

0006

Kelly J. Flint  
Senior Vice President  
and General Counsel

C/007/022 Incoming

0  
#3262

**SAVAGE**

Savage Services Corporation  
6340 South 3000 East #600  
Salt Lake City, UT 84121

(801) 944-6600  
Direct (801) 944-6615  
Fax (801) 694-6554  
kellyflint@savageservices.com

March 16, 1009

Daron Haddock  
Coal Program Manager  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

Re: Permit Renewal  
Savage Coal Terminal  
C/007/022  
Carbon County, Utah

Dear Mr. Haddock:

In accordance with R645-301-230, I am herewith applying for renewal for a period of 5 years.

Enclosed are 3 copies of the Savage Coal Terminal liability insurance, reclamation bond, the proposed public notice and a summary of enforcement actions over the last 5 years.

The public notice will be published once per week for 4 consecutive weeks, as required. Proof of publication will be submitted to the Division upon receipt.

A C<sub>1</sub>/C<sub>2</sub> Form is also provided. If you need any additional information, please let me know.

Sincerely,

  
Kelly Flint

cc: Dan Guy, Blackhawk  
Boyd Rhodes, Savage  
Pete Hess, DOGM  
File

**RECEIVED**

**APR 07 2009**

**DIV. OF OIL, GAS & MINING**

## APPLICATION FOR PERMIT PROCESSING

<input type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input checked="" type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: C/007/022
Title of Proposal:						Mine: Savage Coal Terminal
Permit Renewal						Permittee: Savage Industries

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

<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 checked="" type="checkbox"/> Yes	<input 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 type="checkbox"/> Yes	<input checked="" 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: Request by Division. Permit Renewal
<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 R2P2?)
<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 type="checkbox"/> Yes	<input checked="" 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?

**X Attach 3 complete copies of the application.**

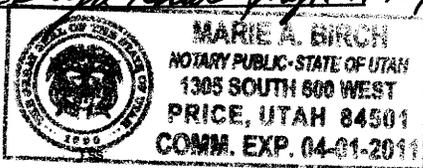
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

*John H. Guss for Bayk Rhodes Mgr. 4/1/09*  
Signed - Name - Position - Date

Subscribed and sworn to before me this 1 day of April, 2009

*Marie A. Birch*  
Notary Public

My Commission Expires: 4-1-2011  
Attest: STATE OF Utah COUNTY OF Osborne



Received by Oil, Gas & Mining

RECEIVED

APR 07 2009

DIV. OF OIL, GAS & MINING

ASSIGNED TRACKING NUMBER



## **LIABILITY INSURANCE**

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
03/20/2009

**PRODUCER**  
Marsh USA Risk & Insurance Services  
15 West South Temple, Suite 700  
Salt Lake City, UT 84101  
Attn: Chris Brimhall (801) 533-3627

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

**INSURED**  
SAVAGE COMPANIES  
6340 SOUTH 3000 EAST, SUITE 600  
SALT LAKE CITY, UT 84121

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: National Union Fire Ins Co Pittsburgh PA	19445
INSURER B: Insurance Company Of The State Of PA	19429
INSURER C: New Hampshire Insurance Company	23841
INSURER D:	
INSURER E:	

### COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

PRODUCER/INSURER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b>	GL948687	04/01/09	04/01/10	EACH OCCURRENCE \$ 4,500,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (EA occurrence) \$ 4,500,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$
	<input checked="" type="checkbox"/> SIR \$500,000				PERSONAL & ADV INJURY \$ 4,500,000
GENERAL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> JECT <input type="checkbox"/> LOC					GENERAL AGGREGATE \$ 9,500,000
A	<b>AUTOMOBILE LIABILITY</b>	CA948483 (AOS) CA948484 (MA)	04/01/09	04/01/10	COMBINED SINGLE LIMIT (EA accident) \$ 5,000,000
	<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS				PROPERTY DAMAGE (Per accident) \$
<input checked="" type="checkbox"/> NON-OWNED AUTOS					
	<b>GARAGE LIABILITY</b>				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC AGG \$
	<b>EXCESS UMBRELLA LIABILITY</b>				EACH OCCURRENCE \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$
	DEDUCTIBLE \$				\$
	RETENTION \$				\$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>	WC4375735 (AOS)	04/01/09	04/01/10	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
B	<input type="checkbox"/> ANY PROPRIETOR/PARTNER/DIRECTIVE OFFICER/MEMBER EXCLUDED?	WC4375734 (CA)	04/01/09	04/01/10	EL EACH ACCIDENT \$ 1,000,000
B	<input type="checkbox"/> If yes, describe under SPECIAL PROVISIONS below	WC4375736 (FL & OR)	04/01/09	04/01/10	EL DISEASE - EA EMPLOYEE \$ 1,000,000
C	<input type="checkbox"/> OTHER	WC4375737 (TX)	04/01/09	04/01/10	EL DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS  
SUBJECT TO THE STANDARD EXCLUSIONS IN THE 2000 GENERAL LIABILITY ISO FORM, CG 00 01 10 01. COVERAGE FOR DAMAGE CAUSED BY EXPLOSIVES IS NOT SPECIFICALLY EXCLUDED ON THE GENERAL LIABILITY POLICY. RE: SAVAGE COAL TERMINAL PROCESS AND LOADOUT FACILITY ACT 007/022.

**CERTIFICATE HOLDER** SEA-001100711-22

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS & MINING  
PO BOX 145801  
SALT LAKE CITY, UT 84114-5801

**CANCELLATION**  
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL FURNISH MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.  
**RECEIVED**  
Chris Brimhall  
Chris Brimhall

MAR 23 2009

**PUBLIC NOTICE**

**PUBLIC NOTICE FOR PERMIT RENEWAL  
SAVAGE COAL TERMINAL  
SAVAGE SERVICES CORPORATION  
6340 SO. 3000 E. #600  
SALT LAKE CITY, UTAH 84121**

Savage Services Corporation has filed with the Utah Division of Oil, Gas & Mining, an application for renewal of its Mining and Reclamation Plan Permit for the Savage Coal Terminal.

The permit for which renewal is being sought is Utah #C/007/022. This is a Mining and Reclamation Permit for the Savage Coal Terminal, which is located in the Miller Creek area of Carbon County, Utah in Sections 2 and 11, Township 15 South, Range 10 East, Salt Lake Base & Meridian.

The permit area is further described as follows:

Township 15 South, Range 10 East, Salt Lake Base & Meridian

Sec. 11: W  $\frac{1}{2}$  SW  $\frac{1}{4}$  except 0.24 ac. in NW corner, E  $\frac{1}{2}$  SW  $\frac{1}{4}$  except East 100' and 5.42 ac. in SW corner.

Also included in the permit area is a 20' Right-of-Way for a pipeline across the **SE**  $\frac{1}{4}$  NW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 11 (1.21 acres), and across the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 2 (3.97 acres). This area is located on the "Price Quadrangle", U.S. Geological Survey 7.5 minute map.

The permit is available for inspection at the Utah Division of Oil, Gas & Mining office in Price, 319 N. Carbonville Road #C, Price, Utah, and the Utah Division of Oil, Gas & Mining office, 1594 West North Temple, Suite 1210, Salt Lake City, Utah.

The application for renewal is available for inspection at the Utah Division of Oil, Gas and Mining Office in Price, 319 N. Carbonville Road #C, Price, Utah, and the Utah Division of Oil, Gas & Mining office, 1594 West North Temple, Suite 1210, Salt Lake City, Utah.

Written comments, objections or requests for informal conferences on the application may be submitted to: State of Utah Department of Natural Resources, Division of Oil, Gas & Mining, 1594 West North Temple, Suite 1210, P.O. Box 14580 **1**, Salt Lake City, Utah 84114-5801.

