection and Enforcement: Civil Penalties.
- R614-401-100 Information on Civil Penalties.
- R614-401-200 When Penalty will Be Assessed.
- R614-401-300 Point System for Penalties.
- R614-401-400 Assessment of Separate Violations for Each Day.
- R614-401-500 Waiver of Use of Formula to Determine Civil Penalty.
- R614-401-600 Procedures for Assessment of Civil Penalties—Proposed Assessment.
- R614-401-700 Procedures for Informal Assessment Conference.
- R614-401-800 Request for Formal Hearing.
- R614-401-900 Final Assessment and Payment of Penalty.
- R614-402 Inspection and Enforcement: Individual Civil Penalties.
- R614-402-100 Information on Individual Civil Penalties.
- R614-402-200 When an Individual Civil Penalty May Be Assessed.
- R614-402-300 Amount of the Individual Civil Penalty.
- R614-402-400 Procedure for Assessment of Individual Civil Penalty.
- R614-402-500 Payment of Penalty.

(o) Revisions to the following sections of the Utah Code Annotated 1953,

title 40, as submitted to OSM on November 13, 1989, and revised on May 29, 1990, are approved effective August 13, 1990.

- 40-10-10 Permit Applications
- 40-10-14 Permit Findings Issued to the Applicant and Other Interested Parties
- 40-10-20 Civil Penalty for Violations
- 40-10-21 Civil Actions
- 40-10-25 Dedicated Credits, Transfer of Funds, and Investment By State Treasurer
- 40-10-30 Judicial Review of Rules and Orders
- 40-10-31 Adjudicative Procedures That Supersede Chapter 46b, Title 63

(p) Revisions to the following sections of the Utah Code Annotated 1953, title 40, as submitted to OSM on October 10, 1990, are approved effective January 29, 1991: U.C.A. 40-10-6.5 (1), (2), and (3), rulemaking authority and procedures, and U.C.A. 40-10-6.6 (1) and (2), deadline for review and proposal of revision of rules, and deadline for revision of rules.

(q) With the exceptions of (1) R614-100-200, the phrase "the prohibition caused by 40-10-24 of the Act" in subsection (c)(ii) of the definition of "valid existing rights;" (2) R614-100-200, the phrase "and may not include public roads as determined on a site-specific basis" in the definition of "road;" (3) R614-100-450 through 452, termination of jurisdiction; (4) Appendix A of the Vegetation Information Guidelines, references to the maximum sample size of 40; (5) R614-301-528.320, the phrase "as defined in 'A Dictionary of Mining, Mineral, and Related Terms' 1968, U.S. Bureau of Mines" in the coal mine waste disposal requirements; (6) R614-301-553.800, the words "mine plan" in the backfilling and grading of thick overburden surface mine requirements; and (7) R614-301-742.224, the phrase "or qualified registered professional land surveyor" in the maps and plans certification requirements, the following revisions to the Utah permanent regulatory program rules as submitted to OSM on July 3, 1990, and as revised on November 26, 1990, are approved effective August 23, 1991.

- R614-100-200 Definitions of "Fragile Lands," "Owned or Controlled" and "Owns or Controls," "Unwarranted Failure to Comply," and "Valid Existing Rights"
- R614-100-415 Applicability

- R614-103-220, 221, and 222 Areas Unsuitable for Coal Mining and Reclamation Operations
- R614-105-443 Administrative Procedures for Blaster Training, Examination, and Certification
- R614-201-400 through 432, and 432.100, .300, 433, and 434 Coal Exploration
- R614-300-112.500 Administrative Procedures—Permitting
- R614-300-132.100, .120, .200, and .300 Review of Compliance
- R614-300-148, 148.100, and .200 Permit Conditions
- R614-300-160, 161, 162.100 through .300, 163, 163.100 through .400, 164, 164.100 through .300 and 170 Review Procedures for Improvidently Issued Permits
- R614-301-112.200 through .420 Permit Application Requirements, Identification of Interests
- R614-301-112.900 Permit Application Requirements, Updating Ownership and Control Interests
- R614-301-113.300 through .310, and 113.400 Violation Information
- R614-301-352 Contemporaneous Reclamation
- R614-301-356.232 and R614-301-357.300 Revegetation
- R614-301-411.145 Land Use
- R614-301-521.170 and .180 Roads and Support Facilities
- R614-301-525.160 and .232 Subsidence
- R614-301-526.220 Support Facilities
- R614-301-527.200, .230, and .240 Roads and Support Facilities
- R614-301-528.320 Coal Mine Waste
- R614-301-533.100 Impoundments
- R614-301-534.130 through .150 Roads
- R614-301-542.620 and .640 Roads and Support Facilities
- R614-301-553 Backfilling and Grading
- R614-301-553.700 Backfilling and Grading of Thin Overburden Surface Mines
- R614-301-733.210 Permanent and Temporary Impoundments
- R614-301-742.222, .223, and .225 Siltation Structures
- R614-301-742.412 and .423 Roads and Support Facilities
- R614-301-743.130, .131, .132, and .200 Impoundments
- R614-301-746.312 and .340 Coal Mine Waste Impounding Structures
- R614-302-271 Variances From Approximate Original Contour Restoration Requirements
- R614-303-232.500 Renewal of Permits for Reclamation
- R614-400-319 State Enforcement Provisions
- R614-402-120, 220, 310, 320, and 410 Inspection and Enforcement
- R614-301-728 Vegetation Information Guidelines; Probable Hydrologic Consequences (PHC) Determinations as Augmented by a Policy Statement

(r) With the exceptions of the definition of "road" at Utah Administrative Rule (Admin. R.) 614-100-200 to the extent that it includes the phrase "and may not include public roads as determined on a site specific basis" and Utah's February 25, 1991, policy statement titled "Division of Oil, Gas and Mining Policy for the Implementation of Site Specific Determinations of the Public Status of Roads under R614-100-200," which supplements this definition, the following amendment of the Utah permanent regulatory program rules, as submitted to OSM on March 1, 1991, is approved effective November 22, 1991: Utah Admin. R. 614-100-200, definition of "public road."

(s) The recodification of the Utah Administrative Rules and revisions to the following Utah Administrative Rules pertaining to coal mining incidental to the mining of other minerals, as submitted to OSM on December 30, 1991, are approved effective May 11, 1992.

645-100-200 Definitions of "Cumulative Impact area," "Cumulative Measurement Period," "Cumulative Production," "Cumulative Revenue," "Mining Area," and "Other Minerals."

645-100-414 Applicability.

645-106-100 Scope.

645-106-200 through 262 Application Requirements and Procedures.

645-106-300 through 326 Contents of Application for Exemption.

645-106-400 through 430 Public Availability of Information.

645-106-500 through 522 Requirements for Exemption.

645-106-600 through 616 Conditions of Exemption and Right of Inspection and Entry.

645-106-700 through 724 Stockpiling of Minerals.

645-106-800 through 843 Revocation and Enforcement.

645-106-900 through 926 Reporting Requirements.

645-300-211 Administrative and Judicial Review of Decisions on Permits.

(t) Revisions to the following sections of the Utah Code Annotated 1953, title 40, as submitted to OSM on July 26, 1991, are approved effective August 19, 1992: 40-10-5(1), activities exempt from the requirements of the Utah Coal Mining and Reclamation Act of 1979; deletion of 40-10-5(1)(b), 2-acre exemption; deletion of 40-10-5(2), applicability of the permitting requirements to

governmental units; and deletion of 40-10-6.6(1), (2), and (3), deadline for review and proposal of revision of rules, deadline for revision of rules, and effect of notice of violation or denial of permit.

(u) With the exception of proposed R645-100-452 to the extent that it limits the findings of fraud or collusion to actions by the permittee, revisions to the following Utah permanent regulatory program rules as submitted to OSM on November 20, 1991, and revised on February 28, 1992, are approved effective September 11, 1992:

- R645-100-200 Definition of "Valid Existing Rights".
- R645-100-400 through 452 Termination of Jurisdiction.
- R645-103-220 Areas Designated Unsuitable for Mining by Act of Congress.
- R645-301-111.400 Permit Application Requirements.
- R645-301-356.231 Revegetation Success Standards.
- R645-301-425 Air Quality.
- R645-301-528.320 Coal Mine Waste.
- R645-301-553.800 Thick Overburden.
- R645-301-742.224 Sedimentation Ponds.
- R645-301-512.140 and R645-301-731.750 Cross Sections and Maps.

"Guideline for Examining and Evaluating Violations, Penalties, and Fees under R645-300-110," dated February 28, 1992.

Revisions to the Vegetation Information Guidelines, dated February 1992.

(v) The revision to Utah Admin. R. 614-100-452, termination of jurisdiction, as submitted to OSM on November 5, 1992, is approved effective March 30, 1993.

(w) With the exceptions of (1) Utah Admin. R. 645-301-553.650, the requirement for regulatory authority approval of Utah's AOC alternative; (2) Utah Admin. R. 645-301-553.651, the height and length requirements of retained highwalls; and (3) Utah Admin. R. 645-301-553.652, replacement of a pre-existing cliff or similar natural premining feature with a retained highwall and the date of applicability of those rules, the following revisions to the Utah Administrative Rules, as submitted to OSM on April 30, 1992, and revised on September 30, 1992, are approved effective September 17, 1993.

- 45-100-200 Definition of "Highwall."
- 45-301-553 Contemporaneous Reclamation for Backfilling and Grading.
- 45-301-553.100 Backfilling and Grading of Disturbed Areas.
- 45-301-553.130 Static Safety Factor.
- 45-301-553.510, .520, and .521 Backfilling and Grading of Previously Mined Areas.
- 45-301-553.523 Static Safety Factor and Alternative Stability Criteria.
- 45-301-553.620 Incomplete Elimination of Highwalls in Previously Mined Areas.
- 45-301-553.630 and .631 Required Regulatory Authority Approval for Mountaintop Removal Operations.
- 45-301-553.632 and .633 AOC Variance Criteria.
- 45-301-553.652 Replacement of a Pre-existing Cliff or Similar Natural Premining Feature With a Retained Highwall.
- 45-301-553.653 Modifications to Retained Highwalls Restoring Cliff-Type Habitats Required by Premining Flora and Fauna.
- 45-301-553.654 Compatibility of Retained Highwalls With the Approved Postmining Land Use and Visual Attributes of the Area.
- 45-301-553.655 Exemption From Obtaining a Variance From Approximate Original Contour Requirements.

(x) Revisions to Utah's definitions of "affected area," "road," and "public road" at Utah Admin. R. 645-100-200, as submitted to OSM on September 17, 1992, and as subsequently revised on March 24, 1993, as well as Utah's December 5, 1991, withdrawal of its supplemental policy statement, are approved effective April 7, 1994.

(y) Revisions to Utah's significant permit revisions rules, including the deletion of Utah Admin. R. 645-303-24.400 and recodification of Utah Admin. R. 645-303-224.500 and .600, as Utah Admin. R. 645-303-224.400 and .500, respectively, as submitted to OSM on March 7, 1994, are approved effective May 24, 1994.

