



Coal Energy Group 2

6602 Ilex Circle
Naples, Florida 34109

C0070033

#5866

February 22, 2019

Steve Christensen
Permit Supervisor/Hydrologist
Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

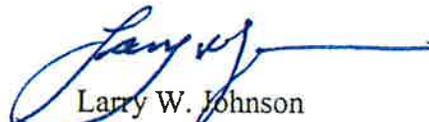
**Re: Chapter 1 Revisions, Coal Energy Group 2, LLC, Wildcat Load Out,
Carbon County, Utah, C0070033, Task ID No. 5854**

Dear Mr. Christensen:

Coal Energy Group 2, LLC (CEG2) is submitting a permit amendment for the Wildcat Loadout in Carbon County. Deficiencies found in the DOGM review Task ID No. 5854 have been uploaded to the DOGM's server for review.

Upon approval, 2 (two) clean hard copies of the text for insertion into the MRP will be submitted. Please do not hesitate to contact me if you have any questions 435-691-2983.

Very truly yours,



Larry W. Johnson
Manager

RECEIVED
MAR 01 2019
DIV OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Coal Energy Group 2, LLC

Mine: Wildcat Loadout

Permit Number:

C0070033

Title: Chapter 1 Revisions

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

Changes to chapter 1 to reflect transfer to CEG2

Instructions: If you answer yes to any of the first eight questions, this application may require Public Notice publication.

- | | | |
|---|--|---|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <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 the application include operations outside a previously identified Cumulative Hydrologic Impact Area? _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does the 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 checked="" type="checkbox"/> Yes | <input 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 type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? |

Explain: _____

- | | | |
|------------------------------|--|--|
| <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 the 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 calculation? |
| <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? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Does the 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? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 24. Does the application include confidential information and is it clearly marked and separated in the plan? |

Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) copies, thank you. (These numbers include a copy for the Price Field Office)

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 W. Johnson

Manager

01/03/2018

Print Name

Position

Date

Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this 3 day of January, 2019

Notary Public: Daniel J Hales, state of Utah.

My commission Expires: Aug. 24, 2021

Commission Number: 696477

Address: 410 N Main St.

City: Cedar City

State: UT

Zip: 84721



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

RECEIVED

MAR 01 2019

DIV OF OIL GAS & MINING

**COAL ENERGY GROUP 2, LLC
WILDCAT LOADOUT
MINING AND RECLAMATION PLAN
CHAPTER 1, LEGAL**

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

CHAPTER 1, LEGAL

R645-301-100. GENERAL

A proposed crude oil unloading station, storage system, and railcar loading stations will be located on the west side of the Utah Railroad tracks. These facilities will be bonded before any implementation or construction is started.

R645-301-110. LEGAL, FINANCIAL, AND COMPLIANCE INFORMATION

Legal, Financial Compliance and Information

The objective of this chapter is to set forth all relevant information concerning ownership and control of Coal Energy Group 2, LLC, the ownership and control of the property to be affected by mining activities and all other information and documentation required.

Compliance Information

a) Suspension and Revocation

Coal Energy Group 2, LLC, affiliates or persons controlled by or under common control with Intermountain Power Agency have not forfeited a mining bond or similar security in lieu of bond.

b) Forfeiture of Bond

Coal Energy Group 2, LLC, affiliates or persons controlled by or under common control with Intermountain Power Agency have not forfeited a mining or similar security in lieu of bond.

c) History of Violations

Coal Energy Group 2, LLC and affiliated companies have not received any violation received within the last three years prior to the date of this application. See attached amended and restated Appendix B Part B

INCORPORATED

R645-301-111. INTRODUCTION

Introduction and Overview of Project Permit Application

MAR 05 2019

A. Introduction

This permit application is being submitted by Coal Energy Group 2, LLC, in order that coal can be stored and loaded out of this coal loadout facility located at Wildcat Junction, near Helper, Utah. This facility is known as the Wildcat Loadout. Coal Energy Group 2, LLC is a Nevada limited liability company registered to do business in the State of Utah. Coal Energy Group 2, LLC has a permit to operate its coal loading and storage facility known as Wildcat Loadout, in accordance with the appropriate regulations. This coal loadout facility is located on land owned by the United States of America in Carbon County, Utah.

Div. of Oil, Gas & Mining

Coal Energy Group 2, LLC was granted the right-of-way in November, 2018, by the Bureau of Land Management of the United States Department of the Interior.

Coal Energy Group 2, LLC has leased to Coal Energy Group 3, LLC the coal transloading side of the facility. Coal Energy Group 2, LLC controls all lands within the coal loadout facility area. Coal Energy Group 2, LLC has therefore prepared this coal loadout facility permit application rewritten under the R645 Coal Mining Rules format, for submission to the appropriate regulatory authorities for review and approval.

Coal Energy Group 2, LLC has also leased to Wildcat Midstream Limited Partners, the oil transloading side of the facility.

Coal Transloading:

Coal Energy Group 3, LLC
6602 Ilex Circle, Naples, FL 34109
Attn: Bob Nead, Phone: 239-825-2332

Oil Transloading:

Wildcat Midstream Limited Partnership
P.O. Box 2200, Fort Worth, TX 76113
Attn: Matthew Cooper, Phone: 817-231-8938

B. Overview and Summary of Project

Coal storage and loading activities at Wildcat started officially on April 2, 1985, when the first coal was brought there for storage and eventual loadout, under a permit issued to Andalex Resources, Inc. by the Bureau of Land Management, U.S. Department of the Interior. The permit was then assigned to Intermountain Power Agency and most recently was assigned to Coal Energy Group 2, LLC. This coal loadout facility is located approximately three miles west of U.S. Highway 6, Consumer's Road, Helper, Utah, in Carbon County and can be more accurately described as parts of Section 33, Township 13 South, Range 9 East, S.L.B. & M. (please see Figure 1). The permit area contains approximately 100.19 acres, of which 12.5 acres are under lease to the Utah Railway by the Bureau of Land Management. The facility is located within a 270 acre BLM right-of-way. The serial number for this right-of-way is U-48027.

There are no perennial streams or bodies of water on the property. Water for culinary purposes is supplied by Price Municipal Corporation and hauled down to the facility using approved culinary tank trucks. The water is in turn stored in an approved culinary tank at the loadout.

Historically, coal loading activities had been the sole use for this permit area, even prior to being leased to Coal Energy Group 2, LLC. This is evidenced by the fact that the soil survey of the area revealed that of the eight test holes, two completely lacked topsoil and one located along the tracks had approximately two feet of fine coal and no topsoil. Coal had been stored along the tracks for shipping purposes in the past. It is appropriately justifiable to conclude that Coal Energy Group 2, LLC's proposed use of the area for coal storage and loading activities will be fully

INCORPORATED

MAR 05 2019

compatible with its previous use, and as such, no significant new disturbance of the area has occurred. Observations have shown that the previous land use consisting of wildlife habitat and migrations has not been interrupted. This is evidenced by repeated sightings of deer herds moving through the permit area. Other mammals and birds continue to use this area for their habitat. Access to the loadout and storage facility is by paved county and state roads, which are also maintained by the county and state.

Coal is hauled from local mines that may desire coal loading services. All surface and support facilities necessary for present operations have been completed. There are no additions or modifications proposed at this time. Aside from the DOGM permit, Coal Energy Group 2, LLC has acquired all the necessary approvals, licenses, rights-of-way, and permits at both state and federal levels to conduct coal storage and loading operations on the plan area. The facility is designed to handle loading and crushing activities up to 5.5 million tons per year.

Upon cessation of coal loading activities, reclamation activities will commence in accordance with the plans outlined in this application. The land will be restored to a condition equal to or better than the pre-mining condition, according to available technology.

This facility is located in an area where mining and its related activities have been the main industry, and as a result, the surrounding communities are properly adapted. The labor supply is excellent and well trained. With all these considerations, coupled with the prudent management at Coal Energy Group 2, LLC, the Wildcat Coal Loadout Facility is a model operation in the Carbon County area with no significant environmental or socioeconomic impact.

C. Organization of Application

This permit application has been organized in accordance with the general requirements for format and contents as outlined in the R645 Coal Mining Rules.

R645-301-112. IDENTIFICATION OF INTERESTS

Identification of Interests

1. Permit Applicant

Coal Energy Group 2, LLC
6602 Ilex Circle
Naples, FL 34109
(239) 825-2332

2. Legal and Equitable Owners of Record

The addresses of owners of record are as follows:

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Bureau of Land Management
Utah State Office
P.O. Box 45155
440 West 200 South, Suite 500
Salt Lake City, Utah 84145-0155
(801) 539-4001

Utah Railroad
P.O. Box 11608
Salt Lake City, Utah 84147
(801) 521-3447

Coal Energy Group 2, LLC
6602 Ilex Circle
Naples, FL 34109
(239) 825-2332

All land within the permit area in question is owned by the United States of America and is leased by the Utah Railroad Corporation and Intermountain Power Agency.

3. Purchasers of Record Under Real Estate Contracts

There are no purchasers of record under any real estate contracts of areas to be affected by surface operations and facilities of this loadout, and there are no purchasers of record under any real estate contracts of the coal to be loaded out.

R645-301-112.100. TYPE OF BUSINESS

Coal Energy Group 2, LLC (CEG2) is a Nevada limited liability company registered to do business in the State of Utah. CEG2 is managed by its Members. This facility stores, processes and ships coal for various operations in the area. This mining permit application has been prepared by CEG2 and is being submitted for review and approval by the appropriate regulatory authorities.

R645-301-112.200. NAMES, LOCATIONS, RESIDENT AGENT

Resident Agent who will accept service of process for Coal Energy Group 2, LLC
Wildcat Loadout, ACT/007/033:

Larry Johnson
463 North 100 West, Suite 1
Cedar City, UT 84720
(435) 691-2983

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

R645-301-112.300. OTHER THAN SINGLE PROPRIETORSHIPS

Coal Energy Group 2, LLC holds the exclusive coal operating interests in the permit area.

R645-301-112.310. OFFICERS AND SHAREHOLDERS

<u>Name</u>	<u>Address</u>	<u>Title</u>	<u>Date Position Assumed</u>
Officers:			
Bob Nead	6602 Ilex Circle Naples, FL 34109	Member	May 2018
Jim Wayland	2841 Capistrano Way Naples, FL 34105	Member	May 2018
General Manager			
Larry Johnson	463 North 100 West, Suite 1 Cedar City, UT 84720	General Manager	September 2018

R645-301-112.320. OWNERSHIP AND CONTROL RELATIONSHIP TO APPLICANT

Refer to R645-301-112.310 for ownership and control information.

R645-301-112.400. PENDING, CURRENT AND PREVIOUS COAL PERMITS

1. James Wayland owns a 25.5% interest in the Coal Hollow Mine, Utah Coal Program Permit No. C/025/0005 issued Nov. 8, 2010. Alton Coal Development, LLC., Permittee, MSHA ID No. 42-02519.
2. Both James Wayland and Robert Nead owns a 50 % interest in the Kinney #2 Mine, Utah Coal Program Permit No. C/007/0047 pending final approval. Coal Energy Group 3, LLC., Permittee is in the process of acquiring an MSHA ID No.

R645-301-112.500. SURFACE AND MINERAL OWNERSHIP

All surface and subsurface areas contiguous to the permit area are owned by the United States. The name and address of the responsible authority representing the federal government is as follows:

Bureau of Land Management
Utah State Office
P.O. Box 45155
440 West 200 South, Suite 500
Salt Lake City, Utah 84145-0155
(801) 539-4001

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

R645-301-112.600. ADJACENT SURFACE AND MINERAL OWNERSHIP

Refer to Plate 16 for adjacent surface and mineral ownership.

R645-301-112.700. MSHA NUMBERS FOR ALL MINE-ASSOCIATED STRUCTURES

The Wildcat Loadout and Refuse Pile have the following MSHA I.D. Numbers:

Loadout MSHA I.D. 42-01864

Refuse Pile MSHA I.D. 1211-UT-09-01864-01

R645-301-112.800. STATEMENT OF ALL LANDS AND INTERESTS IN LANDS

N/A

R645-301-113. VIOLATION INFORMATION

History of Violations

R645-301-113.100. COMPLIANCE INFORMATION

Neither Coal Energy Group 2, LLC nor any subsidiary, affiliate or persons controlled by or under common control with Coal Energy Group 2, LLC has:

1. Had a federal or state permit to conduct coal mining and reclamation operations suspended or revoked in the five years preceding the date of submission of the Application; or
2. Has forfeited a performance bond or similar security deposited in lieu of bond.

