

TECH MEMORANDUM

Utah Coal Regulatory Program

Q

January 27, 2009

TO: Internal File

THRU: Daron Haddock, Coal Program Manager *DRH*
 Jim Smith, Permit Supervisor / En Sci III / Reclamation Hydrologist *JS 04/29/09*

FROM: Peter Hess, En Sci III / Reclamation Specialist / Engineering *PHH m/s/s*

RE: DIVISION ORDER DO-04 / 2008 MODIFICATION PLAN, Andalex Resources, Inc., Wildcat Loadout, C/007/033, Task ID # 2966

SUMMARY:

Project Initiation Date: January 15, 2009

Project Completion Date: January 27, 2009

The Division issued the Permittee a Division Order on December 9, 2004 requesting that design drawings and specifications for fugitive dust control measures associated with the Wildcat coal loading facility be submitted for insertion into the mining and reclamation plan.

Various submittals have been identified as the following tasks; TID #'s 2031, 2182, 2410, 2808, 2822, 2938, and the current application # 2966.

The TID # 2966 application does not only attempt to address the submission of design drawings and specifications for dust control measures but proposes to add additional stockpile storage and a storage area on the west side of the railroad tracks.

The Division completed a Mid-term permit review of the Wildcat mining and reclamation plan, which included an evaluation of the reclamation bond amount on April 30, 2008. Two surety bonds, issued by Rockwood Casualty Insurance Company, and amounting to \$ 1,144,000 will ensure reclamation of the Wildcat disturbed area as it currently exists.

This technical memorandum will address the adequacy of Chapter 5, Engineering and Chapter 8, Bonding.

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

The Permittee is proposing to achieve three things with the approval of the Task ID # 2966 application:

- 1) Address areas of fugitive dust generation to abate Division Order DO-04.
- 2) Increase coal storage capacity.
- 3) Implement for storage area for mine machinery components and other material.

In order to accomplish these items, an increase in the disturbed area amounting to 20.85 acres is being proposed.

In order to increase coal storage capacity, it will be necessary to backfill sediment control ponds "D", "B", and "A" and construct three new sediment ponds further east of the current disturbed area (G, H, and I) . Pond "F" will have its water treatment storage capacity expanded to handle the amount of run-off reporting from the 6.29 acres of disturbance associated with the proposed material storage area.

One of the Division's primary areas of concern identified prior to the issue of Division Order DO-04 was the amount of fugitive dust generated by trucks accessing the primary coal storage pad via PR-5. Primary road #5 is not surfaced, but is constructed on native material, and over years of use, has become covered with coal. Task ID #2966 proposes to re-construct this road with "a substantial gravel base" up to and including the required pad access ramp. Graveling beyond the crest of this access ramp would not be beneficial as working of the coal pile to the loadout belt feeders and loading of trucks on this pad would soon cover the gravel with coal material. The Permittee has also committed to chemical treatment of the PR-5 graveled surface to further help with the control of fugitive dust emissions.

A drop zone having a width of 150 feet (including the sixteen foot width associated with primary road #5 (PR-5)) is located on the SE side of the primary coal storage area. This area will have the topsoil removed and stored to prevent wind blown coal fine contamination from the primary storage area.

One new primary road (PR-11) will be constructed off of PR-7 (refuse pile access road) to access the proposed material storage area / topsoil storage pile (located on the west side of the railroad tracks in line with the primary coal storage area.

To date, the Permittee has not constructed the proposed primary road PR-11, or reconstructed primary road #5. Division approval is required prior to initiation of activities. Primary road certification will be provided as "as-built" information upon completion of the construction activities.

Findings:

The Task ID # 2966 application accurately describes the proposed revisions being anticipated for implementation into the Wildcat Loadout surface facilities area, and meets the requirements of R645-301-526 and 528.

EXISTING STRUCTURES:

Regulatory Reference: 30 CFR 784.12; R645-301-526.

Analysis:

The Task ID # 2966 application will not add any new structures to the existing operation. No pre-existing structures were on site or utilized when this facility was constructed. The requirements of this section are not applicable at this time.

Findings

The requirements of this section are not applicable.

RELOCATION OR USE OF PUBLIC ROADS

Regulatory Reference: 30 CFR 784.18; R645-301-521, -301-526.

Analysis:

State Highway 139 (Consumers Road) is the main access for the coal trucks to and from the Wildcat Loadout facility. The Trestle Road (a public road / BLM) delineates the SE one-third of the permit area, generally providing access for railroad maintenance and gas well development. None of the proposed activities to be permitted in Task ID # 2966 will require the relocation or use of these two public roads.