47 FR 42350, Sept. 27, 1982, as amended at 47 FR 55675, Dec. 13, 1982; 48 FR 9526, Mar. 7, 1983; 49 FR 34212, Aug. 29, 1984; 50 FR 49544, Dec. 3, 1985; 50 FR 51521, Dec. 18, 1985; 51 FR 2663, Jan. 16, 1986; 51 FR 20967, June 10, 1986; 51 FR 26882, July 28, 1986; 52 FR 2864, Jan. 28, 1987; 53 FR 9887, Mar. 28, 1988; 53 FR 31325, Aug. 18, 1988; 55 FR 13783, Apr. 12, 1990; 55 FR 2211, Aug. 13, 1990; 56 FR 3217, Jan. 29, 1991; 56 FR 41803, Aug. 23, 1991; 56 FR 58858, Nov. 22, 1991; 57 FR 20054, May 11, 1992; 57 FR 37465, Aug. 19, 1992; 57 FR 41696, Sept. 11, 1992; 58 FR 16625, Mar. 30, 1993; 58 FR 48611, Sept. 17, 1993; 59 FR 16548, Apr. 7, 1994; 59 FR 26739, May 24, 1994]

§ 944.16 Required program amendments.

Pursuant to 30 CFR 732.17(f)(1), Utah is required to submit to OSM by the specified date the following written,

proposed program amendment, or a description of an amendment to be proposed that meets the requirements of SMCRA and 30 CFR chapter VII and a timetable for enactment that is consistent with Utah's established administrative or legislative procedures.

- (a) [Reserved]
- (b) [Reserved]

[59 FR 16548, Apr. 7, 1994]

§ 944.20 Approval of Utah abandoned mine plan.

The Utah Abandoned Mine Plan, as submitted on February 9, 1983, and as subsequently revised is approved. Copies of the approved program are available at:

- (a) Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 505 Marquette, NW., suite 1200, Albuquerque, NM 87102.
- (b) Division of Oil, Gas and Mining, Department of Natural Resources, 3 Triad Center, suite 350, 355 West North Temple Salt Lake City, UT 84180-1203.

[59 FR 17933, Apr. 15, 1994]

§ 944.25 Approval of amendments to State abandoned mine plan.

(a) The following sections of the Utah Code Annotated 1953, title 40, pertaining to the Utah abandoned mine plan, as submitted to OSM on July 26, 1991, and revised December 17, 1991, and

March 17, 1992, are approved effective August 19, 1992.

40-10-25(1)

Abandoned Mine Reclamation Program.

40-10-25(2) (c), (e), and (f)

Priorities for Coal.

40-10-25(3) (a), (b), and (c)

Lands and Water Eligible for Reclamation.

40-10-25.1(1)(a)

Creation of Abandoned Mine Reclamation Fund.

40-10-25.1(1)(b)

Use of Abandoned Mine Reclamation Fund, as augmented by a February 19, 1992, Utah Division of Finance Memorandum.

40-10-25.1(2) (a), (b), and (c)

Content and Use of Abandoned Mine Reclamation Fund.

40-10-25.1(3) (a), (b), (c), and (d)

Establishment, Availability, and Use of State Set-Aside Monies.

40-10-25.2 (1) and (2)

Liability Limitation for Abandoned Mine Reclamation.

40-10-27(10)(b)

Lands Adversely Affected by Past Coal Mining Practices.

40-10-28.1 (1), (2), (3), (4), (5), (6), and (7)

Certification of Completion of Coal Reclamation.

(b) [Reserved]

[57 FR 37465, Aug. 19, 1992]

§ 944.30 State-Federal Cooperative Agreement.

The Governor of the State of Utah (Governor) and the Secretary of the Department of the Interior (Secretary) enter into a Cooperative Agreement (Agreement) to read as follows:

Article I: Introduction, Purposes and Responsible Agencies

A. Authority: This Agreement is authorized by section 523(c) of the Surface Mining Control and Reclamation Act (SMCRA), 30 U.S.C. 1273(c), which allows a State with a permanent regulatory program approved by the Secretary of the Interior under 30 U.S.C. 1253, to elect to enter into an agreement for State regulation of surface coal mining and reclamation operations on Federal lands. This Agreement provides for State regulation of coal exploration operations not subject to 43 CFR part 3480 through 3487, and surface coal mining and reclamation operations and activities in Utah on Federal lands (30 CFR Chapter VII Subchapter D), consistent with SMCRA and the Utah Code Annotated (State Act) governing such activities and the Utah State Program (Program).

B. Purposes: The purposes of this Agreement are to (a) foster Federal-State coopera-

tion in the regulation of surface coal mining and reclamation operations and activities and coal exploration operations not subject to 43 CFR part 3480, Subparts 3480 through 3487; (b) minimize intergovernmental overlap and duplication; and (c) provide uniform and effective application of the Program on all lands in Utah in accordance with SMCRA, the Program, and this Agreement.

C. Responsible Administrative Agencies: The Utah Division of Oil, Gas, and Mining (DOG M) will be responsible for administering this Agreement on behalf of the Governor. The Office of Surface Mining Reclamation and Enforcement (OSMRE) will administer this Agreement on behalf of the Secretary.

Article II: Effective Date

After being signed by the Secretary and the Governor, this Agreement will take effect 30 days after publication in the FEDERAL REGISTER as a final rule. This agreement will remain in effect until terminated as provided in Article XI.

Article III: Definitions

The terms and phrases used in this Agreement which are defined in SMCRA 30 CFR parts 700, 701 and 740, the Program, including the State Act, and the rules and regulations promulgated pursuant to that Act, will be given the meanings set forth in said definitions.

Where there is a conflict between the above referenced State and Federal definitions, the definitions used in the Program will apply.

Article IV: Applicability

In accordance with the Federal lands program, the laws, regulations, terms and conditions of the Program are applicable to Federal lands in Utah except as otherwise stated in this Agreement, SMCRA 30 CFR 740.4, 740.11(a) and 745.13, and other applicable Federal laws, Executive Orders, or regulations.

Article V: General Requirements

The Governor and the Secretary affirm that they will comply with all the provisions of this Agreement.

A. Authority of State Agency: DOGM has and will continue to have the authority under State law to carry out this Agreement.

B. Funds: 1. Upon application by DOGM and subject to appropriations, OSMRE will provide the State with the funds to defray the costs associated with carrying out its responsibilities under this Agreement as provided in section 705(c) of the Federal Act, the grant agreement, and 30 CFR 735.16. Such funds will cover the full cost incurred by DOGM in carrying out these responsibilities, provided that such cost does not exceed the estimated cost the Federal government would have expended on such responsibilities

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in the absence of this Agreement; and provided that such State-incurred cost per permitted acre of Federal lands does not exceed the per permitted area costs for similar administration and enforcement activities of the Program on non-Federal and non-Indian lands during the same time period.

2. The ratio or cost split of Federal to non-Federal dollars allocated under the cooperative agreement will be determined by OSMRE and DOGM based on the projected costs for regulation of mines within Federal lands, in consideration of the relative amounts of Federal and non-Federal land involved. The designation of mines, based on Federal and non-federal land, will be prepared by DOGM and submitted to OSMRE's Albuquerque Field Office. OSMRE's Albuquerque Field Office and OSMRE's Western Field Operations office will work with DOGM to estimate the amount the Federal government would have expended for regulation of Federal lands in Utah in the absence of this Agreement.

3. OSMRE and the State will discuss the OSMRE Federal lands cost estimate, the DOGM-prepared list of acres by mine, and the State's overall cost estimate. After resolution of any issues, DOGM will submit its grant application to OSMRE's Albuquerque Field Office. The Federal lands/non-Federal lands ratio will be applied to the final eligible total State expenditures to arrive at the total Federal reimbursement due the State. Assuming timely submission, this ratio or cost split will be agreed upon by July of the year preceding the applicable fiscal year in order to enable the State to budget funds for the Program.

The State may use the existing year's budget totals, adjusted for inflation and workload considerations in estimating the regulatory costs for the following grant year. OSMRE will notify DOGM as soon as possible if such projections are unrealistic.

4. If DOGM applies for a grant but sufficient funds have not been appropriated to OSMRE, OSMRE and DOGM will promptly meet to decide on appropriate measures that will insure that mining operations on Federal lands in Utah are regulated in accordance with the Program.

5. Funds provided to the DOGM under this Agreement will be adjusted in accordance with Office of Management and Budget Circular A-102, Attachment E.

C. Reports and Records: DOGM will make annual reports to OSMRE containing information with respect to compliance with the terms of this Agreement pursuant to 30 CFR 745.12(d). DOGM and OSMRE will exchange, upon request, except where prohibited by Federal or State law, information developed under this Agreement.

OSMRE will provide DOGM with a copy of any final evaluation report prepared concerning State administration and enforce-

ment of this Agreement. DOGM comments on the report will be appended before transmission to the Congress or other interested parties.

D. Personnel: DOGM will maintain the necessary personnel to fully implement this Agreement in accordance with the provisions of SMCRA the Federal lands program, and the Program.

E. Equipment and Laboratories: DOGM will assure itself access to equipment, laboratories, and facilities with which all inspections, investigations, studies, tests, and analyses can be performed which are necessary to carry out the requirements of the Agreement.

F. Permit Application Fees and Civil Penalties: The amount of the fee accompanying an application for a permit for operations on Federal lands in Utah will be determined in accordance with 40-10-6(5), Utah Code Annotated 1953 as amended and UMC/SMC 771.25 of the State regulations, and the applicable provisions of the Program and Federal law. All permit fees and civil penalty fines collected from operations on Federal lands will be retained by the State and will be deposited with the State Treasurer. Permit fees will be considered program income. Civil penalty fines will not be considered program income and will be deposited in an account for use in reclaiming abandoned mine sites. The financial status report submitted pursuant to 30 CFR 735.26 will include a report of the amount of fees collected during the State's prior fiscal year.

Article VI: Review of Permit Application Package

A. Submission of Permit Application Package: DOGM and the Secretary require an applicant proposing to conduct surface coal mining and reclamation operations and activities on Federal lands to submit a permit application package (PAP) in an appropriate number of copies to DOGM. DOGM will furnish OSMRE and other Federal agencies with an appropriate number of copies of the PAP. The PAP will be in the form required by DOGM and will include any supplemental information required by OSMRE and the Federal land management agency. Where section 522(e)(3) of SMCRA applies, DOGM will work with the agency with jurisdiction over the publicly owned park, including units of the National Park System, or historic property included in the National Register of Historic Places (NRHP) to determine what supplemental information will be required.

At a minimum, the PAP will satisfy the requirements of 30 CFR part 740 and include the information necessary for DOGM to make a determination of compliance with the Program and for OSMRE and the appropriate Federal agencies to make determinations of compliance with applicable requirements of SMCRA, the Federal lands pro-

gram, and other Federal laws, Executive Orders, and regulations for which they are responsible.

B. Review Procedures Where There is No Leased Federal Coal Involved: 1. DOGM will assume the responsibilities for review of permit applications where there is no leased Federal coal to the extent authorized in 30 CFR 740.4(c) (1), (2), (4), (6) and (7). In addition to consultation with the Federal land management agency pursuant to 30 CFR 740.4(c)(2), DOGM will be responsible for obtaining, except for non-significant revisions or amendments, the comments and determinations of other Federal agencies with jurisdiction or responsibility over Federal lands affected by the operations proposed in the PAP. DOGM will request such Federal agencies to furnish their findings or any requests for additional information to DOGM within 45 calendar days of the date of receipt of the PAP. OSMRE will assist DOGM in obtaining this information, upon request.

Responsibilities and decisions which can be delegated to DOGM under other applicable Federal laws may be specified in working agreements between OSMRE and the State, with the concurrence of any Federal agency involved, and without amendment to this agreement.