R645-301-113.110. SUSPENDED OR REVOKED PERMITS

Refer to R645-301-113.100 for ownership and control information.

R645-301-113.120. FORFEITED BONDS

Refer to R645-301-113.100 for ownership and control information.

R645-301-113.200. EXPLANATION OF PERMIT OF BOND FORFEITURE

N/A

INCORPORATED

MAR 05 2019

R645-301-113.210 PERMIT AND BOND IDENTIFICATION

Div. of Oil, Gas & Mining

The following is a list of all other licenses and permits under applicable state and federal land use, air and water quality, water rights, and health and safety laws and regulations held by Intermountain Power Agency in order to operate its coal loading facility. These permits can also be found in Appendix B.

State:

1. State of Utah
Department of Natural Resources
Division of Oil, Gas, and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Reference I.D.: DOGM MRP C/007/033

2. State of Utah
Department of Health
Division of Environmental Health
150 West North Temple
P.O. Box 2500
Salt Lake City, Utah 84110
 - Air Quality Construction and Operation Permit
Approved July 22, 1982
 - Water Quality - Sediment and Drainage
Approved September 15, 1982
 - Septic and Culinary Plan (1) Approved April 1, 1982
3. Utah Division of Water Quality
P.O. Box 144870
Salt Lake City, Utah 84114-4870
 - UPDES Discharge Permit #UTG040007

Federal:

1. Bureau of Land Management
Utah State Office
P.O. Box 45155
440 West 200 South, Suite 500
Salt Lake City, Utah 84145-0155
 - Right-of-Way
Permit Number U-48027
Granted January 12, 1982
Amended February 5, 2007
Assigned to Intermountain Power Agency on August 1, 2011
Assigned to Coal Energy Group 2, LLC on November 8, 2018

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

2. U.S. Department of Labor
Mine Safety and Health Administration (MSHA)
P.O. Box 25367
Denver, Colorado 80225
(District 9)

Wildcat Loadout Facility I.D. 42-01864

R645-301-113.220. REGULATORY AUTHORITIES INVOLVED

See above

R645-301-113.230. CURRENT STATUS OF PERMIT AND BOND

See above

R645-301-113.240. ADMINISTRATIVE OR JUDICIAL PROCEDURES

None

R645-301-113.250. CURRENT STATUS OF PROCEEDINGS

None

R645-301-113.300. LIST OF ALL VIOLATIONS NOTICES

A list of violations for the applicant, affiliates, members or managers or persons controlled by or under common control with the applicant who have received a violation during the last three-year period can be found in Appendix B Part B.

R645-301-113.310. IDENTIFICATION OF VIOLATIONS

See R645-301-113.300 above.

R645-301-113.320. DESCRIPTION OF VIOLATIONS

See R645-301-113.300 above.

R645-301-113.330. LOCATION OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

R645-301-113.340. STATUS OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

R645-301-113.350. ACTIONS TAKEN TO ABATE VIOLATIONS

See R645-301-113.300 above.

R645-301-113.320. DESCRIPTION OF VIOLATIONS

See R645-301-113.300 above.

R645-301-113.330. LOCATION OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

R645-301-113.340. STATUS OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

R645-301-113.350. ACTIONS TAKEN TO ABATE VIOLATIONS

See R645-301-113.300 above.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

R645-301-114. RIGHT-OF-ENTRY INFORMATION

The legal right to enter and conduct coal loading activities in the permit area (collectively, the "Entry Rights") based on the language contained therein include those items listed below (a copy of which is included in Appendix B).

1. Bureau of Land Management ("BLM") Right of Way No. U-48027 dated January 1982 between Tower Resources, Inc. and BLM, as amended by that certain Amendment dated February 5, 2007. By Decision dated November 8, 2018, BLM approved the assignment of the right of way to Coal Energy Group 2, LLC. This right of way contains 270 acres described as the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 33, Township 13 South, Range 9 East, SLBM.
2. BLM Right of Way No. U-52810 dated May 1984. The right of way contains 10.37 acres within Sections 28 and 33, Township 13 South, Range 9 East, SLBM.
3. Lease dated December 1, 1981 between Utah Railway Company and Tower Resources, Inc., as amended by that certain Lease Amendment dated February 8,

1983. The Lease covers thirteen acres within Section 33, Township 13 South, Range 9 East, SLBM.

4. Beaver Creek Coal Company Letter Agreement. An unrecorded Agreement from Beaver Creek Coal Company to Andalex Resources, Inc., dated July 28, 1988, granting Andalex the right to use a small portion of land for the Wildcat Loadout operations. The area granted is located to the east of Beaver Creek Coal Company's fence to the railroad right-of-way and south of the "new gate."

The permit area is located on 123.19 acres on the following described lands:

Township 13 South, Range 9 East, SLBM

Section 33: NW1/4SE1/4, N1/2SW1/4SE1/4, E1/2E1/2NE1/4SW1/4, E1/2NE1/4SE1/4SW1/4, NE1/4SE1/4SE1/4SW1/4, NW1/4SW1/4SW1/4SE1/4, E1/2SE1/4SW1/4NE1/4 and Portions of N 1/2NW 1/4NE 1/4SE 1/4, NE 1/4SW 1/4NE 1/4, SW1/4SW1/4NE1/4, NW1/4SE1/4SW 1/4NE1/4, W1/2NE1/4SW1/4, W1/2E1/2NE1/4SW1/4, W1/2E1/2SE1/4SW1/4, SW1/4SE1/4SW1/4NE1/4 containing 123.19 acres.

The Entry Rights are held by the Coal Energy Group 2, LLC pursuant to the terms and conditions of the following instruments:

1. September 10, 2018 Rights of Way, Leases, Real Property Agreements- Assignments Assignment and Assumption Agreement ("CEG2 Assignment") between Intermountain Power Agency and Coal Energy Group 2, LLC, recorded with the Carbon County Recorder on September 10, 2018 at Entry No. 842946, Book 913, Page 575. A copy of the CEG2 Assignment is attached hereto as Appendix B-Part A-22;
2. September 10, 2018 Quitclaim Deed ("CEG2 Quitclaim") between Intermountain Power Agency, as Grantor, and Coal Energy Group 2, LLC, Grantee, recorded with the Carbon County Recorder on September 10, 2018 at Entry No. 842944, Book 913, Page 568. A copy of the CEG2 Quitclaim is attached hereto as Appendix B-Part A-23; and
3. September 10, 2018 Quitclaim Deed – Access Road ("CEG2 Access Road Quitclaim") between Intermountain Power Agency, as Grantor, and Coal Energy Group 2, LLC, Grantee, recorded with the Carbon County Recorder on September 10, 2018 at Entry No. 842945, Book 913, Page 572. A copy of the CEG2 Quitclaim is attached hereto as Appendix B-Part A-24.

MAR 05 2019

R645-301-114.100. DOCUMENTATION

Appendix B

R645-301-114.200. SEVERED SURFACE AND MINERAL ESTATES

Div. of Oil, Gas & Mining

Appendix B

R645-301-114.210. WRITTEN SURFACE OWNER CONSENT FOR COAL EXTRACTION

N/A

R645-301-114.220. CONVEYANCE EXPRESSLY GRANTING RIGHT TO MINE COAL

N/A

R645-301-114.230. DOCUMENTATION OF LEGAL AUTHORITY TO MINE COAL

N/A

R645-301-114.300. ADJUDICATION OF PROPERTY RIGHTS DISPUTES

The Division does not have the authority to adjudicate property rights disputes.

R645-301-115. STATUS OF UNSUITABILITY CLAIMS

R645-301-115.100. IDENTIFICATION OF LANDS UNSUITABLE

The permit area is not within an area designated unsuitable for the effects of mining activities, specifically, coal loading activities, under study for designation in an administrative proceeding initiated under those parts.

Further, there are no occupied dwellings within 300 feet of the permit.

R645-301-115.200. CLAIMS OF EXEMPTION BY COMMITMENT PRIOR TO JANUARY 4, 1977

None

R645-301-115.300. MINING AND RECLAMATION OPERATIONS WITHIN 300 FEET OF AN OCCUPIED DWELLING OR WITHIN 100 FEET OF A PUBLIC ROAD

The Consumers Road and the Trestle Road are public roads within 100 feet of the disturbed area boundary.

R645-301-116. PERMIT TERM

MAR 05 2019

The requested term of this permit is five years. Coal Energy Group 2, LEC will then apply for five year extensions over the life of this operation.

R645-301-116.100. SCHEDULE OF PHASED MINING AND RECLAMATION ACTIVITIES

See R645-301-142

R645-301-116.200. PERMIT TERM IN EXCESS OF FIVE YEARS

The requested term of this permit is five years. Coal Energy Group 2, LLC will then apply for five year extensions over the life of this operation.

R645-301-116.210. COMPLETENESS AND ACCURACY FOR LONGER TERM

N/A

R645-301-116.220. DEMONSTRATION OF NEED FOR LONGER TERM

N/A

R645-301-117. INSURANCE, PROOF OF PUBLICATION AND FACILITIES OR STRUCTURES USED IN COMMON

Appendix B contains certificates of liability insurance covering personal injury and property damage resulting from this operation.

R645-301-117.100. LIABILITY INSURANCE

Appendix B

R645-301-117.200. NEWSPAPER PUBLICATION

A copy of the newspaper advertisement of this Mining and Reclamation Plan and proof of publication of the advertisement is filed with the Division and made part of the complete application. (See Appendix B).

R645-301-117.300. FACILITIES USED IN COMMON

N/A

R645-301-118. FILING FEE

N/A

R645-301-120. PERMIT APPLICATION FORMAT AND CONTENTS

Summary of Table of Contents

R645-301-100. General
R645-301-200. Soils
R645-301-300. Biology
R645-301-400. Land Use and Air Quality
R645-301-500. Engineering
R645-301-600. Geology
R645-301-700. Hydrology

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

R645-301-800. Bonding and Insurance

R645-301-121. REQUIREMENTS

R645-301-121.100. CURRENT INFORMATION

Information is current.

R645-301-121.200. CLEAR AND CONCISE

Information is clear and concise.

R645-301-121.300. FORMAT REQUIREMENTS

To facilitate review of the application, each chapter listed above has been further divided into specific parts and sections. These can be found listed in the detailed table of contents appearing at the beginning of this text along with the page numbers on which they appear. This table of contents also contains lists of figures, tables, plates, exhibits, and appendices to facilitate cross referencing between chapters.

Exhibits include appropriate supporting documents, reports and publications and are included as appendices.

Maps which were not reduced to fit into the text are included in a separate volume as plates. All maps and plans are submitted in accordance with the requirements.

R645-301-122. REFERENCED MATERIALS

All references and referenced publications and materials are listed under R645-301-130.

R645-301-123. APPLICATION FOR PERMITS, CHANGES, RENEWALS, OR TRANSFERS

This permit is submitted to update information to the R645 permit format.

R645-301-130. REPORTING AND TECHNICAL DATA

INCORPORATED

Preparation of Application

MAR 05 2019

A. Persons and Consultants Involved

Div. of Oil, Gas & Mining

The following persons and/or organizations were involved in collection and analysis of the technical data set forth in prior versions of this application.

1. In House Consulting Services

- a) Andalex Resources, Inc., AMCA Coal Leasing, Inc.

Samuel C. Quigley - General Manager

Michael W. Glasson - Senior Geologist
David E. Shaver - Chief Engineer

2. Outside Consulting Services

- a) Dan W. Guy - Registered Professional Engineer
(State of Utah No. 4548)
Price, Utah
- Sedimentation and Drainage Control Plan
- b) Bruce T.S. Ware - Registered Land Surveyor
Price, Utah
- c) Rollins, Brown, and Gunnell Provo, Utah
- Foundation Study
- d) Earl Jensen - Soil Scientist
Price, Utah
- e) Roy Harniss - Range Scientist
Logan, Utah
- Vegetation Inventory

B. Coordination and Consultation with Governmental Agencies

The following governmental agencies were consulted in the preparation of information set forth in the prior versions of this application.