Findings:

The requirements of this section are not applicable to the Task ID # 2966 application.

COAL RECOVERY

Regulatory Reference: 30 CFR 817.59; R645-301-522.

Analysis:

The Wildcat facility is a storage, blending, and shipping facility. Coal recovery has not been addressed by the currently approved mining and reclamation plan.

Findings:

The requirements of this section are not applicable to this permit proposal.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Notification

The Wildcat Loadout facility is a surface facility used for storing, blending and shipping of coal products via truck and unit train. There are no underground mine workings, or openings to coal reserves associated with this property. This section is not applicable to the Task ID # 2966 application.

Findings:

The requirements of this section are not applicable to the Task ID # 2966 application.

SLIDES AND OTHER DAMAGE

Regulatory Reference: 30 CFR Sec. 817.99; R645-301-515.

Analysis:

Chapter 5, page 5-78, section **R645-301-515.100, SLIDES AND OTHER DAMAGE** addresses the requirements of this section. The Wildcat Loadout permit area is located on relatively flat ground, making the probability of a slide extremely remote.

Should a slide occur, Andalex Resources, Inc., will notify the Division and implement any remedial actions necessary to correct the situation.

Findings:

The requirements of this section have been adequately addressed.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

Analysis:

Road Classification System

All roads within the Wildcat Loadout disturbed area (current and proposed) are classified as primary roads.

Plans and Drawings

Pages 5-71 through 5-74 describe the ten existing and one proposed primary haul road (PR-11) which are part of the Task ID # 2966 application. Two basic designs are discussed;

- a) a single lane, gravel surface design having a sixteen foot width, and
- b) a double lane, with either a gravel or asphalt surface, 26 feet in width.

PLATE 17 shows typical cross sections for three road designs. The designs are P.E. certified (5/3/07) by Mr. Dan Guy, Utah registered professional engineer.

Performance Standards

All roads will be reclaimed when the property is reclaimed, (See page 5-74, paragraph one of the application).

Page 5-74, paragraph one contains a commitment to remove all drainage control structures including bridges and culverts.

PLATE 17 describes using six inches of asphalt for the paving of certain roads (26 foot surface width) or .48 cubic yards of asphalt per foot of road length.

The Permittee DOES NOT SPECIFY WHICH PRIMARY ROADS ARE TO BE ASPHALTED, nor does the plan give paved lengths such that a total volume of asphalt can be determined for determining an amount of reclamation bond necessary.

In accordance with the requirements of:

R645-301-542.640, the Permittee must provide sufficient information for removing or otherwise disposing of road-surfacing materials that are incompatible with the post-mining land use and revegetation requirements. Asphalt is a solid waste, and must be disposed of according to Utah Solid and Hazardous Waste regulations.

Recycling of the asphalt surfacing material is an option; however, the Division must bond for the worst case scenario (disposal in a State certified landfill).

Page 5-74, paragraph one contains a commitment to reshaping cut / fill slopes such that the final surface configuration is compatible with the post-mining land use

Page 5-74, paragraph one contains a commitment to restoring the natural drainage patterns.

Page 5-74, paragraph one contains a commitment to re-vegetate all areas where roads have been reclaimed.

Primary Road Certification

The submitted primary road designs have been P.E. certified by Mr. Dan Guy. P.E. The certification of "As-Built" or "As Constructed" plans can not be certified until the construction activities are completed.

Other Transportation Facilities

No new conveyors or truck dump or loading facilities are to be constructed as part of the 2008 Modification Plan.

Findings:

The application is deficient. In accordance with the requirements of :

R645-301-542.640, the Permittee must provide sufficient information for removing or otherwise disposing of road-surfacing materials that are incompatible with the post-mining land use and revegetation requirements.

SPOIL AND WASTE MATERIALS

Regulatory Reference: 30 CFR Sec. 701.5, 784.19, 784.25, 817.71, 817.72, 817.73, 817.74, 817.81, 817.83, 817.84, 817.87, 817.89; R645-100-200, -301-210, -301-211, -301-212, -301-412, -301-512, -301-513, -301-514, -301-521, -301-526, -301-528, -301-535, -301-536, -301-542, -301-553, -301-745, -301-746, -301-747.

Analysis:

Coal Mine Waste

Refuse Piles

Appendix "O" of the currently approved mining and reclamation plan for the Wildcat Loadout facility contains MSHA documentation of the refuse pile construction parameters, dated June 9, 1989. The complete Appendix "O" consists of a cover letter to MSHA, two pages of text, and two plates (1 plan view, one with cross-sections).

