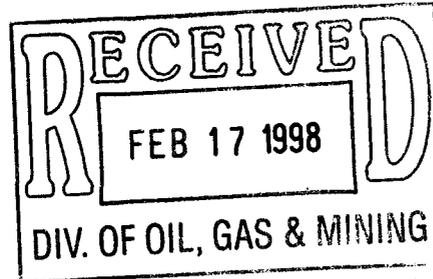


0056

**Horizon Coal Corporation  
P.O. Box 599  
Helper, UT 84526**

January 27, 1998



Mr. Joe Helfrich  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

Subject: Cessation Order No. C98-26-1-1  
ACT 007/020, Horizon Coal Corporation, # 2  
Carbon County, Utah

*(2/17 copy)*  
*Copy Joe*

Dear Joe,

In the "Affirmative Obligation" section of Cease Order C98-26-1-1 issued to Horizon Coal Corporation, the following obligations are listed:

- (1) Complete final construction on the 36" culvert, topsoil removal/storage and pad thirty days after the plan is approved and/or modified by the Division (97D).
- (2) Submit plan on the smaller culvert, Jan 27, 1998. Complete installation as specified by Division approval within 30 days thereafter.
- (3) Install sediment control (straw bales) to treat runoff from new disturbed areas.

Obligation No. 1 is not addressed in this letter since, to date, the plan submitted in September 1997 for the extension of Culvert U-3 has not been approved.

Obligation No. 2 pertains to a section of 10-inch diameter PVC pipe which was placed within the fill material of the Jewkes Canyon pad area over and adjacent to the extended culvert. The aforementioned pipe was installed during pad construction in the event that the decision was made to install a future mine-water discharge line at that location. However, subsequent plans changed regarding the future location of the mine-water discharge line. As a result, the existing 10-inch diameter PVC pipe is not currently needed and will be capped on each end and left in place. Should the pipe be needed in the future for a Division-regulated use, a permit amendment which complies with R645 regulations will be submitted to the Division for approval prior to its use.

Obligation No. 3 has been completed as of January 24, 1998. This work involved the installation of straw bales, berms, silt fences, and riprap which were placed to control erosion from the new disturbed areas. Specifically, a berm was placed at the top of the fill over the

Mr. Joe Helfrich  
January 27, 1998  
Page 2

culvert extension to prevent runoff from the pad from flowing down the face of the fill. Riprap was placed on the face of the fill to preclude erosion from raindrop impact and from surface water in Jewkes Creek which might contact the face prior to flowing into the culvert. The silt fences and straw bales were placed around the temporary stockpiles of topsoil which was salvaged from the area prior to the installation of the extended culvert.

Please contact me if you have any questions.

Sincerely yours,



Vicky S. Bailey  
Permit Specialist  
EarthFax Engineering, Inc.

cc: Bill Malencik

## Application for Permit Change Detailed Schedule of Changes to the Permit

Title of Change: Response to C98-26-1-1.

Permit Number: ACT/007/020

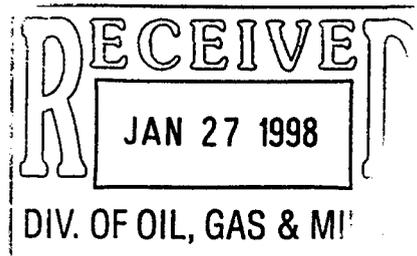
Mine: Horizon Mine

Permittee: Horizon Coal

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. Include page, section and drawing numbers as part of the description.

|   |                                  |                                 | DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED                |
|---|----------------------------------|---------------------------------|---|
| <input checked="" type="checkbox"/> ADD | <input type="checkbox"/> REPLACE | <input type="checkbox"/> REMOVE | Extension of Culvert UC-3, Horizon Mine, ACT/007/020-97D-1, File #2 |
| <input type="checkbox"/> ADD            | <input type="checkbox"/> REPLACE | <input type="checkbox"/> REMOVE |   |
| <input type="checkbox"/> ADD            | <input type="checkbox"/> REPLACE | <input type="checkbox"/> REMOVE |   |
| <input type="checkbox"/> ADD            | <input type="checkbox"/> REPLACE | <input type="checkbox"/> REMOVE |   |
|   |                                  |                                 |   |

January 27, 1998



# APPLICATION FOR PERMIT PROCESSING

|   |                                     |                                  |                                   |                                      |                                       |                                   |
|---|-------------------------------------|----------------------------------|-----------------------------------|--------------------------------------|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Permit Change  | <input type="checkbox"/> New Permit | <input type="checkbox"/> Renewal | <input type="checkbox"/> Transfer | <input type="checkbox"/> Exploration | <input type="checkbox"/> Bond Release | <b>Permit Number: ACT/007/020</b> |
| Title of Proposal:<br><p style="text-align: center;">Response to C98-26-1-1</p> |                                     |                                  |                                   |                                      |                                       | <b>Mine: HORIZON</b>              |
|   |                                     |                                  |                                   |                                      |                                       | <b>Permittee: HORIZON COAL</b>    |

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

**Instructions:** If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO #  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 4. Does application include operations in hydrologic basins other than as currently approved?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice/publication?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information?  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV #  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 10. Is the application submitted as a result of other laws or regulations or policies? Explain: Cessation Order C98-26-1-1.                            |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P27)                                    |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 15. Does application require or include soil removal, storage or placement?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities?   |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures?   |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps, or calculations?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?  |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | 21. Have reclamation costs for bonding been provided for?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?   |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities?  |

Attach 6 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations herein.

*Larry Jones*      1/27/98  
 Signed - Name - Position - Date

Subscribed and sworn to before me this 27<sup>th</sup> day of Jan., 1998

My Commission Expires: \_\_\_\_\_  
 State of \_\_\_\_\_  
 County of \_\_\_\_\_

**JULIE G MCKENZIE**  
 NOTARY PUBLIC - STATE OF UTAH  
 80 SOUTH MAIN #1800  
 SALT LAKE CITY, UT 84144  
 COMM. EXP. 5-23-2001

Received by Oil, Gas & Mining

RECEIVED

JAN 27 1998

DIV. OIL, GAS & MINING  
 ASSIGNED TRACKING NUMBER