U.S. Department of Agriculture
Soil Conservation Service
Price, Utah

U.S. Department of the Interior
Bureau of Land Management
Price, Utah
Salt Lake City, Utah

Office of Surface Mining Reclamation
and Enforcement
Denver, Colorado

U.S. Fish and Wildlife Service
Salt Lake City, Utah

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

State of Utah:

Department of Natural Resources
Division of Oil, Gas, and Mining
Salt Lake City, Utah

Antiquities Section (Consulting Services Branch)
Salt Lake City, Utah
(Archaeological Survey)

Department of Natural Resources
Division of Wildlife Resources
Salt Lake City, Utah
Price, Utah

Department of Community & Economic Development
Division of State History
Salt Lake City, Utah

Department of Natural Resources
Division of Water Rights
Salt Lake City, Utah

Department of Health
Division of Environmental Health
Salt Lake City, Utah

C. References

Andalex Resources, Inc. 1987 - Mining and Reclamation Plan

Submitted to the State of Utah

Department of Natural Resources, DOGM

Doelling, H.H. 1972 - Central Utah Coal Fields U.G.M.S. Monograph Series No. 3

U.S.D.A. 1978 - Soil Survey and Interpretations of the Coal Creek Emery Portion of the Price River and Emery County Areas, Carbon and Emery Counties, Utah. S.C.S.

U.S.D.I. 1979 - Final Environmental Statement, Development of Coal Resources in Central Utah, Parts 1 and 2

MAR 05 2009
Div. of Oil, Gas & Mining

D. Bibliography

Barfield, B.J., Warner, R.C. and Haan, C.R. 1983. Applied Hydrology and Sedimentology for Disturbed Areas. Oklahoma Technical Press, Stillwater, 603 pp.

Cordova, R.M., 1964, "Hydrogeologic Reconnaissance of Part of Head Waters Area of the Price River, Utah", Utah Geological and Mineral Survey, Water Resources Bulletin 4, p. 26.

Fisher, D.J., Erdmann, C.E., and Reeside, J.B., 1960. "Cretaceous and Tertiary Formation of the Book Cliffs, Carbon, Emery, and Grand Counties, Utah, and Garfield and Mesa Counties, Colorado", U.S. Geological Survey, Professional Paper 332, p. 80.

Price, D. and Arnow, T., 1974. Summary Appraisals of the Nation's Ground Water Resources - Upper Colorado Region. U.S. Geological Survey Professional Paper 813-C, 40 pp.

Spieker, Edmond M., 1931. Wasatch Coal Field, Utah. U.S. Geological Survey, Bulletin 819.

U.S. Bureau of Reclamation, 1977. Design of Small Dams, U.S. Government Printing Office, Washington, D.C., 816 pp.

Waddell, K.M., and other, 1981. Hydrologic Reconnaissance of the Wasatch Plateau, Book Cliffs Field Areas, Utah. U.S.G.S. Water Supply Paper 2068.

R645-301-131. TECHNICAL DATA REQUIREMENTS

Where applicable, technical data submitted has been identified as to who prepared the information and is stamped by that registered professional engineer (P.E.).

R645-301-132. TECHNICAL ANALYSES REQUIREMENTS

Analyses are prepared by a qualified professional engineer.

R645-301-140. MAPS AND PLANS

Per Division Requirement.

R645-301-141. MAP FORMATS

Per Division Requirement.

INCORPORATED

MAR 05 2019

R645-301-142. PHASES OF OPERATIONS AND MINING ACTIVITY Div. of Oil, Gas & Mining

Introduction and Overview of Project Permit Application

This permit application is being submitted by Coal Energy Group 2, LLC, in order that coal can be stored and loaded out of its coal loadout facility located at Wildcat Junction, near Helper, Utah. This facility is known as the Wildcat Loadout. Coal Energy Group 2, LLC is a Nevada limited liability company registered to do business in the State of Utah. Coal Energy Group 2, LLC hereby seeks the permit to operate its coal loading and storage facility known as Wildcat Loadout, in accordance with the appropriate regulations. This

coal loadout facility is located on land owned by the United States of America in Carbon County, Utah.

Andalex was granted the right-of-way in January, 1982, by the Bureau of Land Management of the United States Department of the Interior. The right-of-way was subsequently amended on February 5, 2007 and assigned to Intermountain Power Agency on August 1, 2011. The right-of-way was transferred to Coal Energy Group 2, LLC on November 8, 2018. Coal Energy Group 2, LLC, the designated operator, controls all lands within the proposed coal loadout facility area. Coal Energy Group 2, LLC, has therefore prepared this coal loadout facility permit application for submission to the appropriate regulatory authorities for review and approval.

Coal storage and loading activities at Wildcat started officially on April 2, 1985, when the first coal was brought there for storage and eventual loadout, under a permit issued to Andalex Resources by the Bureau of Land Management, U.S. Department of the Interior and assigned to Coal Energy Group 2, LLC on September 10, 2018. This coal loadout facility is located approximately three miles west of U.S. Highway 6, Consumer's Road, Helper, Utah, in Carbon County and can be more accurately described as parts of Section 33, Township 13 South, Range 9 East, S.L.B. & M. (please see Plate 1). The property contains approximately 270 acres, of which 12.5 acres are under lease to the Utah Railway by the Bureau of Land Management. The serial number for this right-of-way is U-48027. The permit area occupies 100.19 acres within the BLM right-of-way.

There are no perennial streams or bodies of water on the property. Water for culinary purposes is supplied by Price Municipal Corporation and hauled down to the facility using approved culinary tank trucks. The water is in turn stored in an approved culinary tank at the loadout.

Historically, coal loading activities had been the sole use for this permit area, even prior to being leased to Coal Energy Group 2, LLC. This is evidenced by the fact that the soil survey of the area revealed that of the eight test holes, two completely lacked topsoil and one located along the tracks had approximately two feet of fine coal and no topsoil. Coal had been stored along the tracks for shipping purposes in the past. It is appropriately justifiable to conclude that Coal Energy Group 2, LLC's proposed use of the area for coal storage and loading activities will be fully compatible with its previous use, and as such, no significant new disturbance of the area has occurred. Observations have shown that the previous land use consisting of wildlife habitat and migrations has not been interrupted. This is evidenced by repeated sightings of deer herds moving through the permit area. Other mammals and birds continue to use this area for their habitat. Access to the loadout and storage facility is by paved county and state roads, which are also maintained by the county and state.

Coal is hauled from the Castle Valley Mining, LLC, C/015/0025, and other local mines that may desire coal loading services. All surface and support facilities necessary for present operations have been completed. There are no additions or modifications proposed at this time.

MAR 05 2019

Div. of Oil, Gas & Mining

Aside from the DOGM permit, Coal Energy Group 2, LLC has acquired all the necessary approvals, licenses, rights-of-way, and permits at both state and federal levels to conduct coal storage and loading operations on the plan area. The facility is designed to handle loading and crushing activities up to 5.5 million tons per year.

Upon cessation of coal loading activities, reclamation activities will commence in accordance with the plans outlined in this application. The land will be restored to a condition equal to or better than the premining condition, according to available technology.

This facility is located in an area where mining and its related activities have been the main industry, and as a result, the surrounding communities are properly adapted. The labor supply is excellent and well trained. With all these considerations, coupled with the prudent management at Coal Energy Group 2, LLC, the Wildcat Coal Loadout Facility is a model operation in the Carbon County area with no significant environmental or socioeconomic impact.

R645-301-142.100. PRIOR TO AUGUST 3, 1977

None by Coal Energy Group 2, LLC. A wash plant and loadout were operated by other independent companies or individuals in areas presently consumed by Coal Energy Group 2, LLC's surface facilities. Coal Energy Group 2, LLC's encroachment onto these previously disturbed areas transferred the responsibility for reclamation to Coal Energy Group 2, LLC. The specific locations of disturbed areas prior to Coal Energy Group 2, LLC's mining activities are irrelevant.

R645-301-142.200. AFTER AUGUST 3, 1977

All of Coal Energy Group 2, LLC's surface facilities and mining operations began after August 3, 1977.

R645-301-142.210. PRIOR TO MAY 3, 1978

See R645-301-142.100.

R645-301-142.220. SMALL OPERATOR'S EXEMPTION PRIOR TO JANUARY 1, 1979

N/A

R645-301-142.300. AFTER MAY 3, 1978 (OR JANUARY 1, 1979 FOR SMALL OPERATOR'S EXEMPTION) AND PRIOR TO APPROVAL OF STATE PROGRAM

N/A

R645-301-142.400. AFTER ISSUANCE OF PERMIT BY THE DIVISION

A list of all applicable permits is included in Appendix B.

R645-301-150. COMPLETENESS

INCORPORATED
MAR 05 2019
Div. of Oil, Gas & Mining

Per Division.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

APPENDIX B
Part A-1
DOG M Permit
&
Affidavit of Publication

INCORPORATED
MAR 05 2019
Div. of Oil, Gas & Minerals

FEDERAL

C/007/0033

November 9, 2018

**STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340**

This permit, C/007/0033, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

**Coal Energy Group 2, LLC
6602 Ilex Circle
Naples, Florida 34109
(329) 825-2332**

for the Wildcat Loadout Facility. Coal Energy Group 2, LLC is the leasee of Bureau of Land Management Rights of Way (ROW) No. U48027 and U52810. A surety bond is filed with the Division in the amount of \$1,192,000, payable to the State of Utah, Division of Oil, Gas and Mining and the Office of Surface Mining, Reclamation and Enforcement (OSMRE). The Division must receive a copy of this permit signed and dated by the permittee.

- Sec. 1 STATUTES AND REGULATIONS** - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.
- Sec. 2 PERMIT AREA** - The permittee is authorized to conduct coal mining and reclamation operations on the following described lands within the permit area at the Wildcat Loadout Facility situated in the State of Utah, Carbon County, and located in:

Township 13 South, Range 9 East, Section 33, SLBM

NW1/4SE1/4, N1/2SW1/4SE1/4, E1/2E1/2NE1/4SW1/4, E1/2NE1/4SE1/4SW1/4, NE1/4SE1/4SE1/4SW1/4, NW1/4SW1/4SW1/4SE1/4, E1/2SE1/4SW1/4NE1/4 and portions of N1/2NW1/4NE1/4SE1/4, NE1/4SW1/4NE1/4, SW1/4SW1/4NE1/4, NW1/4SE1/4SW1/4NE1/4, W1/2NE1/4SW1/4, W1/2E1/2NE1/4SW1/4, W1/2E1/2SE1/4SW1/4.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Township 13 South, Range 9 East, Section 33, SLBM

Beginning at a point 2.476.01 feet North and 546.66 feet West of the Southeast corner of Section 33, Township 13 South, Range 9 East, SLBM, then South 767.24 feet to the intersection of the Western edge of Trestle Road, then Southwesterly along said edge of road 1,169.87 feet to the intersection of the Eastern edge of the existing permit boundary, then North 1,588.74 feet along existing permit boundary, then Southeasterly 315.74 feet along existing permit boundary, then Northeasterly 522.25 feet along existing permit boundary to point of beginning. Contains 23.00 acres M/L

This legal description is for the permit area of the Wildcat Loadout Facility. The permittee is authorized to conduct coal mining and reclamation operations and related surface activities on the foregoing described property subject to the conditions of the Bureau of Land Management rights-of-way and all other applicable conditions, laws and regulations.

- Sec. 3 COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.
- Sec. 4 PERMIT TERM** - This permit expires on May 5, 2019.
- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the approval of the Division Director. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R645-303-300.
- Sec. 6 RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) have the rights of entry provided for in 30 CFR 840.12, R645-400-220, 30 CFR 842.13 and R645-400-110;
 - (b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-100 and R645-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.
- Sec. 7 SCOPE OF OPERATIONS** - The permittee shall conduct coal mining and reclamation operations only on those lands specifically designated as within the permit

area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.