2. DOGM will assume primary responsibility for the analysis, review and approval or disapproval of the permit application component of the PAP required by 30 CFR 740.13 for surface coal mining and reclamation operations and activities in Utah on Federal lands not requiring a mining plan pursuant to the Mineral Leasing Act (MLA). DOGM will review the PAP for compliance with the Program and State Act and regulations. DOGM will be the primary point of contact for applicants regarding decisions on the PAP and will be responsible for informing the applicant of determinations.

3. The Secretary will make his non-delegable determinations under SMCRA, some of which have been delegated to OSMRE.

4. OSMRE and DOGM will coordinate with each other during the review process as needed. OSMRE will provide technical assistance to DOGM when requested, if available resources allow. DOGM will keep OSMRE informed of findings made during the review process which bear on the responsibilities of OSMRE or other Federal agencies. OSMRE may provide assistance to DOGM in resolving conflicts with Federal land management agencies. OSMRE will be responsible for ensuring that any information OSMRE receives from an applicant is promptly sent to DOGM. OSMRE will have access to DOGM files concerning operations on Federal lands. OSMRE will send to DOGM copies of all resulting correspondence between OSMRE and the applicant that may have a bearing on decisions regarding the PAP. The Secretary reserves the right to act independently of

DOGM to carry out his responsibilities under laws other than SMCRA.

5. DOGM will make a decision on approval or disapproval of the permit on Federal lands.

(a) Any permit issued by DOGM will incorporate any terms or conditions imposed by the Federal land management agency, including conditions relating to post-mining land use, and will be conditioned on compliance with the requirements of the Federal land management agency. In the case that VER is determined to exist on Federal lands under section 522(e)(3) of SMCRA where the proposed operation will adversely affect a unit of the National Park System (NPS), DOGM will work with the NPS to develop mutually agreed upon terms and conditions for incorporation into the permit to mitigate environmental impact as set forth under Article X of this agreement.

(b) The permit will include terms and conditions required by other applicable Federal laws and regulations.

(c) After making its decision on the PAP, DOGM will send a notice to the applicant, OSMRE, the Federal land management agency, and any agency with jurisdiction over a publicly owned park or historic property included in the NRHP which would be affected by a design under section 522(e)(3) of SMCRA; A copy of the permit and written findings will be submitted to OSMRE if requested.

C. Review Procedures Where Leased Federal Coal is Involved: 1. DOGM will assume the responsibilities listed in 30 CFR 740.4(c) (1), (2), (3), (4), (6) and (7), to the extent authorized.

In accordance with 30 CFR 740.4(c)(1), DOGM will assume primary responsibility for the analysis, review and approval or disapproval of the permit application component of the PAP for surface coal mining and reclamation operations and activities in Utah where a mining plan is required. OSMRE will, at the request of the State, assist to the extent possible in this analysis and review.

The Secretary will concurrently carry out his responsibilities that cannot be delegated to DOGM under the Federal lands program, MLA, the National Environmental Policy Act (NEPA), this Agreement, and other applicable Federal laws. The Secretary will carry out these responsibilities in a timely manner and will avoid, to the extent possible, duplication of the responsibilities of the State as set forth in this Agreement and the Program. The Secretary will consider the information in the PAP and, where appropriate, make decisions required by SMCRA, MLA, NEPA, and other Federal laws.

Responsibilities and decisions which can be delegated to the State under other applicable Federal laws may be specified in working agreements between OSMRE, and DOGM,

with concurrence of any Federal agency involved, and without amendment to this Agreement.

2. DOGM will be the primary point of contact for applicants regarding the review of the PAP for compliance with the Program and State law and regulations. On matters concerned exclusively with regulations under 43 CFR part 3480, Subparts 3480 through 3847, the Bureau of Land Management (BLM) will be the primary contact with the applicant. DOGM will send to OSMRE copies of any correspondence with the applicant and any information received from the applicant regarding the PAP. OSMRE will send to DOGM copies of all OSMRE correspondence with the applicant which may have a bearing on the PAP. As a matter of practice, OSMRE will not independently initiate contacts with applicants regarding completeness or deficiencies of the PAP with respect to matters covered by the Program.

BLM will inform DOGM of its actions and provide DOGM with a copy of documentation on all decisions. DOGM will be responsible for informing the applicant of all joint State-Federal determinations. Where necessary to make the determination to recommend that the Secretary approve the mining plan, OSMRE will consult with and obtain the concurrences of the BLM, the Federal land management agency and other Federal agencies as required.

The Secretary reserves the right to act independently of DOGM to carry out his responsibilities under laws other than SMCRA or provisions of SMCRA not covered by the Program, and in instances of disagreement over SMCRA and the Federal lands program.

DOGM will to the extent authorized, consult with the Federal land management agency and BLM pursuant to 30 CFR 740.4(c) (2) and (3), respectively. DOGM will also be responsible for obtaining the comments and determinations of other Federal agencies with jurisdiction or responsibility over Federal lands affected by the operations proposed in the PAP. DOGM will request all Federal agencies to furnish their findings or any requests for additional information to DOGM within 45 days of the date of receipt of the PAP. OSMRE will assist DOGM in obtaining this information, upon request of DOGM.

3. DOGM will be responsible for approval and release of performance bonds under 30 CFR 740.4(c)(4), and for review and approval of exploration operations not subject to 43 CFR part 3480, under 30 CFR 740.4(c)(6).

DOGM will prepare documentation to comply with the requirements of NEPA under 30 CFR 740.4(c)(7); however, OSMRE will retain the responsibility for the exceptions in 30 CFR 740.4(c)(7)(i)-(vii).

OSMRE will assist DOGM in carrying out DOGM's responsibilities by:

(a) Coordinating resolution of conflicts and difficulties between DOGM and other Federal agencies in a timely manner.

(b) Assisting in scheduling joint meetings, upon request, between State and Federal agencies.

(c) Where OSMRE is assisting DOGM in reviewing the PAP, furnishing to DOGM the work product within 50 calendar days of receipt of the State's request for such assistance, unless a different time is agreed upon by OSMRE and DOGM.

(d) Exercising its responsibilities in a timely manner, governed to the extent possible by the deadlines established in the Program.

(e) Assuming all responsibility for ensuring compliance with any Federal lessee protection board requirement.

4. Review of the PAP: (a) OSMRE and DOGM will coordinate with each other during the review process as needed. DOGM will keep OSMRE informed of findings made during the review process which bear on the responsibilities of OSMRE or other Federal agencies. OSMRE will ensure that any information OSMRE receives which has a bearing on decisions regarding the PAP is promptly sent to DOGM.

(b) DOGM will review the PAP for compliance with the Program and State law and regulations.

(c) OSMRE will review the operation and reclamation plan portion of the permit application, and any other appropriate portions of the PAP, for compliance with the non-delegable responsibilities of SMCRA and for compliance with the requirements of other Federal laws and regulations.

(d) OSMRE and DOGM will develop a work plan and schedule for PAP review and each will identify a person as the project leader. The project leaders will serve as the primary points of contact between OSMRE and DOGM throughout the review process. Not later than 50 days after receipt of the PAP, unless a different time is agreed upon, OSMRE will furnish DOGM with its review comments on the PAP and specify any requirements for additional data. To the extent practicable, DOGM will provide OSMRE all available information that may aid OSMRE in preparing any findings.

(e) DOGM will prepare a State decision package, including written findings and supporting documentation, indicating whether the PAP is in compliance with the Program. The review and finalization of the State decision package will be conducted in accordance with procedures for processing PAPs agreed upon by DOGM and OSMRE.

(f) DOGM may make a decision on approval or disapproval of the permit on Federal lands in accordance with the Program prior to the necessary Secretarial decision on the mining plan, provided that DOGM advises the operator in the permit that Secretarial approval

of the mining plan must be obtained before the operator may conduct coal development or mining operations on the Federal lease. DOGM will reserve the right to amend or rescind any requirements of the permit to conform with any terms or conditions imposed by the Secretary in the approval of the mining plan.

(g) The permit will include, as applicable, terms and conditions required by the lease issued pursuant to the MLA and by any other applicable Federal laws and regulations, including conditions imposed by the Federal land management agency relating to post-mining land use, and those of other affected agencies, and will be conditioned on compliance with the requirements of the Federal land management agency with jurisdiction.

(h) In the case that VER is determined to exist on Federal lands under section 522(e)(3) of SMCRA where the proposed operation will adversely affect a unit of the NPS, DOGM will work with the NPS to develop mutually agreed upon terms and conditions for incorporation into the permit to mitigate environmental impacts as set forth under Article X of this agreement.

(i) After making its decision on the PAP, DOGM will send a notice to the applicant, OSMRE, the Federal land management agency, and any agency with jurisdiction over the publicly owned park or historic property included in the NRHP affected by a decision under section 522(e)(3) of SMCRA. A copy of the written findings and the permit will also be submitted to OSMRE.

5. OSMRE will provide technical assistance to DOGM when requested, if available resources allow. OSMRE will have access to DOGM files concerning operations on Federal lands.

D. Review Procedures for Permit Revisions, Amendments, or Renewals: 1. Any permit revision, amendment, or renewal for an operation on Federal lands will be reviewed and approved or disapproved by DOGM after consultation with OSMRE on whether such revision, amendment, or renewal constitutes a mining plan modification. OSMRE will inform DOGM within 30 days of receiving a copy of a proposed revision, amendment, or renewal, whether the permit revision, amendment, or renewal constitutes a mining plan modification. Where approval of a mining plan modification is required, OSMRE and DOGM will follow the procedures outlined in paragraphs C.1. through C.5. of this Article.

2. OSMRE may establish criteria to determine which permit revisions, amendments, and renewals clearly do not constitute mining plan modifications.

3. Permit revisions, amendments, or renewals on Federal lands which are determined by OSMRE not to constitute mining plan modifications under paragraph D.1. of this Article

or that meet the criteria for not being mining plan modifications as established under paragraph D.2. of this Article will be reviewed and approved following the procedures outlined in paragraphs B.1. through B.5. of this Article.

Article VII: Inspections

A. DOGM will conduct inspections on Federal lands in accordance with 30 CFR 740.4(c)(5) and prepare and file inspection reports in accordance with the Program.

B. DOGM will, subsequent to conducting any inspection pursuant to 30 CFR 740.4(c)(5), and on a timely basis, file with OSMRE a legible copy of the completed State inspection report.

C. DOGM will be the point of contact and primary inspection authority in dealing with the operator concerning operations and compliance with the requirements covered by the Agreement, except as described hereinafter. Nothing in this Agreement will prevent inspections by authorized Federal or State agencies for purposes other than those covered by this Agreement. The Department may conduct any inspections necessary to comply with 30 CFR parts 842 and 843 and its obligations under laws other than SMCRA.

D. OSMRE will ordinarily give DOGM reasonable notice of its intent to conduct an inspection under 30 CFR 842.11 in order to provide State inspectors with an opportunity to join in the inspection. When OSMRE is responding to a citizen complaint of an imminent danger to the public health and safety, or of significant, imminent environmental harm to land, air or water resources, pursuant to 30 CFR 842.11(b)(1)(i)(C), it will contact DOGM no less than 24 hours prior to the Federal inspection, if practicable, to facilitate a joint Federal/State inspection. All citizen complaints which do not involve an imminent danger of significant, imminent environmental harm will be referred to DOGM for action. The Secretary reserves the right to conduct inspections without prior notice to DOGM to carry out his responsibilities under SMCRA.

Article VIII: Enforcement

A. DOGM will have primary enforcement authority under SMCRA concerning compliance with the requirements of this Agreement and the Program in accordance with 30 CFR 740.4(c)(5). Enforcement authority given to the Secretary under other Federal laws and Executive orders including, but not limited to, those listed in Appendix A (attached) is reserved to the Secretary.