**RECLAMATION BOND**

**EXHIBIT "B"**

**Bonding Agreement  
Surety Forms**

(Non-Federal Coal)

THIS BOND REPLACES NATIONAL FIRE INSURANCE COMPANY  
OF HARTFORD BOND NO. 158987108

Exhibit "B"  
Non-Federal Surety Bond  
Non-Federal

Bond Number: 965-003-641

**EXHIBIT "B"**  
**SURETY BOND**  
**(NON-FEDERAL COAL)**

--oo00oo--

This **SURETY BOND** entered into by and between the undersigned **PERMITTEE/PRINCIPAL SAVAGE SERVICES CORPORATION**, and **SURETY LIBERTY MUTUAL INSURANCE COMPANY**, hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns unto the State of Utah, Division of Oil, Gas & Mining (**DIVISION**) in the penal sum of TWO MILLION FIVE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$2,525,000.00) (\$) (Surety Bond Amount) for the timely performance of reclamation responsibilities of the surface disturbance described in Exhibit "A" of the Reclamation Agreement.

This **SURETY BOND** will remain in effect until all of the **PERMITTEE'S/PRINCIPAL'S** reclamation obligation have been met and released by the **DIVISION** and is conditioned upon faithful performance of all of the requirements of the Act, the applicable rules and regulations, the approved permit, and the **DIVISION**.

The **SURETY** will not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

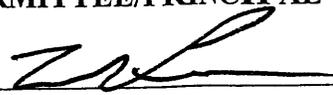
The **SURETY** and their successors and assigns, agree to guarantee the obligation and to indemnify, defend, and hold harmless the **DIVISION** from all expenses which the **DIVISION** may sustain as a result of the **PERMITTEE'S/PRINCIPAL'S** failure to comply with the condition(s) of the reclamation obligation.

The **SURETY** will give prompt notice to the **PERMITTEE/PRINCIPAL** and to the **DIVISION** of any notice received or action alleging the insolvency or bankruptcy of the **SURETY**, or alleging any violations or regulatory requirement which could result in suspension or revocation of the **SURETY'S** license.

Terms for release or adjustment of the **BOND** are as written and agreed to by the **DIVISION** and the **PERMITTEE/PRINCIPAL** in the **RECLAMATION AGREEMENT** incorporated by reference herein, to which this **SURETY AGREEMENT** has been attached as Exhibit "B".

**IN WITNESS WHEREOF**, the **PERMITTEE/PRINCIPAL** has hereunto set it's signature and seal this 9TH day of DECEMBER, 2003.

SAVAGE SERVICES CORPORATION  
PERMITTEE/PRINCIPAL

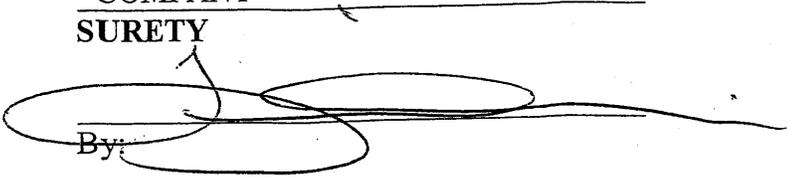
By: 

Title: S.V.P.

Bond Number: 965-003-641

IN WITNESS WHEREOF, the SURETY has hereto set it's signature and seal  
this 9TH day of DECEMBER, 2003.

LIBERTY MUTUAL INSURANCE  
COMPANY  
SURETY

By: 

TINA DAVIS, ATTORNEY-IN-FACT

Title:

ACCEPTED BY THE STATE OF UTAH:

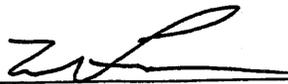
\_\_\_\_\_  
Director,  
Division of Oil, Gas & Mining

**NOTE:**

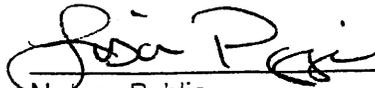
An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE/PRINCIPAL** is a corporation, the Agreement shall be executed by it's duly authorized officer.