- Sec. 8 ENVIRONMENTAL IMPACTS** - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:
- (a) any accelerated or additional monitoring necessary to determine the nature of noncompliance and the results of the noncompliance;
 - (b) immediate implementation of measures necessary to comply; and
 - (c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.
- Sec. 9 CONDUCT OF OPERATIONS** - The permittee shall conduct its operations:
- (a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
 - (b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.
- Sec. 10 DISPOSAL OF POLLUTANTS** - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.
- Sec. 11 EXISTING STRUCTURES** - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.
- Sec. 12 RECLAMATION FEE PAYMENTS** - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

INCORPORATED
MAR 05 2019
Div. of Oil, Gas & Mining

- Sec. 13 AUTHORIZED AGENT** - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.
- Sec. 14 COMPLIANCE WITH OTHER LAWS** - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.
- Sec. 15 PERMIT RENEWAL** - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.
- Sec. 16 CULTURAL RESOURCES** - If, during the course of coal mining and reclamation operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by the Division within the time frame specified by the Division.
- Sec. 17 APPEALS** - The permittee shall have the right to appeal as provided for under R645-300-200.
- Sec. 18 SPECIAL CONDITIONS** - There are special conditions associated with these permitting actions as described in Attachment A.

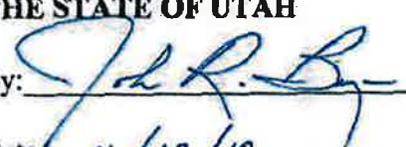
INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: 

Date: 11/13/18

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.


Authorized Representative of
the Permittee

Date: 11/14/18

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Attachment A

SPECIAL CONDITION

1. Coal Energy Group 2, LLC must submit water quality data for the Wildcat Loadout Facility in an electronic format through the Electronic Data Input web site, <http://linux1.ogm.utah.gov/cgi-bin/appx-ogm.cgi>

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED. TAX I.D.# 87-0217663
801-204-6910

Deseret News



Utah Media Group

PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

SNELL & WILMER,
DEANNA GAUDREAU
15 W SOUTH TEMPLE STE 1200

SALT LAKE CITY UT 84101

ACCOUNT NUMBER

9001342484

DATE

10/9/2018

ACCOUNT NAME

SNELL & WILMER,

TELEPHONE

8012571900

ORDER # / INVOICE NUMBER

0001227700 /

PUBLICATION SCHEDULE

START 10/09/2018 END 10/09/2018

CUSTOMER REFERENCE NUMBER

Coal Energy Group 2, LLC

CAPTION

PUBLIC NOTICE FOR PERMIT TRANSFER WILDCAT LOADOUT Coal Energy Group 2

SIZE

52 LINES 2 COLUMN(S)

TIMES

2

TOTAL COST

135.00

PUBLIC NOTICE FOR PERMIT TRANSFER WILDCAT LOADOUT

Coal Energy Group 2, LLC ("CEG2"), a Nevada limited liability company, having offices located at 6602 Ilex Circle, Naples, Florida 34109, has filed with the Utah Division of Oil, Gas and Mining an application for transfer of the existing Mining and Reclamation Permit C/007/033 for the Wildcat Loadout, located at 3 miles west of Highway 6 on Consumers Road, Helper, Utah. The Application transfers to CEG2 the 100% undivided interest in the mine permit held by Intermountain Power Agency. The permit area is located in Carbon County, Utah, depicted on the Standardville USGS topographic quadrangle map.

The existing permit area is described as follows:

Township 13 South, Range 9 East, S18W Section 33, NW1/4SE1/4, N1/2SW1/4SE1/4, E1/2E1/2NE1/4SW1/4, E1/2NE1/4SE1/4SW1/4, NE1/4SE1/4SE1/4SW1/4, NW1/4SW1/4SE1/4, E1/2SE1/4SW1/4NE1/4 and Portions of N1/2NW1/4NE1/4SE1/4, NE1/4SW1/4NE1/4, SW1/4SW1/4NE1/4, NW1/4SE1/4SW1/4NE1/4, W1/2NE1/4SW1/4, W1/2E1/2NE1/4SW1/4, W1/2E1/2SE1/4SW1/4, containing 100.19 acres.

Township 13 South, Range 9 East, Section 33, S18W Beginning at a point 2,476.01 feet North and 546.66 feet West of the Southeast corner of Section 33, Township 13 South, Range 9 East, S18W, then South 767.24 feet to the intersection of the Western edge of Trestle Road, then Southwesterly along said edge of road 1, 67.87 feet to the intersection of the Eastern edge of the existing permit boundary, then North 1,588.74 feet along existing permit boundary, then Southeasterly 313.74 feet along existing permit boundary, then North-easterly 522.25 feet along existing permit boundary to point of beginning. Contains 23.00 acres M/L.

A copy of this application is available for inspection at the Division of Oil, Gas and Mining at 1394 West North Temple, Suite 1210, Salt Lake City, Utah. Comments, objections or requests for informal conference on the application should be submitted within 30 days to: Utah Coal Program, Division of Oil, Gas and Mining at 1394 West North Temple, Suite 1210, P.O. Box 145801, Salt Lake City, Utah 84114-5801.

Published in The Salt Lake Tribune October 9, 2018. 1227700 UPA&P

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF PUBLIC NOTICE FOR PERMIT TRANSFER WILDCAT LOADOUT Coal Energy Group 2, LLC (CEG2), a Nevada limited liability company, having offices located at 6602 Ilex Circle FOR SNELL & WILMER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAH.LEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAH.LEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 10/09/2018 End 10/09/2018

DATE 10/9/2018

SIGNATURE _____

STATE OF UTAH)

COUNTY OF SALT LAKE)

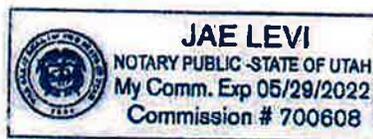
SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 9TH DAY OF OCTOBER IN THE YEAR 2018

BY LORRAINE GUDMUNDSON

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining



NOTARY PUBLIC SIGNATURE

APPENDIX B

Part A-14

CEG2 Right of Entry Documentation

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

2018 11108 UTU-4827 Wildcat ROW Assignment Approval

2018 0910 Assignment & Assumption of ROW, Lease & Real Property Agreement

Quitclaim Deed Record 2018 0910 in Carbon County

Quitclaim Deed - Access Road Recorded 2018 0910 in Carbon County

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Green River District
Price Field Office
125 South 600 West
Price, UT 84501
<http://www.blm.gov/utah>

In Reply Refer to:
2800 (LLUTG02000)
UTU-48027

NOV 08 2018

CERTIFIED MAIL-RETURN RECEIPT REQUESTED:
7017 1070 0000 8991 6204

Assignee
Coal Energy Group 2, LLC
Bob Nead
6602 Ibex Circle
Naples, Florida 34109

CERTIFIED MAIL-RETURN RECEIPT REQUESTED:
7017 1070 0000 8991 6198

Assignor
Intermountain Power Agency
John Aguilar
Los Angeles Department of Water and Power
111 North Hope Street, Room 1263
Los Angeles, CA 90012

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

DECISION

:

Right-of-Way Grant UTU-48027 Assignment Application Approved
Details of Assignment

On September 14, 2018, Coal Energy Group 2, LLC, filed an application with the Bureau of Land Management (BLM) for approval of the assignment of the Wildcat Loadout right-of-way (ROW), serial number UTU-48027, from Intermountain Power Agency to Coal Energy Group 2, LLC. The subject application was filed under authority of the Federal Land Policy and Management Act of 1976.

BLM Categorical Exclusion E. (9) "Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations" applies to this project. In accordance with BLM NEPA Handbook H-1790-7 section 4.2.2, we have reviewed the extraordinary circumstances listed in the Handbook Appendix 5 and have determined that none of

the circumstances apply to this application. Therefore, approval of this application is categorically excluded from NEPA and no further NEPA review is required.

All conditions have been met to approve assignment of the subject ROW. Therefore, BLM hereby approves the assignment of ROW UTU-48027 from Intermountain Power Agency to Coal Energy Group 2, LLC. The assignment is subject to all terms, conditions, and stipulations found in the grant and any subsequent amendments, which remain in full force and effect. As detailed in BLM's Cost Recovery Category Determined letter dated October 25, 2018, and relevant filings with the Interior Board of Land Appeals (IBLA), the rental value of UTU-48027 is currently being disputed in IBLA appeal No. 2016-222. The outcome of the appeal may result in back-rent responsibilities for Coal Energy Group 2, LLC.

This decision may be appealed to the IBLA, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 C.F.R. § 4.21 or 43 C.F.R. § 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for stay must also be submitted to each party named in this decision, to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 C.F.R. § 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

Please note that under the regulations in 43 C.F.R. Part 2800, this decision is effective even if an appeal is filed. If you have any questions, please contact Connie Leschin, Realty Specialist, at the above address, by e-mail cleschin@blm.gov, or by phone (435) 636-3610.

Sincerely,



Chris Conrad
Field Manager

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Enclosure:
Appeals Information (Form #1842-1)

WHEN RECORDED, RETURN TO:

Snell & Wilmer L.L.P
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Attn: Denise Dragoo

**RIGHT OF WAY, LEASE, REAL PROPERTY AGREEMENTS--
ASSIGNMENT AND ASSUMPTION AGREEMENT**

**THIS RIGHT OF WAY, LEASE, REAL PROPERTY AGREEMENTS--
ASSIGNMENT AND ASSUMPTION AGREEMENT** (the "Assignment") is made and entered into this 10th day of September, 2018 (the "Effective Date") by and between **INTERMOUNTAIN POWER AGENCY**, a political subdivision of the State of Utah, having offices located at 10653 South River Front Parkway, Suite 120, South Jordan, Utah 84095 ("IPA"); and **COAL ENERGY GROUP 2, LLC**, a Nevada limited liability company, having offices located at 6602 Ilex Circle, Naples, Florida, 34109 ("CEG2"). Each of IPA and CEG2 may be hereinafter referred to individually as a "party" and collectively as the "parties."

WITNESSETH:

THAT FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00), the mutual promises and covenants contained herein and in the Purchase and Sale Agreement, and intending to be legally bound hereby, the parties agree as follows:

1. Purchase and Sale Agreement. This Assignment is executed and delivered pursuant to, and is subject to and governed by, the terms and provisions of that certain Purchase and Sale Agreement regarding the Wildcat Loadout facility dated effective as of July 2, 2018, by and between IPA and CEG2 (the "Purchase and Sale Agreement"), including without limitation the representations and warranties contained therein. Any capitalized terms not defined herein shall have the meaning ascribed to such terms in the Purchase and Sale Agreement. Notices to be given hereunder shall be given to the parties at their respective addresses set forth above, and any such notice(s) shall be given in accordance with the requirements and procedures set forth in the Purchase and Sale Agreement. In the event of a conflict between the terms and conditions of this Assignment and Assumption and the terms and conditions of the Purchase and Sale Agreement, the terms and conditions of the Purchase and Sale Agreement shall govern and control.

2. Assignment by IPA. As of the Effective Date, and subject to the terms and conditions of this Assignment and the Purchase and Sale Agreement, IPA hereby sells, assigns, transfers, and sets over unto CEG2, all of its right, title and interest in and to the easements and rights of way and real property agreements, together with all amendments and modifications thereto, and located within those lands, more particularly described at Exhibit 1 attached hereto and incorporated herein (collectively, the "Assigned Agreements").

3. Assumption of Duties and Obligations by CEG2. As of the Effective Date, and subject to the terms and conditions of this Assignment and the Purchase and Sale Agreement,

INCORPORATED
MAR 05 2019
Div. of Oil, Gas & Mining

CEG2 hereby assumes and agrees to keep, perform, and fulfill the duties, covenants and obligations of IPA arising under the Assigned Agreements.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have caused this Assignment to be executed as of the day and year first above written.

INTERMOUNTAIN POWER AGENCY

By: _____

Name: R. Dan Eldredge

Title: General Manager

COAL ENERGY GROUP 2, LLC

By: _____

Name: _____

Title: _____

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

CEG2 hereby assumes and agrees to keep, perform, and fulfill the duties, covenants and obligations of IPA arising under the Assigned Agreements.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have caused this Assignment to be executed as of the day and year first above written.

INTERMOUNTAIN POWER AGENCY

By: _____

Name: R. Dan Eldredge

Title: General Manager

COAL ENERGY GROUP 2, LLC

By:  _____

Name: Robert Nork

Title: Manager

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Exhibit 1

The following described real property located in Carbon County, Utah:

1. **BLM ROW UTU-48027, dated January 1982 between Tower Resources, Inc. and BLM as amended February 5, 2007 and as amended October 16, 2014 (Coal and Storage Loadout Facility)**

Township 13 South, Range 9 East, SLBM

Section 33: NE1/4SW1/4NE1/4, S1/2SW1/4NE1/4, E1/2SW1/4, SE1/4
(Containing 270 acres, more or less.)