B. During any joint inspection by OSMRE and DOGM, DOGM will have primary responsibility for enforcement procedures, including issuance of orders of cessation, notices of violation, and assessment of penalties. DOGM will inform OSMRE prior to issuance

of any decision to suspend or revoke a permit on Federal lands.

C. During any inspection made solely by OSMRE or any joint inspection where DOGM and OSMRE fail to agree regarding the propriety of any particular enforcement action, OSMRE may take any enforcement action necessary to comply with 30 CFR parts 843 and 845. Such enforcement action will be based on the standards in the Program, SMCRA, or both, and will be taken using the procedures and penalty system contained in 30 CFR parts 843 and 845.

D. DOGM and OSMRE will promptly notify each other of all violations of applicable laws, regulations, orders, or approved mining permits subject to this Agreement, and of all actions taken with respect to such violations.

E. Personnel of DOGM and OSMRE will be mutually available to serve as witness in enforcement actions taken by either party.

F. This Agreement does not affect or limit the Secretary's authority to enforce violations of Federal laws other than SMCRA.

Article IX: Bonds

A. DOGM and the Secretary will require each operator who conducts operations on Federal lands to submit a single performance bond payable to Utah and the United States to cover the operator's responsibilities under SMCRA and the Program. Such performance bond will be conditioned upon compliance with all requirements of the SMCRA, the Program, State rules and regulations, and any other requirements imposed by the Department. Such bond will provide that if this Agreement is terminated, the portion of the bond covering the Federal lands will be payable only to the United States. DOGM will advise OSMRE or annual adjustments to the performance bond, pursuant to the Program.

B. Prior to releasing the operator from any obligation under such bond, DOGM will obtain the concurrence of OSMRE. OSMRE concurrence will include coordination with other Federal agencies having authority over the lands involved.

C. Performance bonds will be subject to forfeiture with the concurrence of OSMRE, in accordance with the procedures and requirements of the Program.

D. Submission of a performance bond does not satisfy the requirements for a Federal lease bond required by 43 CFR Subpart 3474 or lessee protection bond required in addition to a performance bond, in certain circumstances, by section 715 of SMCRA.

Article X: Designating Land Areas Unsuitable for All or Certain Types of Surface Coal Mining and Reclamation Operations and Activities and Valid Existing Rights and Compatibility Determinations

A. Unsuitability Petitions.

1. Authority to designate Federal lands as unsuitable for mining pursuant to a petition is reserved to the Secretary.

2. When either DOGM or OSMRE receives a petition that could impact adjacent Federal or non-Federal lands pursuant to section 522(c) of SMCRA, the agency receiving the petition will notify the other of receipt and the anticipated schedule for reaching a decision, and request and fully consider data, information and recommendations of the other. OSMRE will coordinate with the Federal land management agency with jurisdiction over the petition area, and will solicit comments from the agency.

B. Valid Existing Rights and Compatibility Determinations

The following actions will be taken when requests for determinations of VER pursuant to section 522(e) of SMCRA, or for determinations of compatibility pursuant to section 522(e)(2) of SMCRA are received prior to or at the time of submission of a PAP that involves surface coal mining and reclamation operations and activities:

1. For Federal lands within the boundaries of any areas specified under section 522(e)(1) of SMCRA, OSMRE will determine whether VER exists for such areas.

For non-Federal lands within section 522(e)(1) areas DOGM, with the consultation and concurrence of OSMRE, will determine whether operations on such lands will or will not affect Federal lands. For such non-Federal lands affecting Federal lands, OSMRE will make the VER determination.

Under section 522(e)(1), for non-Federal lands within the boundaries of the National Park System, DOGM, with the consultation and concurrence of OSMRE, will determine whether operations on such lands will or will not affect the Federal interest. For such non-Federal lands within the boundaries of the National Park System which affect the Federal interest, OSMRE will make the VER determination.

2. For Federal lands within the boundaries of any national forest where proposed operations are prohibited or limited by section 522(e)(2) of SMCRA and 30 CFR 761.11(b), OSMRE will make the VER determination.

OSMRE will process requests for determinations of compatibility under section 522(e)(2) of SMCRA.

3. For Federal lands, DOGM, with the consultation and concurrence of OSMRE, will determine whether any proposed operation will adversely affect units of the National Park System with respect to the prohibitions or limitations of section 522(e)(3) of SMCRA. For such operations adversely affecting units of the National Park System, DOGM, with the consultation and concurrence of OSMRE, will make the VER determination.

For Federal lands, DOGM will determine whether any proposed operation will adversely affect all publicly owned parks other than those covered in the preceding paragraph and, in consultation with the State Historic Preservation Officer, places listed in the National Register of Historic Places, with respect to the prohibitions or limitations of section 522(e)(3) of SMCRA.

For Federal lands other than those on which the proposed operation will adversely affect units of the National Park System, DOGM will make the VER determination for operations which are prohibited or limited by section 522(e)(3) of SMCRA. In the case that VER is determined to exist on Federal lands under section 522(e)(3) of SMCRA where a proposed operation will adversely affect a unit of the NPS, DOGM will work with the NPS to develop mutually agreed upon terms and conditions for incorporation into the permit in order to mitigate environmental impacts.

In the case that VER is determined not to exist under section 522(e)(3) of SMCRA or 30 CFR 761.11(c), no surface coal mining operations and activities will be permitted unless jointly approved by DOGM and the Federal, State or local agency with jurisdiction over the publicly owned park or historic place.

4. DOGM will process determinations of VER on Federal lands for all areas limited or prohibited by section 522(e) (4) and (5) of SMCRA as unsuitable for mining. For operations on Federal lands, DOGM will coordinate with any affected agency or agency with jurisdiction over the proposed surface coal mining and reclamation operation.

Article XI: Termination of Cooperative Agreement

This Agreement may be terminated by the Governor or the Secretary under the provisions of 30 CFR 745.15.

Article XII: Reinstatement of Cooperative Agreement

If this Agreement has been terminated in whole or in part it may be reinstated under the provisions of 30 CFR 745.16.

Article XIII: Amendment of Cooperative Agreement

This Agreement may be amended by mutual agreement of the Governor and the Secretary in accordance with 30 CFR 745.14.

Article XIV: Changes in State or Federal Standards

A. The Department or the State may from time to time promulgate new or revised performance or reclamation requirements or enforcement and administration procedures. Each party will, if it determines it to be necessary to keep this Agreement in force, change or revise its regulations or request

necessary legislative action. Such changes will be made under the procedures of 30 CFR part 732 for changes to the Program and under the procedures of section 501 of SMCRA for changes to the Federal lands program.

B. DOGM and the Department will provide each other with copies of any changes to their respective laws, rules, regulations or standards pertaining to the enforcement and administration of this Agreement.

Article XV: Changes in Personnel and Organization

Each party to this Agreement will notify the other, when necessary, of any changes in personnel, organization and funding, or other changes that may affect the implementation of this Agreement to ensure coordination of responsibilities and facilitate cooperation.

Article XVI: Reservation of Rights

This Agreement will not be construed as waiving or preventing the assertion of any rights in this Agreement that the State or the Secretary may have under laws other than SMCRA or their regulations, including but not limited to those listed in Appendix A.

Dated: _____
 Signed: _____
 Governor of Utah

Dated: _____
 Signed: _____
 Secretary of the Interior

APPENDIX A

1. The Federal Land Policy and Management Act, 43 U.S.C. 1701 *et seq.*, and implementing regulations.
2. The Mineral Leasing Act of 1920, 30 U.S.C. 181 *et seq.*, and implementing regulations, including 43 CFR part 3480.
3. The National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and implementing regulations, including 40 CFR part 1500.
4. The Endangered Species Act, 16 U.S.C. 1531 *et seq.*, and implementing regulations, including 50 CFR part 402.
5. The National Historic Preservation Act of 1966, 16 U.S.C. 470 *et seq.*, and implementing regulations, including 36 CFR part 800.
6. The Clean Air Act, 42 U.S.C. 7401 *et seq.*, and implementing regulations.
7. The Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*, and implementing regulations.
8. The Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 *et seq.*, and implementing regulations.
9. The Reservoir Salvage Act of 1960, amended by the Preservation of Historical and Archaeological Data Act of 1974, 16 U.S.C. 469 *et seq.*

10. Executive Order 11593 (May 13, 1971), Cultural Resource Inventories on Federal Lands.

11. Executive Order 11988 (May 24, 1977), for flood plain protection.

12. Executive Order 11990 (May 24, 1977), for wetlands protection.

13. The Mineral Leasing Act for Acquired Lands, 30 U.S.C. 351 *et seq.*, and implementing regulations.

14. The Stock Raising Homestead Act of 1916, 43 U.S.C. 291 *et seq.*

15. The Constitution of the United States.

16. Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 *et seq.*

17. 30 CFR Chapter VII.

18. The Constitution of the State of Utah.

19. Utah Code Annotated 40-10-1 *et seq.*

20. Utah Code Annotated 40-8-1 *et seq.*

21. Utah Coal Mining and Reclamation Permanent Program, Chapters I and II, Final Rules of the Board of Oil, Gas and Mining, UMC/SMC 700 *et seq.*

[52 FR 7850, Mar. 13, 1987]

PART 946—VIRGINIA

- Sec.
- 946.1 Scope.
 - 946.10 State regulatory program approval.
 - 946.11 Conditions of State regulatory program approval.
 - 946.12 State program provisions and amendments disapproved.
 - 946.13 State program provisions set aside.
 - 946.15 Approval of regulatory program amendments.
 - 946.16 Required regulatory program amendments.
 - 946.20 Abandoned mine land reclamation plan approval.
 - 946.25 Amendments to approved Virginia abandoned mine land reclamation plan.
 - 946.30 State-Federal Cooperative Agreement.

AUTHORITY: 30 U.S.C. 1201 *et seq.*

§946.1 Scope.

This part contains all rules applicable only within Virginia that have been adopted under the Surface Mining Control and Reclamation Act of 1977.

[48 FR 61114, Dec. 15, 1981]

§946.10 State regulatory program approval.

The Virginia regulatory program, as submitted on March 3, 1980, as amended and clarified on June 16, 1980, as resubmitted on August 13, 1981, and as clarified in a meeting with OSMRE on September 21 and 22, 1981, and in a letter to

the director of the Office of Surface Mining on October 15, 1981, is conditionally approved, effective December 15, 1981. Effective January 1, 1985, the Department of Mines, Minerals and Energy replaces the Department of Conservation and Economic Development as the regulatory authority in Virginia for all surface coal mining and reclamation operations and all exploration operations on non-Federal and non-Indian lands. Copies of the approved program as amended are available for review at the following locations:

- (a) Virginia Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219.
- (b) Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, room 220, Route 23, Big Stone Gap, Virginia 24219.

[51 FR 42554, Nov. 25, 1986, as amended at 59 FR 17930, Apr. 15, 1994]

§ 946.11 Conditions of State regulatory program approval.

The approval of the Virginia State program is subject to the State revising its program to correct the deficiencies listed in this section. The program revisions may be made, as appropriate, to the statute, the regulations, the program narrative, or the Attorney General's opinion. This section indicates, for the general guidance of the State, the component of the program to which the Secretary recommends the change be made.

[46 FR 61114, Dec. 15, 1981, as amended at 47 FR 31550, July 21, 1982; 47 FR 55678, Dec. 13, 1982; 48 FR 25186, June 6, 1983; 48 FR 46031, Nov. 11, 1983; 49 FR 19478, May 8, 1984]

§946.12 State program provisions and amendments disapproved.