The size of the material to be placed in this pile (approved design) is + 4 inch rock and boney material from the processing of run-of-mine coal at this facility. Lifts will not exceed two feet in thickness.

Plate 1 of Appendix "O" shows an anticipated refuse storage facility extending from the west side ditch UD-1 to the Wildcat track siding (an average width of 425 feet, average length of 1,100 feet). This area is thus approximately 10.7 acres.

Plate 2 depicts 2H : 1V out slopes and a sloped gradient toward the railroad right-of-way for adequate drainage off the pile.

Andalex Resources, Inc. needs the show the area on PLATE 1A as a future "refuse pile storage" area / coal storage area.

At this time, UtahAmerican Energy, Inc., owner of the Lila Canyon Mine, is proposing to dispose of coal mine waste / coal processing waste within the Wildcat Loadout permit area.

In accordance with the requirements of:

R645-301-536.510: The Permittee must amend the Wildcat mining and reclamation plan to accept coal processing waste from the Horse Canyon Mine, permit area "B" coal processing facility. This revision must address the requirements of:

R645-301-512.230: Design Certification

R645-301-514.200: Refuse Pile Inspections

R645-301-528.320: Coal Mine Waste

**R645-301- 536 through 536.200 et al: Coal Mine Waste /
Placement
R645-301-536.500; Disposal in Special Areas
R645-542.730; Reclamation Compatible with Natural
Surroundings / Post Mining Land Use
R645-301-746.100; Coal Mine Waste / General Requirements**

Impounding Structures

Sediment pond "F" is the current runoff control structure to treat the runoff from the depicted (See Plate 1A) refuse pile comprising 1.25 acres. Treatment for refuse piles must be diverted into designed ditches to accommodate a 100-year, 6-hour design event.

Pond "F" currently treats runoff from a refuse pile which is approximately 1.76 acres in size.

The following acreage also reports to pond "F", and has, up to this point been used for coal storage; 4.23 acres (See PLATE 2, Wildcat Loadout, Surface Facilities and Drainage).

From PLATE 2, the area identified as "Drainage to Pond "A"" is approximately 1.26 acres. The area identified as "Drainage to Pond "C" amounts to about 3.75 acres.

Appendix "O" of the currently approved mining and reclamation plan shows that the Permittee can permanently dispose of coal processing waste from the currently existing pile east to the railroad tracks. This area constitutes a total of approximately 10.5 acres.

The Permittee needs to expand the Pond "F" capacity to adequately treat this new acreage, which is approximately six times larger than the current disposal area. Plate 1A of the Task ID # 2966 application shows that pond "F" will also be used to treat the runoff from the material storage area which is west of the refuse pile storage area (2.65 acres).

PLATE 2 / WILDCAT LOADOUT / PROPOSED DRAINAGE MAP / 2008 MODIFICATION PLAN shows the various disturbed areas which are to be treated.

None of the six proposed topsoil storage areas, (piles "L", "M", "N", "O", "P") shown on PLATE 2, 2008 MODIFICATION PLAN are permitted in accordance with the requirements of the R645 Coal Mining Rules. Section 742.231 and 232 (page 7-41 of the Task ID # 2966 application) state that these requirements are "not applicable" (NA).

The Task ID # 2966 application is deficient. In accordance with the requirements of **R645-301-742.231 and 232**, the following must be submitted for each of the five proposed topsoil piles;

- a) a design.
- b) Meet effluent standards.
- c) Must be shown on MRP Map
- d) Must be discussed in MRP Text.
- e) Must be maintained.
- f) Adequate storage (of runoff).
- g) Sediment removal.
- h) Must treat runoff.
- i) Must be approved by the DOGM.

The currently approved ASCA areas are shown on PLATE 2, Wildcat Loadout / Surface Drainage and Topography (Watershed and Drainage).

The application must be revised to include and meet ASCA requirements for the five proposed topsoil piles.

Burning and Burned Waste Utilization

The requirements of this section are not applicable to this permitting amendment.

Return of Coal Processing Waste to Abandoned Underground Workings

The requirements of this section are not applicable to this permitting amendment.

Excess Spoil:

The requirements of this section are not applicable to this permitting amendment.

Findings:

The application is deficient. The Permittee must address the requirements for alternate sediment control areas for the five proposed topsoil areas.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Water-Quality Standards And Effluent Limitations

Siltation Structures: Other Treatment Facilities

PLATE 2 / WILDCAT LOADOUT / PROPOSED DRAINAGE MAP / 2008 MODIFICATION PLAN shows the various disturbed areas which are to be treated.