2. **Beaver Creek Coal Company Letter Agreement**

An unrecorded Agreement from Beaver Creek Coal Company to Andalex Resources, Inc. ("Andalex"), dated July 28, 1988, granting Andalex the right to use a small portion of land for the Wildcat Loadout operations. The area granted is located to the east of Beaver Creek Coal Company's fence to the railroad right-of-way and south of the "new gate."

3. **Utah Railway Company Lease**

Lease dated December 1, 1981, as amended February 8, 1983, by and between Utah Railway Company, a Utah Corporation, Lessor, and Tower Resources, Inc. (successor in interest), a Delaware Corporation, Lessee, affecting the following described lands located in Carbon County, Utah:

Two strips of land of the Lessor in the vicinity of Sections 27, 28, and 33, Township 13 South, Range 9 East, SLB&M and Sections 4 and 5, Township 14 South, Range 9 East, SLB&M in Carbon County, Utah, being 92.5 feet on each side of a strip of land which is 15 feet wide being 7½ feet on either side of the center line of Lessor's main line track extending from a point opposite Mile Post 7 plus 2444 feet (7.4629) to a point opposite Mile Post 5 plus 2114 feet (5.4004), but excluding a strip of land 50 feet wide on either side of Mile Post 5 plus 4575 feet (5.8665), such exclusion to be reserved for a possible future road crossing of the tracks, containing approximately 45.83 acres, more or less. The leased premises does not include a strip of land 15 feet wide down the centerline of Lessor's main line track.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

WHEN RECORDED, MAIL TO:

Snell & Wilmer L.L.P
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Attn: Denise Drago

Ent 842944 Bk 913 Pg 568
Date: 10-Sep-2018 09:07:50AM
Fee: \$19.00 Check Filed By :CR
CARBON COUNTY RECORDER, Recorder
CARBON COUNTY CORPORATION
For: FIRST AMERICAN TITLE-NCS-SLC1

PLEASE MAIL TAX NOTICE TO GRANTEE
AT ITS ADDRESS LISTED BELOW

Space above for County Recorder's Use

QUITCLAIM DEED

IN CONSIDERATION OF Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah, having offices located at 10653 South River Front Parkway, Suite 120, South Jordan, Utah 84095 ("Grantor"), hereby quitclaims to the COAL ENERGY GROUP 2, LLC, a Nevada limited liability company, having offices located at 6602 Ilex Circle, Naples, Florida, 34109 ("Grantee"), all of Grantor's right, title and interest in the improvements described in Exhibit A located on or under that certain real property located in Carbon County, Utah, more particularly described on the attached Exhibit B ("Wildcat Loadout Real Property"), which is incorporated herein by this reference.

SUBJECT TO taxes and assessments for the year 2018 and thereafter.

This Quitclaim Deed shall extend to and be binding upon, and every benefit hereof shall inure to, the parties hereto and their respective successors and assigns. This Quitclaim Deed shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 4th day of Sept., 2018 (the "Effective Date").

FIRST AMERICAN TITLE
#NCS-911081

GRANTOR:

MAR 05 2019

INTERMOUNTAIN POWER AGENCY,
a political subdivision of the State of Utah

Div. of Oil, Gas & Mining

By:

Print Name:

Title:

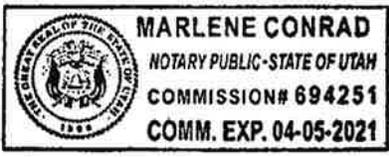
[Handwritten Signature]
[Handwritten Name: R. Dan Eldredge]
[Handwritten Title: General Manager]

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 4th day of Sept, 2018, by R. Dan Eldredge, the General Manager of INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah

Marlene Conrad
NOTARY PUBLIC
Residing at: West Jordan, Utah

My Commission Expires:
4-5-2021



INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Exhibit A to Quitclaim Deed

Fixtures and Improvements

That portion of the following items that are real property. All fixtures and improvements are conveyed in As-Is condition:

1. Unit train coal loading facility
2. Conveyors (including any magnets and metal detectors situated on the Wildcat Loadout Real Property as of the Effective Date)
3. Stackers situated on the Wildcat Loadout Real Property as of the Effective Date
4. Office building
5. 8,000 gallon underground tank for stoker oil
6. Scalehouse trailer/entrance station
7. Truck scale
8. Crushing and screening facilities
9. Two truck dump/dozer traps
10. Power substation with transformers
11. Two water and coal spray tanks. (Note that the spraying systems associated with the tanks and any other property owned and supplied by vendors are specifically excluded from this Exhibit A.)
12. Small shop building (Note that the Safety-Kleen tank system and any other property owned and supplied by vendors are specifically excluded from this Exhibit A.)
13. Modular shower/change trailer
14. Truck dump (west of railroad track)
15. Train loading facilities including loading chutes (west of railroad track)
16. Thermo-Gammametrics Nuclear Coal Analyzer
17. Reclaim Tunnels and all improvements contained therein as of the Effective Date
18. Three control buildings
19. Roadway improvements situated on the Wildcat Loadout Real Property as of the Effective Date
20. Septic system and drainage field situated on the Wildcat Loadout Real Property as of the Effective Date
21. Any property owned or supplied by vendors are specifically excluded from this Quitclaim Deed.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Exhibit B to Quitclaim Deed

Wildcat Loadout Real Property

The following described real property located in Carbon County, Utah:

1. **BLM ROW UTU-48027, dated January 1982 between Tower Resources, Inc. and BLM as amended February 5, 2007 and as amended October 16, 2014 (Coal and Storage Loadout Facility)**

Township 13 South, Range 9 East, SLBM
Section 33: NE1/4SW1/4NE1/4, S1/2SW1/4NE1/4, E1/2SW1/4, SE1/4
(Containing 270 acres, more or less.)

3. **Beaver Creek Coal Company Letter Agreement**
An unrecorded Agreement from Beaver Creek Coal Company to Andalex Resources, Inc. ("Andalex"), dated July 28, 1988, granting Andalex the right to use a small portion of land for the Wildcat Loadout operations. The area granted is located to the east of Beaver Creek Coal Company's fence to the railroad right-of-way and south of the "new gate."

4. **Utah Railway Company Lease**
Lease dated December 1, 1981, as amended February 8, 1983, by and between Utah Railway Company, a Utah Corporation, Lessor, and Tower Resources, Inc. (successor in interest), a Delaware Corporation, Lessee, affecting the following described lands located in Carbon County, Utah:

Two strips of land of the Lessor in the vicinity of Sections 27, 28, and 33, Township 13 South, Range 9 East, SLB&M and Sections 4 and 5, Township 14 South, Range 9 East, SLB&M in Carbon County, Utah, being 92.5 feet on each side of a strip of land which is 15 feet wide being 7½ feet on either side of the center line of Lessor's main line track extending from a point opposite Mile Post 7 plus 2444 feet (7.4629) to a point opposite Mile Post 5 plus 2114 feet (5.4004), but excluding a strip of land 50 feet wide on either side of Mile Post 5 plus 4575 feet (5.8665), such exclusion to be reserved for a possible future road crossing of the tracks, containing approximately 45.83 acres, more or less. The leased premises do not include a strip of land 15 feet wide down the centerline of Lessor's main line track.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

WHEN RECORDED, MAIL TO:

Snell & Wilmer L.L.P
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Attn: Denise Drago

Ent 842945 Bk 913 Pg 572
Date: 10-Sep-2018 09:07:50AM
Fee: \$15.00 Check Filed By :CR
CARBON COUNTY RECORDER, Recorder
CARBON COUNTY CORPORATION
For: FIRST AMERICAN TITLE-NCS-SLC1

PLEASE MAIL TAX NOTICE TO GRANTEE
AT ITS ADDRESS LISTED BELOW

Space above for County Recorder's Use

QUITCLAIM DEED - ACCESS ROAD

IN CONSIDERATION OF Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah, having offices located at 10653 South River Front Parkway, Suite 120, South Jordan, Utah 84095 ("Grantor"), hereby quitclaims to the COAL ENERGY GROUP 2, LLC, a Nevada limited liability company, having offices located at 6602 Ilex Circle, Naples, Florida, 34109 ("Grantee"), all of Grantor's right to use, as a public road, the roadway covered by BLM right-of-way grant number UTU-52810 (See Exhibit A, attached), as such right was reserved in that certain Assignment Consent and Request executed by Grantor June 24, 2013.

This Quitclaim Deed shall extend to and be binding upon, and every benefit hereof shall inure to, the parties hereto and their respective successors and assigns. This Quitclaim Deed shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed this 4th day of Sept., 2018 (the "Effective Date").

GRANTOR:

INTERMOUNTAIN POWER AGENCY,
a political subdivision of the State of Utah

By: [Signature]
Print Name: R. Dan Eldredge
Title: General Manager

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

FIRST AMERICAN TITLE
NCS-911087

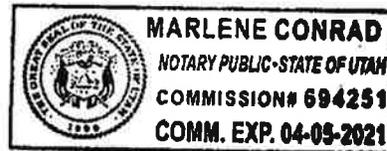
STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 4th day of Sept, 2018, by R. Dan Eldredge, the General Manager of INTERMOUNTAIN POWER AGENCY, a political subdivision of the State of Utah

Marlene Conrad
NOTARY PUBLIC
Residing at: West Jordan, Utah

My Commission Expires:

4-5-2021



INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

EXHIBIT A

BLM ROW UTU-52810 (Access Road)

Township 13 South, Range 9 East, SLBM
Section 33: Located within the W2NE
(Containing 7.805 acres, more or less)

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

**APPENDIX B
PART B
HISTORY OF VIOLATIONS**

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

VIOLATION INFORMATION

Information updated to January 17, 2019

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

**Coal Energy Group 2, LLC
Wildcat Loadout**

Permit Number	MSHA	Violation Number	Date of Issuance	Issuing Agency	State	Current Status of NOV
C070033	-----NO VIOLATIONS IN PRECEDING 3 YEARS-----					

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Alton Coal Development, LLC
Coal Hollow Mine

Permit Number	MSHA	Violation Number	Date of Issuance	Issued to	Issuing Agency	State	Brief Description of NOV	Action taken to Abate NOV	Current Status of NOV
C250005	42-02519	21162	1/20/2016	K.Nicholes	UDOGM	Utah	Failed to install drainage from the sump in pit 10 to its discharge point in Pond 3 according to the design found in Appendix 5-13.	Installed two pipes from Pit 10 Sump to Pond 3, that terminate under water	Terminated
C250005	42-02519	21163	1/20/2016	K.Nicholes	UDOGM	Utah	Failure to have rough backfilling and grading follow coal removal by not more than 60 days. Mining ceased in HWT 2 with Panel 4E in July 2015.	Submitted plans that were reviewed and approved May 27, 2016 to backfill HWT 2.	Terminated
C250005	42-02519	21164	1/20/2016	K.Nicholes	UDOGM	Utah	Failure to provide a plan for reclamation of the final Pit 10.	Submitted an amendment for a plan to backfill Pit 10 utilizing material from a designated borrow area.	Terminated
C250005	42-02519	21165	3/9/2016	K.Nicholes	UDOGM	Utah	1. Failure to provide accurate, certified underground (UG) mine surface facilities map showing buildings; utility corridors; coal and non-coal waste disposal locations; and coal loading locations. 2. Failure to provide accurate certified map of UG mine water diversions, collection, conveyance and treatment structures.	Provided drawing 5-3B showing UG facilities. Made changes to Chapter 5 Text.	Terminated
C250005	42-02519	21166	3/9/2016	K.Nicholes	UDOGM	Utah	Failure to correct structural weakness in pond 001 and 002	Replaced gaskets for oil skimmer on the primary discharge culvert.	Terminated
C250005	42-02519	21167	3/9/2016	K.Nicholes	UDOGM	Utah	1. Failure to install adequate sediment control measures on the fill slopes surrounding the underground mine (UG). 2. Failure to install adequate sediment control within Pit 10 for the UG mine surface facility	Provided drawings and supporting text for drainage in Pit 10.	Terminated
C250005	42-02519	21174	4/6/2016	K.Nicholes	UDOGM	Utah	Failure to follow the approved plan in Area 1, MRP, Vol 3, Chapter 5, pages 5-13 and page 5-21. Page 5-13: County road to be completed prior to mining activity so that public is routed around the mine. Page 5-21: construction of haul roads, pond 5 and pond 6, subsoil pile, topsoil pile and spoil pile all ditches and culverts completed prior to mining in Pit 1 or development of pit 1. Over excavation of excess spoil pile area.	Completed County bypass road.	Terminated
C250005	42-02519	21183	6/3/2016	K.Nicholes	UDOGM	Utah	Over excavation of excess spoil pile area.	An amendment to the MRP to include reclamation of the highwall left from overexcavation of the excess spoils pile was submitted and approved.	Terminated
C250005	42-02519	21185	9/7/2016	K.Nicholes	UDOGM	Utah	Maintenance of ASCA-1 NPL	Made repairs to ASCA-1	Terminated
C250005	42-02519	21191	12/8/2016	K.Nicholes	UDOGM	Utah	Failure to protect topsoil NPL.	Removed topsoil from top of highwall and reestablished berm.	Terminated
C250005	42-02519	21193	3/15/2017	K.Nicholes	UDOGM	Utah	Failure to store oil & grease in a controlled manner in a designated area of the permit area.	Removed unauthorized oil storage tank.	Terminated
C250005	42-02519	21194	3/15/2017	K.Nicholes	UDOGM	Utah	Failure to maintain siltation structures and diversions at the underground facilities.	Submitted amendment to MRP to enlarge sump and dike in Pit 10.	Terminated