(a) The following provisions are disapproved effective April 22, 1983: Paragraphs 3.01(a)(1), 3.01(a)(4) and 3.01 (a)(5) of the Virginia Coal Surface Mining and Reclamation Regulations for Operations Disturbing Two Surface Acres or Less.

(b) The following provisions of the coal surface mining reclamation regulations promulgated pursuant to Chapter 19, Title 45.1 of the Code of Virginia

DRAFT

Lowell

October 27, 1995

Robert D. Williams
Assistant Field supervisor
U.S. Fish and Wildlife Service
Ecological Services
145 East 1300 South, Suite 404
Salt Lake City, Utah 84115

Re: Alkali Lease Tract, Soldier Creek Mine, Soldier Creek Coal Company,
ACT/007/018-95B, Folder #2, Carbon County, Utah

Dear Mr. Williams:

The Division received a response from your agency dated October 4, 1995 that stated "Due to lack of staff and time constraints, the U.S. Fish and Wildlife Service cannot offer comments at this time. This should not be construed as concurrence with the action. Should issues of concern arise or come to our attention, we (USFWS) may provide comments at a later date."

Pursuant to 30 CFR 944.30 Article VI, Section C, Part 2, "...DOGM will request all Federal agencies to furnish their findings or any request for additional information to DOG< within 45 days of the date of receipt of the PAP. OSMRE will assist DOGM in obtaining this information, upon request of DOGM." The Division sent the PAP to USFWS on September 19, 1995, and the 45 days would be on November 3, 1995.

The Division has an obligation to obtain findings from federal agencies in delineated timeframes in order for the mining plan approval process to proceed and "lack of staff and time constraints".

In bringing this part of the Alkali Lease Tract permit process to conclusion I want to reflect my sensitivity to USF&W's need to prioritize its own work load, while at the same time reflecting the need for DOGM to meet its own programmatic mandates with respect to timeliness. Accordingly, the Division will go forward with the approval of the Alkali Lease Tract, and will show for the record that USF&W was given an opportunity to comment as required by our cooperative agreement but that USF&W declined to do so. Should USF&W desire future involvement at Alkali, I recommend DOGM, USF&W and the permittee meet to discuss a methodology within the DOGM permit process that will achieve our respective needs.

Sinc., lpb.

*Jan. I had some trouble with
language too! will do work.
we should change USF&W to USFWS ...
Jan 10/30*

*do state federal cooperative agreement
in this case*

findings period

DRAFT

October 27, 1995

Robert D. Williams
Assistant Field supervisor
U.S. Fish and Wildlife Service
Ecological Services
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Salt Lake City, Utah 84115

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The Division has an obligation to obtain findings from federal agencies in delineated timeframes in order for the mining plan approval process to proceed and "lack of staff and time constraints" cannot delay this process.

alkfw



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

October 19, 1995

Rick Olsen, President
Soldier Creek Coal Company
P.O. Box 1029
Wellington, Utah 84542

Re: Draft Technical Analysis, Soldier Creek Coal Company, Soldier Canyon Mine,
ACT/007/018, Folder #3, Carbon County, Utah

Dear Mr. Olsen:

The Division has completed a review of the Alkali Lease Incidental Boundary Change application dated September 13, 1995. The Draft Technical Analysis is enclosed for your information and records. You will note that there are a few deficiencies that must be addressed before your application can be approved. Please provide a response to these issues within 30 days.

Don't hesitate to call if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Daron R. Haddock".

Daron R. Haddock
Permit Supervisor

Enclosure

cc: P. Grubaugh-Littig
J. Smith
P. Baker
J. Kelley

ALKCOVE.SC3



DRAFT TECHNICAL ANALYSIS

ALKALI LEASE INCIDENTAL BOUNDARY CHANGE

Soldier Creek Coal Company
Soldier Canyon Mine

ACT/007/018-95B

October 17, 1995

TECHNICAL ANALYSIS

SUMMARY OF PERMIT CONDITIONS

As determined in the analysis and findings of this Technical Analysis, approval of the plan is subject to the following Permit Conditions. The applicant is subject to compliance with the following Permit Conditions and must commit to comply with the requirements of these conditions as referenced in the approved Permit.

Accordingly, as a condition of this permit, the permittee must do the following, in accordance with the requirements of:

R645-301-521.111, -521.141, -521.142

In the September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package, the permittee made no commitment to include mine workings on the maps now in the approved plan. Therefore, during the next 5-year permit renewal in late 1996 and early 1997, the permittee must revise the relevant maps to show the mine workings as they then exist, as well as those anticipated during the next 5-year permit term, within the 1995 IBC.

R645-301-521.132, -521.141, -521.162

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package.

R645-301-525.140

Since only first mining will be done in the 1995 Alkali Lease IBC during the remaining 15 months of the present 5-year permit term, which began February 2, 1992 and will go to February 2, 1997, the permittee expects no subsidence to occur during that time. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agrees with this prediction. But as first mining is done over a larger and larger area, and of course when the pulling of pillars is eventually begun, subsidence will occur and its magnitude and extent will almost certainly increase. Therefore, the permittee must plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal, which will take place in late 1996 and early 1997.

SUMMARY OF OUTSTANDING DEFICIENCIES

The Technical Analysis regarding the proposed permit changes is not complete at this time, pending submittal of additional information by the permittee and further review by the Division, to address outstanding deficiencies in the proposal. A summary of those outstanding deficiencies is provided below. Additional comments, concerns and deficiencies may also be found within the analysis and findings made in this Draft Technical Analysis which have not been presented in this summary. Upon finalization of this review, any outstanding deficiencies will be evaluated for compliance with the regulatory requirements. Such deficiencies may be conditioned to the requirements of the permit issued by the Division, result in denial of the proposed permit changes, or may result in other executive or enforcement action as deemed necessary by the Division at that time to achieve compliance with the Utah Coal Regulatory Program.

Accordingly, the permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

R645-301-114

The right of entry portion of the application needs to be updated to reference the lease, including the date it was issued.

R645-301-115

The application needs to contain information indicating whether the proposed incidental boundary change area contains roads or buildings.

R645-301-321

To comply with lease stipulation nine, the application must contain a plan to monitor the progressive and final effects of mining on vegetation.

R645-301-522, 43 CFR 3480

Before the Division can approve the plan, the Bureau of Land Management must approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for the Alkali Lease and the included IBC.

R645-301-728

Exhibit 5.21-5 shows the mine plan for the entire Alkali Lease and not just the entries to be mined under the IBC. This map needs to be redone to show only the mining proposed under the requested IBC.

IDENTIFICATION OF INTERESTS, VIOLATION INFORMATION, AND RIGHT OF ENTRY INFORMATION

Regulatory Reference: UCA R645-301-112; R645-301-113; R645-301-114

Analysis:

Other than right of entry, the applicant has not provided new information for this portion of the mining and reclamation plan. Ownership and control and violation information does not change with this amendment.

The area proposed to be included in the incidental boundary change does not border land (either surface or mineral) owned by entities not already shown in the mining and reclamation plan. Therefore, no new land ownership information is required.

The proposed incidental boundary change is within federal lease UTU-69635 . Sage Point Coal Company is the lessee, and the application lists the date of the lease as "pending."

The Division received a letter from the Bureau of Land Management on September 27, 1995, saying the lease has been issued to Sage Point Coal Company. The amendment application should be updated with this information.

Findings:

This portion of the application is considered complete and accurate with the following exception:

1. The right of entry portion of the application needs to be updated to reference the lease, including the date it was issued.

UNSUITABILITY CLAIMS

Regulatory Reference: UCA R645-301-115

Analysis:

The application does not address this regulation. A representative of the applicant stated in a telephone conversation there are no roads or buildings within the proposed addition to the permit area, but this information needs to be included in the application.

The Division is unaware of any proposal to designate the area as unsuitable for mining. The Bureau of Land Management, in its decision to hold a lease sale, determined the lease application was in conformance with the approved land use plan. They also determined that the lease application, using the standard lease stipulations, will have no significant impacts on the human environment.

Findings:

The application does not address this regulation but is, nevertheless, considered complete and accurate with the following exception:

1. The application needs to contain information indicating whether the proposed incidental boundary change area contains roads or buildings.

The Division is unaware of any proposal to designate the area as unsuitable for mining, and the Bureau of Land Management has found the lease application to be in conformance with the approved land use plan.

**PERMIT TERM, INSURANCE, PROOF OF PUBLICATION, NOTARIZED
SIGNATURE**

Regulatory Reference: UCA R645-301-116; R645-301-117; R645-301-121; R645-301-123; R645-301-142

Analysis:

The application does not address most of these regulations. The permit term would not change as a result of this application, and the permittee has insurance coverage meeting the division's requirements. The amendment is not a significant revision, so no public notice is required.

The application includes a statement with the notarized signature of Barry Barnum indicating he is a responsible official of the applicant and that the information in the application is true and correct to the best of his information and belief.

Findings:

The applicant has complied with the requirements of these regulations.

ENVIRONMENTAL RESOURCE INFORMATION

VEGETATION RESOURCE INFORMATION

Regulatory Reference: R645-301-321

Analysis:

The application contains no new vegetation information.

Lease stipulation nine requires the lessee to establish a monitoring system to locate, measure and quantify the progressive and final effects of underground mining on the topographic surface, underground and surface hydrology, and vegetation. This is a standard stipulation in federal leases. No monitoring plan was found in the amendment or the current mining and reclamation plan.

Since no new surface disturbance is proposed, the Division does not require the application to contain additional vegetation information.

Findings:

The application is considered complete and accurate with the following exception:

1. To comply with lease stipulation nine, the application must contain a plan to monitor the progressive and final effects of mining on vegetation.

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: R645-301-322

Analysis:

The applicant conducted a raptor and bird survey in the Alkali Lease area in May 1995. A map showing the results of the survey is in Appendix 3G. This map shows four golden eagle nests in the area of the incidental boundary change, including two nests that were tended in 1995.

The Division does not anticipate significant effects on other wildlife species, so additional wildlife information is not required. The Utah Division of Wildlife Resources was

consulted about the need for further wildlife information for the proposed incidental boundary change area and concurs with the decision not to require more information. The Bureau of Land Management's environmental assessment says it is not likely longwall mining could be justified, and no subsidence is anticipated with room and pillar mining. No subsidence has been detected at two adjacent mines that mine with room and pillar methods.

Soldier Creek's current plan discusses a few candidate threatened or endangered plant species that could occur in the area. Even if there is subsidence, there is virtually no likelihood of subsidence cracks or other surface expressions of subsidence negatively affecting these species. The plants do not grow in areas, such as cliffs, that are particularly susceptible to subsidence damage.

A small portion of the proposed incidental boundary change area includes federal surface land. Therefore, the Division and the Office of Surface Mining need to obtain approval from the Fish and Wildlife Service. However, the Fish and Wildlife Service said in a letter dated September 22, 1995, that they cannot offer comments at this time due to a lack of staff and time. It also says this should not be construed as concurrence. It says they may later provide comments if issues of concern arise or come to their attention. While no issues of concern are anticipated, the Division and OSM need concurrence before permitting the area.

Findings:

The applicant has complied with the requirements of this regulation.