Eight of the ten proposed topsoil storage areas, (piles “G”, “H”, “I”, “L”, “M”, “N”, “O”, and “P”) shown on PLATE 2, 2008 MODIFICATION PLAN and PLATES 13A and 13B. These are “alternate sediment control areas” and must be permitted in accordance with the requirements of the R645 Coal Mining Rules. Section 742.231 (page 7-41 of the Task ID # 2966 application) states that these requirements are “not applicable” (NA).

Proposed dimensions for these piles are contained in Appendix “S”, 2008 Modification Plan.

Page 7 of Appendix S states that all piles “will have a berm constructed along the down-slope side to prevent loss of material”. This berm must be designed.

Side slopes will not exceed 2H : 1V (See page 6).

The Task ID # 2966 application is deficient. In accordance with the requirements of **R645-301-742.231**, the following must be submitted for each of the eight proposed topsoil piles;

- j) a design (Appendix “S”).
- k) Meet effluent standards.
- l) Must be shown on MRP Map (PLATES 13A and 13B)
- m) Must be discussed in MRP Text.
- n) Must be maintained.
- o) Adequate storage.
- p) Sediment removal.
- q) Must treat runoff.
- r) Must be approved by the DOGM.

The currently approved ASCA areas are shown on PLATE 2, Wildcat Loadout / Surface Drainage and Topography (Watershed and Drainage).

The application must be revised to include and meet ASCA requirements for the eight proposed topsoil piles.

Two topsoil berms are proposed (“J” and “K”) in the 2008 Modification Plan. These are also ASCA areas and they must also meet the requirements of R645-301-742.231.

Findings:

The plan is deficient. In accordance with the requirements of :

R645-301-742.231: Alternate Sediment Control Areas. The following must be submitted for each of the ten proposed topsoil piles (“G”, “H”, “I”, “J”, “K”, “L”, “M”, “N”, “O”, and “P”);

- a) A design.
- b) The design must show that effluent standards will be met..
- c) Must be shown on MRP Map.
- d) Must be discussed in MRP Text.
- e) Must be maintained.
- f) Adequate storage.
- g) Sediment removal.
- h) Must treat runoff.
- i) Must be approved by the DOGM.

SUPPORT FACILITIES AND UTILITY INSTALLATIONS

Regulatory Reference: 30 CFR Sec. 784.30, 817.180, 817.181; R645-301-526.

Analysis:

There will not be any new surface facilities or utility installations added as part of the Task ID # 2966 application.

Findings:

The requirements of this section are not applicable to the Task ID # 2966 proposed revision.

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:

PLATE 1A, Wildcat Loadout Proposed surface Facility Map 2008 Modification Plan (Phase 2) shows the permit area, as approved via BLM right-of-way U-48027, with a heavy dashed line. PLATE 1A is P.E. certified by Mr. David Hibbs, Utah registered professional engineer.

The Permittee must show how the proposed disturbance will be delineated on PLATE 1A.

Mining Facilities Maps

The three proposed sediment impoundments (“G”, “H”, and “I”) and the pond to be expanded (pond “F”) are depicted on PLATES # 3D, # 3E, #3F, and PLATE #3C.

Mine Workings Maps

There are no mine workings associated with this facility.

Monitoring and Sampling Location Maps

PLATE 2, Wildcat Loadout / Proposed Drainage Map / 2008 Modification Plan shows the two of the four surface drainage monitoring points (WCW-3 and WCW-1).

Monitoring points WCW-2 and WCW-4 are shown on PLATE 15, Wildcat Loadout Watershed Map.

The remaining surface water monitoring points are UPDES outfalls located at each of the respective sediment ponds.

Certification Requirements

All Plates which require P.E. certification are certified by a Utah registered professional engineer.

Findings:

The minimum regulatory requirements have been met.

RECLAMATION PLAN

GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

Analysis:

Ponds "A", "B", and "D" will be backfilled during the operational phase as part of the expansion of the coal stockpile area, while ponds "E" and "F" will be enlarged. Three new ponds "G", "H", and "I" will be constructed to the east to allow for the stockpile expansion.

The Permittee states on page 8-2 that the current cut and fill calculations amount to 74,000 cubic yards. The 2008 Modification Plan will require cut and fill volumes of 80,000 cubic yards.

The Permittee has not provided mass-balance volumes for the Task ID # 2966 application.