MAR 05 2019

Div. of Oil, Gas & Mining

INCORPORATED

**Coal Energy Group 3, LLC
Kinney #2 Mine**

Permit Number	MSHA	Violation Number	Date of Issuance	Issuing Agency	State	Current Status of NOV
C070033	-----NO VIOLATIONS IN PRECEDING 3 YEARS-----					

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining



Mine Citations, Orders, and Safeguards

Current Mine Information

Mine ID: 4202639
Operator: Alton Coal Development LLC
Operator History for Mine ID: 4202639
Op r Begin Date: 11/25/2014
Mine Name: Burton #1 Mine
Current Controller: James J Wayland
Controller Start Date: 1/11/2009
Mine Status: Temporarily Idled
Status Date: 11/22/2017
Mined Material: Coal (Bituminous)
Type of Mine: Underground
Location: Kane County, UT
State: UT

Operator Name **Begin Date** **End Date**
 Alton Coal Development LLC 11/25/2014

[How do I use this information? Click Here](#)

PLEASE NOTE: The information provided by the Mine Data Retrieval System (MDRS) is based on data gathered from various MSHA systems. As there may be a lag time in data being entered into those systems, there will also be a lag in the reflection of that data on the MDRS.

Assessment data is not available prior to 1/1/1995

Citations, Orders, and Safeguards

The current operator Alton Coal Development LLC has been the operator since 11/25/2014

- Indicates violations pending hearings, appeals, and/or other actions.
- Indicates violations that have not yet been assessed.
- These are non-assessable.

INCORPORATED

MAR 05 2019

[Assessment Process Overview](#)

Note: Vacated Citations are not included in any reports on the MDRS.

Div. of Oil, Gas & Mining

Violator	Contractor ID	Citation/Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	Citation/Order	S	Standard	Proposed Penalty (\$)	Citation/Order Status	Current Penalty (\$)	Amount Paid To Date (\$)
Alton Coal Development LLC		9023327	000435419	2/1/2017	12/12/2017	104(d)(1)	3/8/2017	C	Y	49.18(b)(1)	37,900.00	Closed	3,200.00	3,200.00
Alton Coal Development LLC		9022808	000435419	2/1/2017	12/12/2017	104(d)(1)	3/8/2017	O	Y	49.16(d)	44,500.00	Closed	5,000.00	5,000.00

<https://airweb.msha.gov/drs/ASP/MineAction.asp>

1/3

8/21/2018

MSHA - Mine Violations

Alton Coal Development LLC	9022254	0004125931	10/17/2016	2/6/2017	104(a)	10/18/2016	C	N	47.51	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9022485	0004121684	8/10/2016	12/5/2016	104(a)	8/18/2016	C	N	42.13(a)	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9022481	0004119373	7/27/2016	11/7/2016	104(a)	7/27/2016	C	N	75.1713-2(a)(1)	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9023298	0004168893	6/15/2016	9/14/2016	104(a)	6/15/2016	C	N	75.370(a)(1)	114.00	Closed	114.00	114.00
Alton Coal Development LLC	9023290	0004146459	5/25/2016	9/5/2016	104(a)	5/25/2016	C	N	75.133(b)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	9022002	000412232	4/13/2016	8/8/2016	104(a)	4/13/2016	C	N	75.1103-2(a)(1)(ii)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481282	000407209	2/23/2016	5/13/2016	104(a)	2/23/2016	C	N	75.701	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481283	000407209	2/23/2016	5/13/2016	104(a)	2/23/2016	C	Y	75.601-1	138.00	Closed	138.00	138.00
Alton Coal Development LLC	8481257	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.516	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481254	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.409(a)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481256	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	Y	77.505	207.00	Closed	207.00	207.00
Alton Coal Development LLC	8483459	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	75.1600-1	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481255	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.1110	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8482838	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.409(a)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8481258	000404901	1/20/2016	9/6/2016	104(a)	1/20/2016	C	N	77.503	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8482834	000402685	12/16/2015	3/27/2016	104(a)	12/17/2015	C	N	77.1600(a)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483458	000402685	12/15/2015	3/27/2016	104(a)	12/15/2015	C	N	75.503	100.00	Closed	100.00	100.00

<https://artweb.msha.gov/drs/ASP/MineAction.asp>

2/3

INCORPORATED

MAY 05 2019

Div. of Oil, Gas & Mining

8/21/2018

MSHA - Mine Violations

Alton Coal Development LLC	8483455	000398584	10/29/2015	1/11/2016	104(a)	10/29/2015	C	N	75.501	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483622	000393753	8/10/2015	12/7/2015	104(a)	9/1/2015	C	N	75.403	127.00	Closed	127.00	127.00
Alton Coal Development LLC	8483619	000391080	7/23/2015	8/4/2016	104(a)	7/23/2015	C	N	75.370(a) (1)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	9021808	000386086	5/13/2015	4/26/2016	104(a)	5/13/2015	C	N	77.1111	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483522	000383309	5/6/2015	12/15/2015	104(a)	5/6/2015	C	Y	77.701	138.00	Closed	138.00	138.00
Alton Coal Development LLC	8483523	000383309	5/6/2015	12/15/2015	104(a)	5/6/2015	C	N	77.502	100.00	Closed	100.00	100.00

[Return to DRS Home Page](#)

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

MSHA Violations – Coal Hollow Mine

8/21/2018

MSHA - Mine Violations



Mine Citations, Orders, and Safeguards

Current Mine Information

Mine ID: 4202519
Operator: Alton Coal Development LLC
Op. Begin Date: 1/11/2009
Mine Name: Coal Hollow Mine
Current Controller: James J Wayland
Controller Start Date: 1/11/2009
Mine Status: Active
Status Date: 12/31/2015
Mined Material: Coal (Bituminous)
Type of Mine: Surface
Location: Kane County UT
State: UT

Operator History for Mine ID: 4202519

Operator Name	Begin Date	End Date
Alton Coal Development LLC	1/11/2009	

How do I use this information? [Click Here](#)

PLEASE NOTE: The information provided by the Mine Data Retrieval System (MDRS) is based on data gathered from various MSHA systems. As there may be a lag time in data being entered into those systems, there will also be a lag in the reflection of that data on the MDRS.

Assessment data is not available prior to 1/1/1995.

Citations, Orders, and Safeguards

The current operator Alton Coal Development LLC has been the operator since 1/11/2009

- Indicates violations pending hearings, appeals, and/or other actions
- Indicates violations that have not yet been assessed.
- These are non-assessable

Assessment Process Overview

Note: Vacated Citations are not included in any reports on the MDRS.

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

Violator	Contractor ID	Citation/Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Terminated	Citation/Order	S & S	Standard	Proposed Penalty (\$)	Citation/Order Status	Current Penalty (\$)	Amount Paid To Date (\$)
Alton Coal Development LLC		9028262	000470587	6/19/2018		104(s)	6/19/2018	C	N	27.208(d)	128.00	Proposed	128.00	0.00
Alton Coal Development LLC		9028260	000470387	6/13/2018		104(s)	6/13/2018	C	N	21.501	208.00	Proposed	208.00	0.00
Alton Coal		9028261	000470387	6/13/2018		104(s)	6/13/2018	C	N	27.1212(c)	118.00	Proposed	118.00	0.00

<https://ariveb.msha.gov/mdrs/ASP/MineAction.asp>

1/8

8/21/2018

MSHA - Mine Violations

Development LLC													
Alton Coal Development LLC	9028259	000470597	6/12/2018		104(n)	6/19/2018	C	Y	77.1104	638.00	Proposed	638.00	0.00
Alton Coal Development LLC	9028258	000470587	6/12/2018		104(a)	6/19/2018	C	Y	77.101(a)	691.00	Proposed	691.00	0.00
Alton Coal Development LLC	9028043	000462166	2/14/2018		104(a)	2/15/2018	C	N	77.1606(a)	118.00	Hearing Case Filed	118.00	0.00
Alton Coal Development LLC	9028042	000462166	2/14/2018		104(n)	2/14/2018	C	N	77.102	151.00	Hearing Case Filed	151.00	0.00
Alton Coal Development LLC	9028152	000462166	2/14/2018		101(n)	2/14/2018	C	Y	77.1104	544.00	Hearing Case Filed	544.00	0.00
Alton Coal Development LLC	9028151	000462166	2/13/2018		104(n)	2/13/2018	C	N	77.1607(a)	128.00	Hearing Case Filed	128.00	0.00
Alton Coal Development LLC	9028041	000462166	2/13/2018		104(n)	2/14/2018	C	Y	77.1104	953.00	Hearing Case Filed	953.00	0.00
Alton Coal Development LLC	9026670	000450029	8/9/2017	7/3/2018	104(a)	8/9/2017	C	N	77.1104	148.00	Delinquent	132.00	0.00
Alton Coal Development LLC	9026669	000450029	8/9/2017	7/3/2018	104(a)	8/9/2017	C	N	77.1104 (1)	148.00	Delinquent	148.00	0.00
Alton Coal Development LLC	9026668	000450029	8/9/2017	7/3/2018	104(a)	8/9/2017	C	N	77.1104	148.00	Delinquent	119.00	0.00
Alton Coal Development LLC	9026665	000450029	8/7/2017	7/3/2018	104(a)	8/7/2017	C	Y	77.1009(a)	734.00	Delinquent	734.00	0.00
Alton Coal Development LLC	9026664	000450029	8/7/2017	7/3/2018	104(a)	8/7/2017	C	Y	77.1213(a)	3,098.00	Delinquent	902.00	0.00
Alton Coal Development LLC	9026666	000450029	8/7/2017	7/3/2018	104(n)	8/9/2017	C	N	77.1605(a)	148.00	Delinquent	119.00	0.00
Alton Coal Development LLC	9026667	000450029	8/7/2017	7/3/2018	104(a)	8/9/2017	C	Y	77.1104	734.00	Delinquent	337.00	0.00
Alton Coal Development LLC	9026663	000447618	7/26/2017	8/1/2018	104(a)	8/7/2017	C	N	77.213	148.00	Final Order Issued	148.00	0.00
Alton Coal Development LLC	9026637	000442837	6/1/2017	12/20/2017	104(a)	6/1/2017	C	N	77.1707(a)	148.00	Closed	148.00	148.00
Alton Coal Development LLC	9022817	000437771	3/22/2017	2/20/2018	104(a)	3/22/2017	C	N	77.102	577.00	Closed	462.00	462.00