**LAND USE RESOURCE INFORMATION
HISTORIC AND ARCHAEOLOGICAL RESOURCES
POSTMINING LAND USES
AIR QUALITY**

Regulatory References: UCA R645-301-411.100; R645-301-411.200, R645-301-411.140, R645-301-412, R645-301-420

Analysis:

A letter accompanying the application says all information in the land use and air quality section of the permit applies to the permit change with the exception of an archaeological survey performed over the entire lease.

Land owners in the proposed incidental boundary change area are the Bureau of Land Management and Louise Iriart. Mrs. Iriart was notified of the potential mining beneath her property and responded by letter dated September 1, 1995. Her letter is included in the application. It says she expects the postmining use of the surface properties to be the same as the current usage, including wildlife habitat, livestock grazing, and big game hunting and other recreational activities.

In 1992, Soldier Creek wrote the Bureau of Land Management and said they anticipate the use of the land following mining to be livestock grazing, wildlife habitat, and recreation. The Bureau of Land Management concurred with the letter by signing and returning it.

The archaeological study of the Alkali Lease concentrated on upper ridges and escarpment crests. Two isolated artifacts were observed. They consisted of chert primary and secondary flakes. The presence of these together with two similar artifacts found nearby suggests the terrain feature may have been used anciently as a transportation corridor linking lower elevations with the Whitmore Park area. However, these items are not considered significant historic or prehistoric resources that could be susceptible to surface subsidence. The Division of State History recommended a determination of "No Historic Properties."

By adding the incidental boundary change to its permit area, Soldier Creek is not proposing to increase the amount of coal it mines. Because of this and because all disturbance will be underground, there are no requirements to change the air quality section of the mining and reclamation plan.

Findings:

Soldier Creek has complied with the requirements of these regulations. Based on the information in the application, the State Historic Preservation Officer has recommended a determination of No Historic Properties.

PERMIT AREA

Regulatory Requirements: 30 CFR Sec. 783.12; R645-301-521.

Analysis:

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995 as part

of Amendment 95B. No new surface disturbance resulted from the addition of the Alkali Lease to the permit area.

The entire permit boundary, including the Alkali Lease, is shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease was added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show its extended boundaries. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Amendment 95B application package.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must fulfill the requirements set forth under **R645-301-521.132, -521.141, -521.162** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** below.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Affected Area Boundary Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to extend the area of subsurface disturbance due to coal mining to include approximately 276 acres in the southeast corner of the Alkali Lease. Both the Alkali Lease and the IBC were included in the approved plan as a

single amendment--Amendment 95B. No new surface disturbance resulted from the addition of either the Alkali Lease or the IBC.

The entire permit boundary, including the Alkali Lease, plus the additional subsurface disturbed area in the 1995 IBC, are shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997.

Coal Resource and Geologic Information Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

Since the Alkali Lease lies adjacent to the existing permit area, the permittee analyzed the coal resource and geology of the Alkali Lease long before applying to extend the coal mining operation into the area. Thus, when the Alkali Lease and the IBC were added to the approved plan as Amendment 95B, the maps in the approved plan already contained this information and it was, therefore, unnecessary that the permittee revise those maps.

The depth and thickness of the Rock Canyon Seam are shown by isopach on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. This map was revised on March 15, 1995 to include this additional information on the coal seam within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah. Additional coal resource and geologic information is included in the plan as Appendix 1A, which contains BLM's Environmental Assessment (EA) of the Alkali Lease area.

The coal in the Alkali Lease and the 1995 IBC is in 2 minable seams--the Rock

Canyon Seam and the Gilson Seam. However, because of the thin interburden between these seams, only the Rock Canyon Seam will be mined.

The Alkali Lease contains approximately 35.4 million tons of in-place coal. Using existing room-and-pillar mining methods, the permittee expects to be able to recover approximately 18 million tons, or just over 50%, of this in-place coal. This recovery rate is approximately that of the existing operation.

Mine Workings Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

The location and extent of all existing and anticipated mine workings within the original permit area, within the Alkali Lease, and in all the adjacent area, are shown on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. This map was revised on March 15, 1995 to include all anticipated mine workings within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan to show the mine workings anticipated within the IBC. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to show the anticipated mine workings, but that the permittee should instead revise the relevant maps to show the current and anticipated workings during the next 5-year permit renewal in late 1996 and early 1997.

Permit Area Boundary Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. The entire permit boundary, including the Alkali Lease, is shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map.

An Incidental Boundary Change (IBC) was made in 1995 to include approximately 276 acres of the Alkali Lease in the coal mining operation. This additional area lies in the southeast corner of the Alkali Lease. The area is shown on maps designated Exhibit

5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map.

Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show the extended permit boundary. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Amendment 95B application package.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must do the following, in accordance with the requirements of:

R645-301-521.111, -521.141, -521.142

In the September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package, the permittee made no commitment to include mine workings on the maps now in the approved plan. Therefore, during the next 5-year permit renewal in late 1996 and early 1997, the permittee must revise the relevant maps to show the mine workings as they then exist, as well as those anticipated during the next 5-year permit term, within the 1995 IBC.

R645-301-521.132, -521.141, -521.162

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show the Alkali Lease, the IBC within the Alkali Lease, and the anticipated mine workings within the IBC. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package.

OPERATION PLAN

FISH AND WILDLIFE PROTECTION

Regulatory Reference: R645-301-333

Analysis:

As discussed under "Fish and Wildlife Resource Information," the Bureau of Land Management does not expect subsidence. Even if subsidence does occur, the potential for damage to most wildlife species is very small.

Subsidence has caused cliff spalling at some mines in Utah. This has resulted in loss of golden eagle nests. The current plan contains a commitment to complete a nesting survey if significant subsidence occurs or is about to occur during the April to July nesting period. If active nests are found, the Division and the Division of Wildlife Resources will be notified so all appropriate actions can be taken.

The commitments in the existing plan are considered sufficient for wildlife in the new lease area. However, additional protection measures or mitigation is probably needed for the current mining and reclamation plan. Wildlife Resources has not completed its review and made its recommendations about the amendment. However, they have expressed a need to reduce deer mortality through reducing the speed of trucks and by using habitat enhancement to lure deer away from the road. At this point, this is not Wildlife Resources' official position.

Findings:

The section of the application is considered complete and accurate. When the Division receives comments from Wildlife Resources, Soldier Creek may need to make some changes to the wildlife protection part of the mining and reclamation plan.

REVEGETATION

Regulatory Reference: R645-301-340

Analysis:

Soldier Creek does not plan any surface disturbance with the proposed incidental

boundary change.

Findings:

Soldier Creek has complied with the requirements of this section of the regulations.

COAL RECOVERY

Regulatory Reference: 30 CFR Sec. 817.59; R645-301-522.

Analysis:

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

Since the Alkali Lease lies adjacent to the existing permit area, the permittee analyzed the coal resource and geology of the Alkali Lease long before applying to extend the coal mining operation into the area. Thus, when the Alkali Lease and the IBC were added to the approved plan as Amendment 95B, the maps in the approved plan already contained this information and it was, therefore, unnecessary that the permittee revise those maps.

The location and extent of all anticipated mine workings in the Rock Canyon Seam within the Alkali Lease, including those in the 1995 IBC, are shown on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. The depth and thickness of the Rock Canyon Seam are also shown by isopach on this map. This map was revised on March 15, 1995 to include this additional information on the coal seam within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah. Additional information regarding coal recovery is included in the plan as Appendix 1A, which contains BLM's Environmental Assessment (EA) of the Alkali Lease area.

The coal in the Alkali Lease and the 1995 IBC is in 2 minable seams--the Rock Canyon Seam and the Gilson Seam. However, because of the thin interburden between these seams, only the Rock Canyon Seam will be mined.

The Alkali Lease contains approximately 35.4 million tons of in-place coal. Using existing room-and-pillar mining methods, the permittee expects to be able to recover

approximately 18 million tons, or just over 50%, of this in-place coal. This recovery rate is approximately that of the existing operation.

In order to insure maximum economic recovery of the coal resource, 43 CFR 3480 requires that the Bureau of Land Management (BLM) approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for all Federal leases. However, the permittee has not yet submitted these to the BLM as required.

Findings:

The plan does not fulfill the requirements of this section. The permittee must provide the following, prior to approval, in accordance with the requirements of:

R645-301-522, 43 CFR 3480

Before the Division can approve the plan, the Bureau of Land Management must approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for the Alkali Lease and the included IBC.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR Sec. 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Subsidence control plan.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

At the time of the addition of the Alkali Lease and the IBC in 1995, only first mining was planned for the remainder of that 5-year permit term. For that reason, the permittee anticipated no subsidence of the surface area above the IBC during the rest of the permit term. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agreed with this prediction. The subsidence monitoring network was not,

therefore, extended at that time to include the IBC. However, the permittee committed to plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal in late 1996 and early 1997.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must do the following, in accordance with the requirements of:

R645-301-525.140

Since only first mining will be done in the 1995 Alkali Lease IBC during the remaining 15 months of the present 5-year permit term, which began February 2, 1992 and will go to February 2, 1997, the permittee expects no subsidence to occur during that time. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agrees with this prediction. But as first mining is done over a larger and larger area, and of course when the pulling of pillars is eventually begun, subsidence will occur and its magnitude and extent will almost certainly increase. Therefore, the permittee must plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal, which will take place in late 1996 and early 1997.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Affected area maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to extend the area of subsurface disturbance due to coal mining to include approximately 276 acres in the southeast corner of the Alkali Lease. Both the Alkali Lease and the IBC were included in the approved plan as a single amendment--Amendment 95B. No new surface disturbance resulted from the addition of either the Alkali Lease or the IBC.

The entire permit boundary, including the Alkali Lease, plus the additional subsurface disturbed area in the 1995 IBC, are shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997.

Mine workings maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

The location and extent of all existing and anticipated mine workings within the original permit area, within the Alkali Lease, and in all the adjacent area, are shown on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. This map was revised on March 15, 1995 to include all anticipated mine workings within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan to show the mine workings anticipated within the IBC. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to show the anticipated mine workings, but that the permittee should instead revise the relevant maps to show the current and anticipated workings during the next 5-year permit renewal in late 1996 and early 1997.

Monitoring and sample location maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to

the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

At the time of the addition of the Alkali Lease and the IBC in 1995, only first mining was planned for the remainder of that 5-year permit term. For that reason, the permittee anticipated no subsidence of the surface area above the IBC during the rest of the permit term. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agreed with this prediction. The subsidence monitoring network was not, therefore, extended at that time to include the IBC. However, the permittee committed to plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal in late 1996 and early 1997.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must fulfill the requirements set forth under **R645-301-521.111, -521.141, -521.142** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** above, those set forth under **R645-301-521.132, -521.141, -521.162** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** above, and those set forth under **R645-301-525.140** in the findings of **SUBSIDENCE CONTROL PLAN** above.

RECLAMATION PLAN

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis:

Affected area boundary maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to extend the area of subsurface disturbance due to coal mining to include approximately 276 acres in the southeast corner of the Alkali Lease. Both the Alkali Lease and the IBC were included in the approved plan as a single amendment--Amendment 95B. No new surface disturbance resulted from the addition of either the Alkali Lease or the IBC.

The entire permit boundary, including the Alkali Lease, plus the additional subsurface disturbed area in the 1995 IBC, are shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997.

