0008

Document Information Form

Mine Number: C/007/022

File Name: Internal

To: DOGM

From:

Person N/A

Company MOUNTAIN COAL COMPANY

Date Sent: N/A

Explanation:

FINDINGS

cc:

File in:
C/007/022, 1991, Internal
Refer to:
- ☐ **Confidential**
- ☐ **Shelf**
- ☐ **Expandable**

Date _____ For additional information

#3

FINDINGS
Permit Transfer
C.V. Spur
ACT/007/022
Successor: Mountain Coal Company

1. All procedures for public participation required by the Act, and the approved Utah State Program have been complied with (R614-300-120).

2. The permit application is accurate and complete and all requirements of the Surface Mining Control and Reclamation Act (the "Act"), and the approved Utah State Program have been complied with (R614-300-133.100).

3. The proposed permit area is:

   (a) Not within an area under study for designated lands unsuitable for underground coal mining operations (R614-300-133.210);

   (b) not included within an area designated unsuitable for underground coal mining operations (R614-300-133.220); and

   (c) not on any lands subject to the prohibitions or limitations of 30 CFR 761.11{a} (national parks, etc.), 761.11{f} (public buildings, etc.) and 761.11{g} (cemeteries).

4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area. The permit application has been designed to prevent damage to the hydrologic balance in the proposed permit area (R614-300-133.400 and UCA 40-10-11{2}(c}).

5. The operation would not affect the continued existence of any threatened or endangered species or result in the destruction or adverse modification of their critical habitats as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.) (R614-300-133.500).

6. The Division's issuance of a permit is in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800) and (R614-300-133.600).

7. The successor has demonstrat [illegible] State Program can be accomplished accor[illegible] application.

8. The successor has demonstrat[illegible] with the applicable performance standards of [illegible] 720)

File in:
❑ Confidential
❑ Shelf
❑ Expandable
Refer to Record No 0008 Date N/A
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4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area. The permit application has been designed to prevent damage to the hydrologic balance in the proposed permit area (R614-300-133.400 and UCA 40-10-11{2}(c}).

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6. The Division's issuance of a permit is in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800) and (R614-300-133.600).

7. The successor has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.

8. The successor has demonstrated that any existing structure will comply with the applicable performance standards of R614-301 and R614-302. (R614-300-133.720)

9. The successor has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870. A 510{c} report has been run on the Applicant Violator System (AVS), which shows that: prior violations of applicable laws and regulations have been corrected; Mountain Coal Company is not delinquent in payment of fees for the Abandoned Mine Reclamation Fund; and the successor does not control and has not controlled mining operations with a demonstrated pattern of wilful violations of the Act of such nature, duration, and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of the Act [R614-300-132 (OSMRE Relatedness Report dated July 9, 1991)].

10. The successor has satisfied the applicable requirements of R614-302.

11. The successor has filed a reclamation performance bond in the amount of $2,441,745 made payable to the Division of Oil, Gas and Mining, and the Office of Surace Mining, Reclamation and Enforcement (OSM).

Pamela Grubaugh-Littig
Permit Supervisor

Lowell P. Braxton
Associate Director, Mining

Dianne R. Nielson
Director

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