<https://ar1web.msha.gov/drs/ASP/MineAction.asp>

2/9

INCORPORATED
MAR 05 2019
Div. of Oil Gas & Mining

8/21/2018

MSHA - Mine Violations

LLC														
Alton Coal Development LLC		9022814	000437771	3/7/2017	2/20/2018	104(a)	3/21/2017	C	N	77.1103(d)	259.00	Closed	207.00	207.00
Alton Coal Development LLC		9022811	000437771	3/7/2017	2/20/2018	104(a)	3/7/2017	C	N	77.1712(d)	387.00	Closed	310.00	310.00
Alton Coal Development LLC		9022813	000437771	3/7/2017	2/20/2018	104(a)	3/7/2017	C	N	77.1606(c)	577.00	Closed	577.00	577.00
Alton Coal Development LLC		9022812	000437771	3/7/2017	2/20/2018	104(n)	3/7/2017	C	N	77.1606(c)	577.00	Closed	377.00	377.00
Alton Coal Development LLC		9022815	000437771	3/7/2017	2/20/2018	104(a)	3/7/2017	C	N	77.404	259.00	Closed	207.00	207.00
Alton Coal Development LLC		9022256	000425929	10/18/2016	6/27/2017	104(a)	10/31/2016	C	Y	77.200	1,078.00	Closed	1,078.00	1,078.00
Alton Coal Development LLC		9022255	000425929	10/18/2016	6/27/2017	104(a)	10/24/2016	C	N	77.502	216.00	Closed	216.00	216.00
Alton Coal Development LLC		9022257	000425929	10/18/2016	6/27/2017	104(a)	10/24/2016	C	N	77.200	216.00	Closed	100.00	100.00
Alton Coal Development LLC		8486634	000425929	10/17/2016	6/27/2017	104(a)	10/24/2016	C	N	77.1104	6,786.00	Closed	4,286.00	4,286.00
Alton Coal Development LLC		8486636	000425929	10/17/2016	6/27/2017	104(a)	10/17/2016	C	N	77.1109(d)	351.00	Closed	351.00	351.00
HTC Hauling LLC	B3323	8486632	000424990	10/17/2016	1/27/2017	104(a)	10/17/2016	C	N	77.1110	114.00	Closed	114.00	114.00
Alton Coal Development LLC		8486637	000425929	10/17/2016	6/27/2017	104(a)	10/17/2016	C	N	77.402	351.00	Closed	351.00	351.00
HTC Hauling LLC	B3323	8486631	000424990	10/17/2016	1/27/2017	104(a)	10/17/2016	C	N	77.1101(b)	114.00	Closed	114.00	114.00
Alton Coal Development LLC		8486635	000425929	10/17/2016	6/27/2017	104(n)	10/17/2016	C	N	77.1606(c)	4,548.00	Closed	3,048.00	3,048.00
HTC Hauling LLC	B3323	8486633	000424990	10/17/2016	1/27/2017	104(a)	10/17/2016	C	N	77.1606(c)	114.00	Closed	114.00	114.00
Alton Coal Development LLC		8488271	000423853	9/7/2016	1/9/2017	104(a)	10/5/2016	C	N	70.200	114.00	Closed	114.00	114.00
Barney Trucking Inc	Q37	9022484	000420622	8/9/2016	11/5/2016	104(g)(1)	8/9/2016	O	Y	48.31	390.00	Closed	390.00	390.00
Barney Trucking Inc	Q37	9022482	000420622	7/28/2016	11/5/2016	104(g)(1)	7/28/2016	O	Y	48.31	390.00	Closed	390.00	390.00
Alton Coal		9022479	000421682	7/26/2016	12/5/2016	104(n)	7/26/2016	C	N	77.1711(d)	615.00	Closed	615.00	615.00

INCORPORATED
 MAR 5 2019
 D. W. O'Neil, Gas & Mining

<https://ariweb.msha.gov/drs/ASP/MineAction.asp>

3/9

8/21/2018

MSHA - Mine Violations

Development LLC																		
Alton Coal Development LLC	9022480	000419370	7/26/2016	6/27/2017	104(a)	7/26/2016	C	N	77.208(g)	183.00	Closed	183.00	183.00					
Alton Coal Development LLC	9022478	000419370	7/26/2016	6/27/2017	104(a)	7/28/2016	C	N	77.1211(e)	918.00	Closed	385.00	385.00					
Alton Coal Development LLC	8373178	000414637	5/31/2016	9/5/2016	104(a)	6/14/2016	C	N	77.202	162.00	Closed	162.00	162.00					
Alton Coal Development LLC	8373176	000414637	5/25/2016	9/5/2016	104(a)	5/25/2016	C	N	77.1606(c)	162.00	Closed	162.00	162.00					
Alton Coal Development LLC	8373177	000414637	5/25/2016	9/5/2016	104(a)	5/31/2016	C	N	77.1103(d)	162.00	Closed	162.00	162.00					
Alton Coal Development LLC	8373170	000414637	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1606(c)	108.00	Closed	108.00	108.00					
Alton Coal Development LLC	8373171	000414637	5/23/2016	9/5/2016	104(a)	5/23/2016	C	N	77.1104	425.00	Closed	425.00	425.00					
Alton Coal Development LLC	8373173	000414637	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1606(c)	243.00	Closed	243.00	243.00					
Alton Coal Development LLC	8373174	000414637	5/23/2016	9/5/2016	104(a)	5/31/2016	C	Y	77.620	1,795.00	Closed	1,795.00	1,795.00					
Alton Coal Development LLC	8373175	000414637	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1104	3,143.00	Closed	3,143.00	3,143.00					
Alton Coal Development LLC	8373172	000414637	5/23/2016	9/5/2016	104(a)	5/24/2016	C	N	77.1606(c)	243.00	Closed	243.00	243.00					
Alton Coal Development LLC	8373168	000414637	5/18/2016	9/5/2016	104(a)	5/18/2016	C	N	77.1712(e)	308.00	Closed	308.00	308.00					
Alton Coal Development LLC	8373169	000414637	5/18/2016	9/5/2016	104(a)	5/18/2016	C	N	77.1713(e)	308.00	Closed	308.00	308.00					
Alton Coal Development LLC	9022957	000402684	1/6/2016	3/27/2016	104(a)	1/7/2016	C	Y	77.502	1,203.00	Closed	1,203.00	1,203.00					
Alton Coal Development LLC	8482835	000402684	12/17/2015	3/27/2016	104(a)	1/6/2016	C	N	77.502	100.00	Closed	100.00	100.00					
Alton Coal Development LLC	8482837	000402684	12/17/2015	3/27/2016	104(a)	12/17/2015	C	N	77.502	138.00	Closed	138.00	138.00					
Alton Coal Development LLC	8482836	000402684	12/17/2015	3/27/2016	104(a)	12/17/2015	C	Y	77.205(h)	2,282.00	Closed	2,282.00	2,282.00					

INCORPORATED
 MAR 05 2019
 Dept of Oil, Gas & Mining

<https://a1web.msha.gov/drs/ASP/MineAction.asp>

4/9

8/21/2018

MSHA - Mine Violations

LLC															
Alton Coal Development LLC	7621916	000400557	12/2/2015	8/30/2016	104(a)	12/2/2015	C	N	77.1104	138.00	Closed	138.00	138.00		
Alton Coal Development LLC	7621917	000400557	12/2/2015	8/30/2016	104(a)	12/2/2015	C	N	77.1606(g)	687.00	Closed	300.00	500.00		
Alton Coal Development LLC	7621915	000400557	12/1/2015	8/30/2016	104(a)	12/2/2015	C	N	77.1606(g)	138.00	Closed	112.00	112.00		
Alton Coal Development LLC	8476489	000400557	12/1/2015	8/30/2016	104(a)	12/1/2015	C	Y	77.502	1,026.00	Closed	821.00	821.00		
Alton Coal Development LLC	7621914	000400557	12/1/2015	8/30/2016	104(a)	12/1/2015	C	N	77.1102(b)	138.00	Closed	138.00	138.00		
Alton Coal Development LLC	8476488	000400557	12/1/2015	8/30/2016	104(a)	12/1/2015	C	N	77.1102(a)	138.00	Closed	138.00	138.00		
Alton Coal Development LLC	8483629	000393750	8/31/2015	4/27/2016	104(n)	8/31/2015	C	N	77.1606(c)	117.00	Closed	117.00	117.00		
Alton Coal Development LLC	8483620	000393750	7/29/2015	9/6/2016	104(g)(1)	8/3/2015	O	N	48.25(b)	1,500.00	Closed	823.00	823.00		
Alton Coal Development LLC	8483524	000383307	5/7/2015	12/15/2015	104(a)	5/7/2015	C	N	77.101(a)	362.00	Closed	100.00	100.00		
Alton Coal Development LLC	9021624	000380705	3/10/2015	12/15/2015	104(a)	3/10/2015	C	N	77.1104	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	9021621	000380705	3/9/2015	12/15/2015	104(a)	3/10/2015	C	Y	77.103(g)	1,304.00	Closed	1,304.00	1,304.00		
Alton Coal Development LLC	9021622	000380705	3/9/2015	12/15/2015	104(a)	3/10/2015	C	N	77.1104	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	9021623	000380705	3/9/2015	12/15/2015	104(a)	3/9/2015	C	N	77.402	108.00	Closed	108.00	108.00		
Alton Coal Development LLC	9021620	000380705	3/9/2015	12/15/2015	104(n)	3/10/2015	C	Y	77.1106(i)	1,203.00	Closed	1,050.00	1,050.00		
Alton Coal Development LLC	8483430	000378270	1/7/2015	11/4/2015	104(a)	1/8/2015	C	N	77.1200(i)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8483431	000378270	1/7/2015	1/4/2016	104(a)	1/8/2015	C	N	77.1080	2,700.00	Closed	2,700.00	2,700.00		
Alton Coal Development LLC	8483429	000373714	1/6/2015	8/25/2015	104(a)	1/6/2015	C	N	77.408	100.00	Closed	100.00	100.00		

<https://arweb.msha.gov/drs/ASP/MineAction.asp>

5/9

INCORPORATED
MAR 05 2019
Div. of Oil, Gas & Mining

8/21/2018

MSHA - Mine Violations

Alton Coal Development LLC	8483423	000378370	1/6/2015	1/4/2016	104(a)	1/6/2015	C	Y	77.1607(g)	6,800.00	Closed	6,800.00	6,800.00
Alton Coal Development LLC	8483427	000373716	1/6/2015	8/25/2015	104(a)	1/6/2015	C	Y	77.1437(g)	1,304.00	Closed	1,304.00	1,304.00
Alton Coal Development LLC	8483497	000373716	12/16/2014	8/25/2015	104(a)	12/16/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483488	000371257	12/3/2014	11/4/2015	104(a)	12/4/2014	C	N	77.1605(k)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483486	000373716	12/3/2014	8/25/2015	104(a)	12/3/2014	C	N	77.1000	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483487	000371157	12/3/2014	11/4/2015	104(a)	12/4/2014	C	N	77.1605(k)	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483479	000369768	10/21/2014	1/4/2016	104(a)	10/22/2014	C	Y	77.1104	460.00	Closed	460.00	460.00
Alton Coal Development LLC	8483478	000368768	10/21/2014	1/4/2016	104(a)	10/22/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483477	000368768	10/20/2014	1/4/2016	104(a)	10/21/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483476	000368768	10/20/2014	1/4/2016	104(a)	10/20/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483140	000364720	9/11/2014	8/30/2015	104(a)	9/26/2014	C	N	77.403-1(d)	308.00	Closed	100.00	100.00
Alton Coal Development LLC	8482823	000364720	9/11/2014	8/30/2015	104(a)	9/11/2014	C	N	77.404(b)	460.00	Closed	100.00	100.00
Alton Coal Development LLC	8482826	000364720	9/11/2014	8/30/2015	104(a)	9/11/2014	C	N	77.1110	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8482827	000364720	9/11/2014	8/30/2015	104(a)	9/11/2014	C	Y	77.403(a)	460.00	Closed	460.00	460.00
Alton Coal Development LLC	8483402	000372812	8/12/2014	1/4/2016	104(a)	8/12/2014	C	N	77.1000	2,100.00	Closed	2,100.00	2,100.00
Alton Coal Development LLC	8483401	000372812	8/11/2014	1/4/2016	104(a)	8/11/2014	C	Y	77.1000	6,800.00	Closed	6,800.00	6,800.00
Alton Coal Development LLC	8483093	000361905	7/28/2014	8/30/2015	104(a)	7/28/2014	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC	8483092	000361905	7/28/2014	8/30/2015	104(a)	7/28/2014	C	Y	77.205(a)	460.00	Closed	460.00	460.00