Reclamation monitoring and sampling location maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

At the time of the addition of the Alkali Lease and the IBC in 1995, only first mining was planned for the remainder of that 5-year permit term. For that reason, the permittee anticipated no subsidence of the surface area above the IBC during the rest of the permit term. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agreed with this prediction. The subsidence monitoring network was not, therefore, extended at that time to include the IBC. However, the permittee committed to plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal in late 1996 and early 1997.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must fulfill the requirements set forth under **R645-301-521.132, -521.141, -521.162** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** above, and those set forth under **R645-301-525.140** in **SUBSIDENCE CONTROL PLAN** above.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

No new surface disturbance resulted from either the addition of the Alkali Lease or the extension of the coal mining operation into the IBC in 1995. Therefore, it was not necessary at that time to revise the existing reclamation cost estimate or to increase the reclamation bond.

Findings:

The plan fulfills the requirements of this section.

CUMULATIVE HYDROLOGIC IMPACT ASSESSMENT (CHIA)

The CHIA for the Soldier Canyon Mine is dated February 4, 1987. The proposed Incidental Boundary Change (IBC) is within the boundary of the Cumulative Impact Area (CIA) determined for that CHIA. The irregular western boundary of the IBC was made to correspond with the CIA boundary with the idea that the IBC would be covered by the existing CHIA. The common boundary is a ridge and effects to surface and ground water from the proposed mining in the IBC should not extend outside the CIA. There should be no material damage to the hydrologic balance outside the permit area from the proposed mining in the IBC area.

There are only ephemeral surface drainages and no known springs or seeps within or adjacent to the IBC. The proposed mining will advance entries by room-and-pillar method and there should be no subsidence. This mining activity should create no hydrologic consequences at the surface. Exhibit 5.21-5 shows the more extensive mining planned for the entire Alkali Lease and needs to be redone to show only the mining of entries proposed under the IBC request.

The only probable hydrologic consequence of mining coal in this area is interception of perched water in the Blackhawk Formation. When a perched water table is encountered by the coal mines in the Book Cliffs, water flow rapidly diminishes and often ceases soon after the water bearing zone is breached. Water intercepted in this manner in the Soldier Creek Mine is collected in sumps and used for in-mine operations, with excess water discharged into Soldier Creek. The mine was discharging roughly 130 gpm in 1987 when, in addition to water intercepted by mining, water was being pumped to dewater a sealed area where a fire had occurred. From 1988 to 1991 water discharge increased from 259 acre-feet (approximately 160 gpm) to 927 acre-feet (approximately 580 gpm) as the mine intercepted a fracture zone with flowing water. In 1993 the discharge from the mine was down to 528 acre-feet (approximately 330 gpm), and down to approximately 300 gpm in 1994. No appreciable change in the amount of ground water intercepted or discharged should be expected from the proposed mine operations in the area of the IBC.

Before approval can be granted to add the entire Alkali Lease to the permit, the CHIA will need to be modified or redone.

Findings:

The application is considered complete and accurate with the following exception:

Page 23
ACT/007/018
October 5, 1995

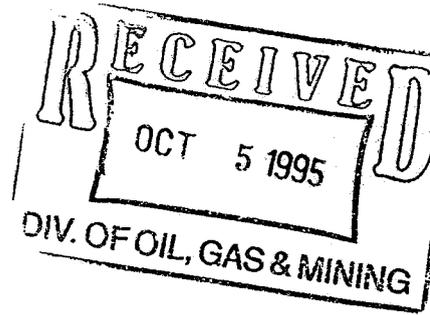
1. Exhibit 5.21-5 shows the mine plan for the entire Alkali Lease and not just the entries to be mined under the IBC. This map needs to be redone to show only the mining proposed under the requested IBC.

ALKIBCTA.SC3



United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
LINCOLN PLAZA
145 EAST 1300 SOUTH, SUITE 404
SALT LAKE CITY, UTAH 84115



In Reply Refer To
(ES)

October 4, 1995

Pamela Grubaugh-Littig, Permit Supervisor
Utah Department of Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Incidental Boundary Change (Alkali Lease Tract), Soldier Creek Mine, Soldier Creek Coal Company, ACT/007/018-95B, Folder #2, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

#3 Copy [Signature]

We have received your letter of September 19, 1995. Due to lack of staff and time constraints, the U.S. Fish and Wildlife Service cannot offer comments at this time. This should not be construed as concurrence with the action. Should issues of concern arise or come to our attention, we may provide comments at a later date.

Sincerely,

[Signature of Robert D. Williams]

for Robert D. Williams
Assistant Field Supervisor

10/00

11/3/92

cc: Aaron Paul

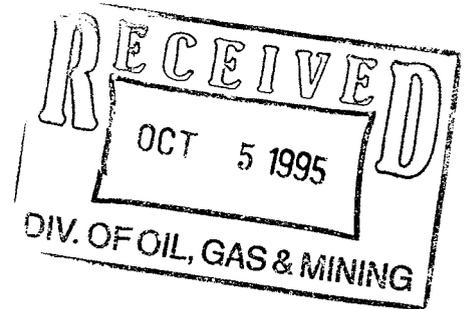
Lowell -

I think we have a problem!
We need to consult with USFWS on this action and need their concurrence, but the letter states that due to lack of staff and time constraints it can't be done in a "timely" manner. Should we set up a meeting with them? Do you want to call them? Please let me know. Dave



United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
LINCOLN PLAZA
145 EAST 1300 SOUTH, SUITE 404
SALT LAKE CITY, UTAH 84115



In Reply Refer To
(ES)

October 4, 1995

Pamela Grubaugh-Littig, Permit Supervisor
Utah Department of Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Incidental Boundary Change (Alkali Lease Tract), Soldier Creek Mine, Soldier Creek Coal Company, ACT/007/018-95B, Folder #2, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

#3 Copy [Signature]

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Sincerely,

[Signature of Robert D. Williams]

for Robert D. Williams
Assistant Field Supervisor

10/00

Lowell -

cc: Aaron Paul

I think we have a problem!
We need to consult with USFWS on this action and need their concurrence, but the letter states that due to lack of staff and time constraints it can't be done in a "timely" manner. Should we set up a meeting with them? Do you want to call them? Please let me know. [Signature]



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

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Division Director

355 West North Temple
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801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

October 5, 1995

TO: File

FROM: Jess Kelley, Reclamation Engineer *JK*

RE: Incidental Boundary Change (IBC) within the Alkali Lease (Federal Lease UTU-69635), Soldier Canyon Mine, Soldier Creek Coal Company, ACT/007/018-95B, Folder #2, Carbon County, Utah

SYNOPSIS

The permittee submitted this amendment for Division approval on September 14, 1995. This memorandum constitutes this writer's analysis of the September 14, 1995 submittal. The analysis is in a format in which it can be incorporated directly into the current Technical Analysis (TA) of the permittee's Soldier Canyon Mine and thus update it to include the revisions to the present plan which are proposed by the amendment.

By this amendment, the permittee proposes 1) to add to the current permit area Federal Lease UTU-69635, also known as the "Alkali Lease," and 2) to designate and open to coal mining within that lease area an Incidental Boundary Change (IBC) of approximately 276 acres. This extension of the coal mining operation can be treated as a simple permit amendment, rather than a major revision, since the 276-acre area involved constitutes far less than 15% of the existing area of subsurface disturbance, as required by R645-301-224.100 for designation as a permit amendment.

The Alkali Lease area is contiguous with the western boundary of the Soldier Canyon Mine permit area. The IBC area lies in the southeast corner of the Alkali Lease and is thus also contiguous with the Soldier Canyon permit area and lies very close to the present coal mine workings.

The extension of the coal mining operation from the western end of the Soldier Canyon Mine into the IBC area will result in no additional surface disturbance, since the operation will involve only underground mining and will require no new surface facilities. The IBC lies entirely within the current Cumulative Hydrologic Impact Area (CHIA) of the Soldier Canyon Mine. Since the entire Alkali Lease area lies immediately adjacent to the present permit area and very close to the present coal mining operation, the permittee has already investigated the geology of the IBC area and the characteristics of the coal seam and has included the information thus obtained in the maps and text of the approved plan.



In order to insure maximum economic recovery of the coal resource, 43 CFR 3480 requires that the Bureau of Land Management (BLM) approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for all Federal leases. However, the permittee has not yet submitted these for BLM approval as required, and must do so before the Division can approve the plan.

ANALYSIS

SUMMARY OF PERMIT CONDITIONS

As determined in the analysis and findings of this Technical Analysis, approval of the plan is subject to the following Permit Conditions. The applicant is subject to compliance with the following Permit Conditions and must commit to comply with the requirements of these conditions as referenced in the approved Permit.

Accordingly, as a condition of this permit, the permittee must do the following, in accordance with the requirements of:

R645-301-521.111, -521.141, -521.142

In the September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package, the permittee made no commitment to include mine workings on the maps now in the approved plan. Therefore, during the next 5-year permit renewal in late 1996 and early 1997, the permittee must revise the relevant maps to show the mine workings as they then exist, as well as those anticipated during the next 5-year permit term, within the 1995 IBC.

R645-301-521.132, -521.141, -521.162

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package.

R645-301-525.140

Since only first mining will be done in the 1995 Alkali Lease IBC during the

remaining 15 months of the present 5-year permit term, which began February 2, 1992 and will go to February 2, 1997, the permittee expects no subsidence to occur during that time. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agrees with this prediction. But as first mining is done over a larger and larger area, and of course when the pulling of pillars is eventually begun, subsidence will occur and its magnitude and extent will almost certainly increase. Therefore, the permittee must plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal, which will take place in late 1996 and early 1997.

SUMMARY OF OUTSTANDING DEFICIENCIES

The Technical Analysis regarding the proposed permit changes is not complete at this time, pending submittal of additional information by the permittee and further review by the Division, to address outstanding deficiencies in the proposal. A summary of those outstanding deficiencies is provided below. Additional comments, concerns and deficiencies may also be found within the analysis and findings made in this Draft Technical Analysis which have not been presented in this summary. Upon finalization of this review, any outstanding deficiencies will be evaluated for compliance with the regulatory requirements. Such deficiencies may be conditioned to the requirements of the permit issued by the Division, result in denial of the proposed permit changes, or may result in other executive or enforcement action as deemed necessary by the Division at that time to achieve compliance with the Utah Coal Regulatory Program.

Accordingly, the permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

R645-301-522, 43 CFR 3480

Before the Division can approve the plan, the Bureau of Land Management must approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for the Alkali Lease and the included IBC.

ENVIRONMENTAL RESOURCE INFORMATION

PERMIT AREA

Regulatory Requirements: 30 CFR Sec. 783.12; R645-301-521.

Analysis:

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995 as part of Amendment 95B. No new surface disturbance resulted from the addition of the Alkali Lease to the permit area.

The entire permit boundary, including the Alkali Lease, is shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease was added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show its extended boundaries. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Amendment 95B application package.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must fulfill the requirements set forth under **R645-301-521.132, -521.141, -521.162** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** below.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Affected Area Boundary Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to extend the area of subsurface disturbance due to coal mining to include approximately 276 acres in the southeast corner of the Alkali Lease. Both the Alkali Lease and the IBC were included in the approved plan as a single amendment--Amendment 95B. No new surface disturbance resulted from the addition of either the Alkali Lease or the IBC.

The entire permit boundary, including the Alkali Lease, plus the additional subsurface disturbed area in the 1995 IBC, are shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997.

Coal Resource and Geologic Information Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

Since the Alkali Lease lies adjacent to the existing permit area, the permittee analyzed the coal resource and geology of the Alkali Lease long before applying to extend the coal mining operation into the area. Thus, when the Alkali Lease and the IBC were added to the

approved plan as Amendment 95B, the maps in the approved plan already contained this information and it was, therefore, unnecessary that the permittee revise those maps.