AFFIDAVIT OF QUALIFICATION  
PERMITTEE  
--oo00oo--

I, L. DEAN REES being first duly sworn under oath, deposes and says that he/she is the SR. VICE PRESIDENT of SAVAGE SERVICES CORPORATION, the **PERMITTEE**; and that he is duly authorized to execute and deliver the foregoing obligations; and that said **PERMITTEE** is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

  
\_\_\_\_\_

Subscribed and sworn to before me this 9<sup>TH</sup> day of DECEMBER, ~~19~~ 2003

  
\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Attest:

STATE OF UTAH )

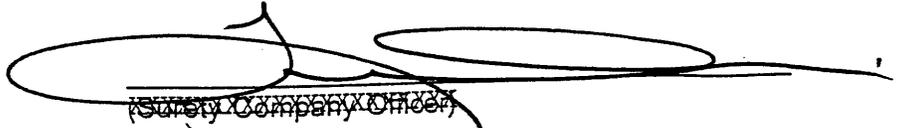
COUNTY OF SALT LAKE )ss:



AFFIDAVIT OF QUALIFICATION  
SURETY COMPANY

--oo00oo--

I, TINA DAVIS, being first duly sworn  
under oath, deposes and says that he/she is the (officer or agent) ATTORNEY-IN-FACT  
LIBERTY MUTUAL INSURANCE COMPANY; and that he/she is duly  
authorized to execute and deliver the foregoing obligations; and that said SURETY  
COMPANY is authorized to execute the same and has complied in all respects with the laws  
of Utah in reference to becoming sole surety upon bonds, undertakings and obligations  
herein.



~~(Surety Company Officer)~~

ATTORNEY-IN-FACT

(Position)

Subscribed and sworn to before me this 9TH day of DECEMBER, ~~XX~~ 2003

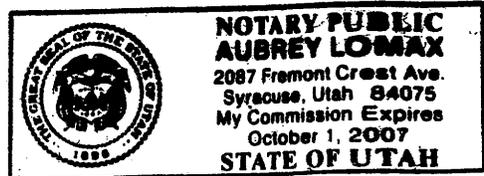
  
Notary Public

My Commission Expires: 10/1/07

Attest:

STATE OF UTAH)

COUNTY OF SALT LAKE)ss:



**NOTICE FROM SURETY REQUIRED BY  
TERRORISM RISK INSURANCE ACT OF 2002**

In accordance with the Terrorism Risk Insurance Act of 2002 (referred to hereinafter as the "Act"), this disclosure notice is provided for surety bonds on which one or more of the following companies is the issuing surety: Liberty Mutual Insurance Company; Liberty Mutual Fire Insurance Company; LM Insurance Corporation; The First Liberty Insurance Corporation; Liberty Insurance Corporation; Employers Insurance Company of Wausau (formerly "EMPLOYERS INSURANCE OF WAUSAU A Mutual Company"); Peerless Insurance Company; and any other company that is a part of or added to the Liberty Mutual Group for which surety business is underwritten by Liberty Bond Services (referred to collectively hereinafter as the "Issuing Sureties").

**NOTICE FORMS PART OF BOND**

This notice forms part of surety bonds issued by any one or more of the Issuing Sureties.

**DISCLOSURE OF PREMIUM**

The premium attributable to any bond coverage for "acts of terrorism" as defined in Section 102(1) of the Act is Zero Dollars (\$0.00).

**DISCLOSURE OF FEDERAL PARTICIPATION  
IN PAYMENT OF TERRORISM LOSSES**

The United States will reimburse the Issuing Sureties for ninety percent (90%) of any covered losses from terrorist acts certified under the Act exceeding the applicable surety deductible.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint JACE PEARSON, TINA DAVIS, DORIS MARTIN, KAREN HONE, VICKI SORENSEN, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH.....

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding SEVENTY-FIVE MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 75,000,000.00\*\*\*\*\*) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 27th day of October 2003

LIBERTY MUTUAL INSURANCE COMPANY

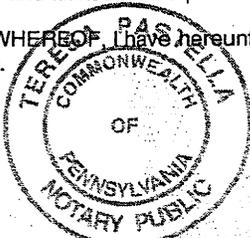
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 27th day of October, 2003, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 22, 2005
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 9TH day of DECEMBER, 2003



By David M. Carey, Assistant Secretary

currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

## **LIST OF VIOLATIONS**

### Violation History

N.O.V.#: 06-46-3-1	
Date:	07/14/06
Location:	Savage Coal Terminal
Agency:	Utah Division of Oil, Gas & Mining
Description:	Activities without Approval
Proceedings:	None
Status:	Terminated - 7/28/06
Abatement Action:	Salvage & Store Topsoil