Chapter 5, page 5-113 states that the Permittee has developed required earth-work volumes to reclaim the site as it will exist at the end of the operational period based upon implementation of the 2008 Modification plan using aerial photography and digital mapping. Two foot contour maps can be generated using these processes and the determination of cut/fill volumes is more accurate than older methods of cross-section analysis. The moving and placing of 80,000 cubic yards will be required to reclaim this site, as opposed to the current volume of 74,000 cubic yards (See page 8-2, section R645-301-830, Determination of Bond Amount).

The plan does not state what sequence will be used to backfill ponds A, B, and D while the new ponds are being developed.

The currently approved reclamation plan for the Wildcat Loadout involves two phases. Phase I calls for total reclamation of the facilities, while several of the sediment ponds are left for runoff control. Once re-vegetation standards are met, the ponds will be reclaimed, as Phase II. After the reclaimed ponds are determined to have reached revegetation standards, the Permittee will apply for bond release.

The 2008 Modification Plan (Page 5-111, Chapter 5) proposes to eliminate the Phase II portion of the reclamation plan by reclaiming every treatment facility (all

sediment ponds) as part of Phase I. This proposal does not meet the requirements of R645-301-763.100.

In order to meet the requirements for a Phase II bond release, the Permittee must provide a demonstration that no part of the land acreage which is being considered for bond release is contributing suspended solids to stream flow or runoff outside the permit area. A SEDCAD or RUSLE analysis can accomplish this.

In accordance with the requirements of :

R645-301-763.100, the Permittee must amend the current proposal for reclaiming the ponds as part of the Phase I reclamation or provide a demonstration that effluent limitations can be met through the implementation of other sediment control methods.

Findings:

The Task ID # 2966 application does not meet the minimum regulatory requirements of this section.

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

Analysis:

Page 5-103, Chapter 5 of the Task ID # 2966 application contains a commitment to bring all disturbed areas to approximate original contour. All areas will be graded to the most moderate slope possible. The Wildcat Loadout area was developed for coal storage and loading prior to SMCRA, and it is believed that pre-mining contour maps were not developed. The area is generally gently sloping and reclamation of this site is not expected to be difficult.

Findings:

The regulatory requirements of this section are being committed to by the Permit applicant.

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General

No small depressions or impoundments of any kind will be retained after final reclamation.

Findings:

The approved reclamation plan for this site has been determined as meeting the minimum regulatory requirements of this section.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

Analysis:

Reclamation

All disturbed area roads will be reclaimed as the site is reclaimed.

Retention

No roads are planned to be left at this site after final reclamation, (See section R645-301-512, page 5-74.

Findings:

These sections meet the requirements of the R645-301-512 and 527.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

General

The DOGM currently holds two surety bonds which amount to \$ 1, 144,000 for the ensured reclamation of the Wildcat Loadout facility. Both bonds are issued by Rockwood Casualty Insurance Company.

Form of Bond

Two surety bonds (ISM-2290 and ISM-2360) are required to reclaim the facility.

Determination of Bond Amount

There are no new structures to be demolished as part of the 2008 Modification Plan.

The current bond amount of \$ 1, 144,000 includes a direct cost of \$ 220,847.00 for the 74,000 cubic yards calculated for backfilling and grading of the current facilities.

Page 8-2, Chapter 8, Section R645-301-830, Determination of Bond Amount states that

The area to be re-vegetated has increased from 60.94 acres to 81.79 acres (an increase of 20.85 acres). A direct cost of \$ 359,746.00 has been calculated as a subtotal for the 60.94 acres (or \$5,903 / acre). The Task ID # 2966 proposal will require the re-vegetation of an additional 20.85 acres, for an additional revegetation cost of \$ 123,000.

Page 8-2, Chapter 8, Section R645-301-830, Determination of Bond Amount, states that the earthwork volume has increased from 74,000 cubic yards to 80,000 cubic yards (an increase of 6,000 additional yards). Based on an average cost (\$ 220,847 / 74,000 cubic yards) X (6,000 additional yards) = \$ 17,900 additional bond is required.

Indirect costs have been calculated and included, as has an escalation factor for five years.

Also, the bond calculations determined for Task ID # 2822 (revised December 2007) indicate that the posted bond amount of \$ 1, 144,000 is \$ 4,000 short of the escalated reclamation cost (2006 dollars).

The Permittee needs to post an additional \$ 217,000 in bond for a total amount of \$1,357,000.

Terms and Conditions for Liability Insurance

The current general liability insurance remains in effect through June 1, 2009.

Findings:

The Permittee must post an additional \$ 217,000 in bond in order to implement the changes associated with the 2008 Modification Plan.

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