The depth and thickness of the Rock Canyon Seam are shown by isopach on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. This map was revised on March 15, 1995 to include this additional information on the coal seam within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah. Additional coal resource and geologic information is included in the plan as Appendix 1A, which contains BLM's Environmental Assessment (EA) of the Alkali Lease area.

The coal in the Alkali Lease and the 1995 IBC is in 2 minable seams--the Rock Canyon Seam and the Gilson Seam. However, because of the thin interburden between these seams, only the Rock Canyon Seam will be mined.

The Alkali Lease contains approximately 35.4 million tons of in-place coal. Using existing room-and-pillar mining methods, the permittee expects to be able to recover approximately 18 million tons, or just over 50%, of this in-place coal. This recovery rate is approximately that of the existing operation.

Mine Workings Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

The location and extent of all existing and anticipated mine workings within the original permit area, within the Alkali Lease, and in all the adjacent area, are shown on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. This map was revised on March 15, 1995 to include all anticipated mine workings within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan to show the mine workings anticipated within the IBC. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to show the anticipated mine workings, but that the permittee should instead revise the relevant maps to show the current and anticipated workings during the next 5-year permit renewal in late 1996 and early 1997.

Permit Area Boundary Maps

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. The entire permit boundary, including the Alkali Lease, is shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map.

An Incidental Boundary Change (IBC) was made in 1995 to include approximately 276 acres of the Alkali Lease in the coal mining operation. This additional area lies in the southeast corner of the Alkali Lease. The area is shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map.

Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show the extended permit boundary. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Amendment 95B application package.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must do the following, in accordance with the requirements of:

R645-301-521.111, -521.141, -521.142

In the September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package, the permittee made no commitment to include mine workings on the maps now in the approved plan. Therefore, during the next 5-year permit renewal in late 1996 and early 1997, the permittee must revise the relevant maps to show the mine workings as they then exist, as well as those anticipated during the next 5-year permit term, within the 1995 IBC.

R645-301-521.132, -521.141, -521.162

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show the Alkali Lease, the IBC within the Alkali Lease, and the anticipated mine workings within the IBC. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997. This the permittee committed to do in a September 13, 1995 letter which accompanied the Alkali Lease/IBC amendment application package.

OPERATION PLAN

COAL RECOVERY

Regulatory Reference: 30 CFR Sec. 817.59; R645-301-522.

Analysis:

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

Since the Alkali Lease lies adjacent to the existing permit area, the permittee analyzed the coal resource and geology of the Alkali Lease long before applying to extend the coal mining operation into the area. Thus, when the Alkali Lease and the IBC were added to the approved plan as Amendment 95B, the maps in the approved plan already contained this information and it was, therefore, unnecessary that the permittee revise those maps.

The location and extent of all anticipated mine workings in the Rock Canyon Seam within the Alkali Lease, including those in the 1995 IBC, are shown on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. The depth and thickness of the Rock Canyon Seam are also shown by isopach on this map. This map was revised on March 15, 1995 to include this additional information on the coal seam within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah. Additional information regarding coal recovery is included in the plan as Appendix 1A, which contains BLM's Environmental Assessment (EA) of the Alkali Lease area.

The coal in the Alkali Lease and the 1995 IBC is in 2 minable seams--the Rock Canyon Seam and the Gilson Seam. However, because of the thin interburden between these seams, only the Rock Canyon Seam will be mined.

The Alkali Lease contains approximately 35.4 million tons of in-place coal. Using existing room-and-pillar mining methods, the permittee expects to be able to recover approximately 18 million tons, or just over 50%, of this in-place coal. This recovery rate is approximately that of the existing operation.

In order to insure maximum economic recovery of the coal resource, 43 CFR 3480 requires that the Bureau of Land Management (BLM) approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for all Federal leases. However, the permittee has not yet submitted these to the BLM as required.

Findings:

The plan does not fulfill the requirements of this section. The permittee must provide the following, prior to approval, in accordance with the requirements of:

R645-301-522, 43 CFR 3480

Before the Division can approve the plan, the Bureau of Land Management must approve a Resource Recovery and Protection Plan (R2P2) and a mining plan for the Alkali Lease and the included IBC.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR Sec. 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Subsidence control plan.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

At the time of the addition of the Alkali Lease and the IBC in 1995, only first mining was planned for the remainder of that 5-year permit term. For that reason, the permittee anticipated no subsidence of the surface area above the IBC during the rest of the permit

term. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agreed with this prediction. The subsidence monitoring network was not, therefore, extended at that time to include the IBC. However, the permittee committed to plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal in late 1996 and early 1997.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must do the following, in accordance with the requirements of:

R645-301-525.140

Since only first mining will be done in the 1995 Alkali Lease IBC during the remaining 15 months of the present 5-year permit term, which began February 2, 1992 and will go to February 2, 1997, the permittee expects no subsidence to occur during that time. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agrees with this prediction. But as first mining is done over a larger and larger area, and of course when the pulling of pillars is eventually begun, subsidence will occur and its magnitude and extent will almost certainly increase. Therefore, the permittee must plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal, which will take place in late 1996 and early 1997.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Affected area maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to extend the area of subsurface disturbance due to coal mining to include approximately 276 acres in the southeast corner of the Alkali Lease. Both the Alkali Lease and the IBC were included in the approved plan as a single amendment--Amendment 95B. No new surface disturbance resulted from the addition of either the Alkali Lease or the IBC.

The entire permit boundary, including the Alkali Lease, plus the additional subsurface disturbed area in the 1995 IBC, are shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997.

Mine workings maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

The location and extent of all existing and anticipated mine workings within the original permit area, within the Alkali Lease, and in all the adjacent area, are shown on the map designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan. This map was revised on March 15, 1995 to include all anticipated mine workings within the Alkali Lease. The map was recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan to show the mine workings anticipated within the IBC. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to show the anticipated mine workings, but that the permittee should instead revise the relevant maps to show the current and anticipated workings during the next 5-year permit renewal in late 1996 and early 1997.

Monitoring and sample location maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An

Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

At the time of the addition of the Alkali Lease and the IBC in 1995, only first mining was planned for the remainder of that 5-year permit term. For that reason, the permittee anticipated no subsidence of the surface area above the IBC during the rest of the permit term. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agreed with this prediction. The subsidence monitoring network was not, therefore, extended at that time to include the IBC. However, the permittee committed to plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal in late 1996 and early 1997.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must fulfill the requirements set forth under **R645-301-521.111, -521.141, -521.142** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** above, those set forth under **R645-301-521.132, -521.141, -521.162** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** above, and those set forth under **R645-301-525.140** in the findings of **SUBSIDENCE CONTROL PLAN** above.

RECLAMATION PLAN

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis:

Affected area boundary maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to extend the area of subsurface disturbance due to coal mining to include approximately 276 acres in the southeast corner of the Alkali Lease. Both the Alkali Lease and the IBC were included in the approved plan as a single amendment--Amendment 95B. No new surface disturbance resulted from the addition of either the Alkali Lease or the IBC.

The entire permit boundary, including the Alkali Lease, plus the additional subsurface disturbed area in the 1995 IBC, are shown on maps designated Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map. These maps were revised to include the Alkali Lease and the 1995 IBC on March 15, 1995 and August 8, 1995, respectively. Both maps were recertified on September 13, 1995 by Barry J. Barnum, a professional engineer licensed and registered in the state of Utah.

When the Alkali Lease and the IBC were added to the approved plan in 1995, the permittee revised only Exhibit 5.21-5--Rock Canyon Seam Mine Plan and Exhibit 1.12-2--Coal Ownership and Lease Map to show those new features. The permittee and the Division agreed that the rest of the maps in the approved plan did not have to be revised at that time to include the Alkali Lease and the IBC, but that the permittee should instead make the necessary revisions in the rest of the maps during the next 5-year permit renewal in late 1996 and early 1997.

Reclamation monitoring and sampling location maps.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

At the time of the addition of the Alkali Lease and the IBC in 1995, only first mining was planned for the remainder of that 5-year permit term. For that reason, the permittee anticipated no subsidence of the surface area above the IBC during the rest of the permit term. Based on the extraordinarily deep cover over the Rock Canyon Seam, the integrity and thickness of the strata which overlie the seam, and the permittee's past experience in this area, the Division agreed with this prediction. The subsidence monitoring network was not, therefore, extended at that time to include the IBC. However, the permittee committed to plan and install a subsidence monitoring system in the IBC during the next 5-year permit renewal in late 1996 and early 1997.

Findings:

The plan fulfills the requirements of this section. However, as a condition of this permit, the permittee must fulfill the requirements set forth under **R645-301-521.132, -521.141, -521.162** in the findings of **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION** above, and those set forth under **R645-301-525.140** in **SUBSIDENCE CONTROL PLAN** above.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount.

Federal Coal Lease UTU-69635, which is also called the "Alkali Lease" and lies to the west of the original permit area, was added to the approved permit area in 1995. An Incidental Boundary Change (IBC) was also made in 1995 to include, as part of the coal mining operation, approximately 276 acres in the southeast corner of the Alkali Lease.

No new surface disturbance resulted from either the addition of the Alkali Lease or the extension of the coal mining operation into the IBC in 1995. Therefore, it was not necessary at that time to revise the existing reclamation cost estimate or to increase the reclamation bond.

Findings:

The plan fulfills the requirements of this section.

FINDINGS/RECOMMENDATIONS

It is recommended that this amendment not be approved until the permittee corrects the deficiency listed under **SUMMARY OF OUTSTANDING DEFICIENCIES**, which precedes the body of the analysis above.

cc: D. Haddock, Permit Supervisor
P. Grubaugh-Littig, Permit Coordinator
AMEND95B.SOL



State of Utah

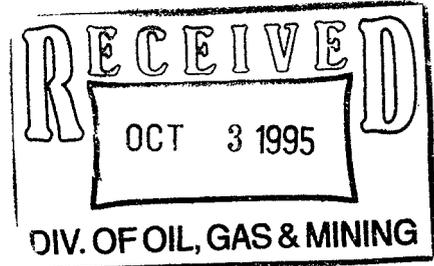
Department of Community & Economic Development
Division of State History
Utah State Historical Society



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October 2, 1995



Pamela Grubaugh-Littig
Permit Supervisor
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Incidental Boundary Change (Alkalai Lease Tract), Soldier Creek Mine, Soldier Creek Coal Company, ACT/007/018/95-B, Folder #2, Carbon County, Utah

In Reply Please Refer to Case No. M967

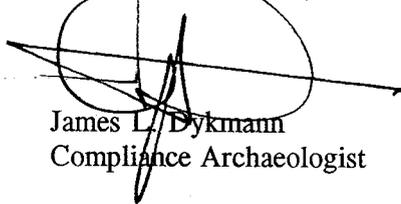
*Route to Dawn
Copy Pam*

Dear Ms. Grubaugh-Littig:

The Utah State Historic Preservation Office received the above referenced report on September 27, 1995. After review of the Boundary Change, the Utah Preservation Office has the following comments. Since the plan involves no new ground disturbance and AERC has completed a survey in relation to the project, the Utah Preservation Office recommends a determination of No Historic Properties.

This information is provided on request to assist the Division of Oil, Gas and Mining with its Section 106 responsibilities as specified in 36CFR800. If you have questions, please contact me at (801) 533-3555. My computer address on internet is: jdykman@email.state.ut.us

Your humble servant,


James L. Dykman
Compliance Archaeologist

JLD:I822 OSM/NE