<https://ariweb.msha.gov/drs/ASP/MineAction.asp>

6/9

INCORPORATED

MAY 05 2019

Director of Oil Gas & Mining

8/21/2018

MSHA - Mine Violations

Development LLC															
Alton Coal Development LLC	8482233	000358878	6/25/2014	8/25/2015	104(a)	6/25/2014	C	Y	77.1533(g)	1,637.00	Closed	420.00	420.00		
Alton Coal Development LLC	8482234	000358878	6/25/2014	8/25/2015	104(a)	6/25/2014	C	N	77.1000	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482235	000358878	6/25/2014	8/25/2015	104(a)	7/9/2014	C	N	77.1000	308.00	Closed	100.00	100.00		
Alton Coal Development LLC	8483126		5/21/2014		103(j)	6/2/2014	O	N/A			Non-Assessable				
Alton Coal Development LLC	8483208	000356499	5/19/2014	8/20/2014	104(a)	5/21/2014	C	N	77.1000	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8483121		5/8/2014		103(k)	5/20/2014	O	N/A			Non-Assessable				
Alton Coal Development LLC	8481964	000361905	4/30/2014	8/30/2015	104(a)	8/15/2014	C	Y	77.1000	1,530.00	Closed	1,530.00	1,530.00		
Alton Coal Development LLC	8481963		4/29/2014		103(k)	5/1/2014	O	N/A			Non-Assessable				
Alton Coal Development LLC	8484396		4/16/2014		104(a)	4/21/2014	C	N			Non-Assessable				
Alton Coal Development LLC	8484397		4/16/2014		104(a)	4/21/2014	C	N			Non-Assessable				
Alton Coal Development LLC	8484394		4/15/2014		104(a)	4/15/2014	C	Y			Non-Assessable				
Alton Coal Development LLC	8484395		4/15/2014		104(a)	4/21/2014	C	N			Non-Assessable				
Alton Coal Development LLC	8482999	000351079	3/17/2014	3/25/2015	104(a)	3/17/2014	C	N	77.1713(g)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8483000	000351079	3/17/2014	3/25/2015	104(a)	3/17/2014	C	N	77.1713(g)	108.00	Closed	108.00	108.00		
Alton Coal Development LLC	8482987	000358878	1/30/2014	1/4/2016	104(d)(1)	3/4/2014	C	Y	77.1000(g)	70,000.00	Closed	25,900.00	25,900.00		
Alton Coal Development LLC	8482946	000348285	1/29/2014	8/25/2015	104(a)	1/29/2014	C	Y	77.1104	308.00	Closed	308.00	308.00		
Alton Coal Development LLC	8482983	000345459	1/27/2014	8/25/2015	104(a)	1/27/2014	C	N	77.1110	100.00	Closed	100.00	100.00		

<https://a1web.msha.gov/drs/ASP/MineAction.asp>

7/9

INCORPORATED

WR 05 2019

Div of Oil, Gas & Mining

6/21/2016

MSHA - Mine Violations

LLC															
Alton Coal Development LLC	8482942	000345459	1/27/2014	8/25/2015	104(a)	1/27/2014	C	N	77.110(b)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482982	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482945	000358878	1/27/2014	8/25/2015	104(a)	2/6/2014	C	Y	77.101(d)	1,530.00	Closed	430.00	430.00		
Alton Coal Development LLC	8482944	000345459	1/27/2014	8/25/2015	104(a)	1/28/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482986	000359231	1/27/2014	8/25/2015	104(a)	4/16/2014	C	Y	77.1000	5,700.00	Closed	5,700.00	5,700.00		
Alton Coal Development LLC	8482984	000345459	1/27/2014	8/25/2015	104(a)	2/6/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482943	000345459	1/27/2014	8/25/2015	104(a)	1/27/2014	C	N	77.1605(d)	308.00	Closed	308.00	308.00		
Alton Coal Development LLC	8482820	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	N	77.305(a)	308.00	Closed	200.00	200.00		
Alton Coal Development LLC	8482985	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	N	77.1606(c)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482981	000345459	1/27/2014	8/25/2015	104(a)	1/29/2014	C	Y	77.110a	460.00	Closed	460.00	460.00		
Alton Coal Development LLC	8482128	000330002	7/10/2013	4/22/2014	104(a)	7/11/2013	C	N	77.20(a)	100.00	Closed	85.00	85.00		
Alton Coal Development LLC	8482126	000330002	7/9/2013	4/22/2014	104(a)	7/9/2013	C	N	77.1605(k)	100.00	Closed	85.00	85.00		
Alton Coal Development LLC	8482113		5/15/2013		103(k)	5/19/2013	O	N/A		Non-Assessable Div. of Oil, Gas & Mining					
Alton Coal Development LLC	8482115	000343403	5/13/2013	11/11/2014	104(a)	5/19/2013	C	Y	77.1000	946.00	Closed	946.00	946.00		
Alton Coal Development LLC	8482112	000327483	5/14/2013	5/8/2014	104(a)	5/14/2013	C	N	77.502	190.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482111	000327483	5/14/2013	5/8/2014	104(a)	5/14/2013	C	Y	77.205(a)	100.00	Closed	100.00	100.00		
Alton Coal Development LLC	8482074	000316333	1/17/2013	2/27/2014	104(a)	2/4/2013	C	N	77.202	100.00	Closed	100.00	100.00		

INCORPORATED

MAR 05 2019

8/21/2018

MSHA - Mine Violations

Alton Coal Development LLC		8482073	000316333	1/17/2013	2/27/2014	104(a)	2/4/2013	C	N	77.213	100.00	Closed	100.00	100.00
Kane Mining	A1006	8482076	000314514	1/16/2013	7/23/2013	104(a)	1/16/2013	C	N	77.404(g)	190.00	Closed	152.00	152.00
Alton Coal Development LLC		8482071	000316333	1/16/2013	2/27/2014	104(a)	1/16/2013	C	N	77.404(g)	100.00	Closed	100.00	100.00
Kane Mining	A1006	8482077	000314514	1/16/2013	7/23/2013	104(a)	1/16/2013	C	Y	77.404(g)	190.00	Closed	190.00	190.00
Kane Mining	A1006	8482340	000314514	1/16/2013	7/23/2013	104(a)	2/4/2013	C	N	77.1101	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482072	000316333	1/16/2013	2/27/2014	104(a)	1/16/2013	C	N	77.404(g)	100.00	Closed	100.00	100.00
Kane Mining	A1006	8482075	000314514	1/13/2013	7/23/2013	104(a)	1/15/2013	C	Y	77.202	190.00	Closed	190.00	190.00
Kane Mining	A1006	8482067	000314514	1/15/2013	7/23/2013	104(a)	1/15/2013	C	N	77.1104	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482069	000316333	1/15/2013	2/27/2014	104(a)	1/15/2013	C	Y	77.302	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482068	000316333	1/15/2013	2/27/2014	104(a)	1/15/2013	C	N	77.505	100.00	Closed	100.00	100.00
Alton Coal Development LLC		8482070	000316333	1/15/2013	2/27/2014	104(a)	1/15/2013	C	N	77.302	100.00	Closed	100.00	100.00

[Return to DRS Home Page](#)

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

APPENDIX B

Part C

Certificate of Liability
Insurance

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

TABLE OF CONTENTS

1.	CONTENTS	
2.	CHAPTER 1	LEGAL
3.	CHAPTER 2	BIOLOGY
4.	CHAPTER 3	SOILS
5.	CHAPTER 4	LAND USE
6.	CHAPTER 5	ENGINEERING
7.	CHAPTER 6	GEOLOGY
8.	CHAPTER 7	HYDROLOGY
9.	CHAPTER 8	BONDING
10.	APPENDIX A	
	PART 1	Ownership and Control (Located in CONFIDENTIAL BINDER)
11.	APPENDIX A	
	Part 2	Not Used
12.	APPENDIX B	
	Part A-1	DOG M Permit
13.	APPENDIX B	
	Part A-2	Utah Railway, Lease Agreement
14.	APPENDIX B	
	Part A-3	Utah Railway, Amendment to Lease
15.	APPENDIX B	
	Part A-4	Utah Railway, Amended Trackage Agreement
16.	APPENDIX B	
	Part A-5	Agreement with Beaver Creek Coal Co.
17.	APPENDIX B	
	Part A-6	BLM Right-of-Way Grant
18.	APPENDIX B	
	Part A-7	BLM Notice to Proceed with Construction
19.	APPENDIX B	
	Part A-8	BLM Access Road Right-of-Way

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

20. APPENDIX B
Part A-9 BLM Right-of-Way, Amendment No. 1
21. APPENDIX B
Part A-10 BLM Right-of-Way, Amendment No. 2
22. APPENDIX B
Part A-11 BLM Right-of-Way, Amendment No. 3, 4
23. APPENDIX B
Part A-12 BLM Right-of-Way, Amendment No. 5
24. APPENDIX B
Part A-13 Utah Div. of Air Quality - Approval Order
25. APPENDIX B
Part A-14 CEG2 Right of Entry Documentation
26. APPENDIX B
Part A-15 Utah Dept. of Transmission - Approval of Reduced Rail Clearance
27. APPENDIX B
Part A-16 Southeastern Utah District Health Dept. - Wastewater Disposal System Approval
28. APPENDIX B
Part A-17 State Div. of History - Archeological Clearance (Moved to CONFIDENTIAL BINDER)
29. APPENDIX B
Part A-18 State Div. of History - Archeological Survey (Moved to CONFIDENTIAL BINDER)
30. APPENDIX B
Part A-19 State Div. of Water Rights - Approved Application
31. APPENDIX B
Part A-20 State Div. of Wildlife Resources - Electric Transmission Pole Acceptance
32. APPENDIX B
Part A-21 U.S. Dept. of Interior - Powerline Approval

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

33.	APPENDIX B Part A-22	State Div. of Water Quality- UPDES Permit May 10, 2011 Rights of Way, Leases, Real Property Agreements - Assignments Assignment and Assumption Agreement	
34.	APPENDIX B Part A-23	May 4, 2011 Quitclaim Deed between Andalex Resources, Inc., as Grantor, and Intermountain Power Agency, Grantee	
35.	APPENDIX B Part B	History of Violations	
36.	APPENDIX B Part C	Insurance	
37.	APPENDIX B Part D	Bond Information	
38.	APPENDIX C	Soil and Foundation Investigation	
39.	APPENDIX D Supplement	Soil Survey Soils Report, James Nyenhuis	
40.	APPENDIX E	Wildlife Enhancement Project	
41.	APPENDIX F	Wildlife Resources Information	
42.	APPENDIX G	Garley Canyon Spring Water Rights/Analysis	
43.	APPENDIX H	Sediment Pond Certification and R-69 Forms	
44.	APPENDIX I	Vegetation Survey	
45.	APPENDIX J	Probable Hydrologic Consequences of Operations at the Wildcat Loadout	
46.	APPENDIX K	[DELETED]	INCORPORATED
47.	APPENDIX L	Grade Control Structures	
48.	APPENDIX M	[DELETED]	MAR 05 2019
49.	APPENDIX N	Vegetation Test Plot Monitoring	Div. of Oil, Gas & Mining
50.	APPENDIX O Supplement	Coal Processing Waste Pile Chemical Analysis of Refuse Material	

- 51. APPENDIX P Response to Division Order D0-04 Wind Blown Fines
- 52. APPENDIX Q [DELETED]
- 53. APPENDIX R Sedimentation and Drainage Control Plan
- 54. MAPS

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining

**CHAPTER 1
TABLE OF CONTENTS**

R645-301-100.	GENERAL	1-1
R645-301-110.	LEGAL, FINANCIAL, COMPLIANCE AND	1-1
R645-301-111.	INTRODUCTION	1-1
R645-301-112.	IDENTIFICATION OF INTERESTS	1-3
R645-301-113.	VIOLATION INFORMATION	1-6
R645-301-114.	RIGHT-OF-ENTRY INFORMATION	1-9
R645-301-115.	STATUS OF UNSUITABILITY CLAIMS	1-11
R645-301-116.	PERMIT TERM	1-11
R645-301-117.	INSURANCE, PROOF OF PUBLICATION AND FACILITIES OR STRUCTURES USED IN COMMON	1-12
R645-301-118.	FILING FEE	1-12
R645-301-120.	PERMIT APPLICATION FORMAT AND CONTENTS	1-12
R645-301-121.	REQUIREMENTS	1-12
R645-301-122.	REFERENCED MATERIALS	1-13
R645-301-123.	APPLICATION FOR PERMITS, CHANGES, RENEWALS, OR TRANSFERS	1-13
R645-301-130.	REPORTING AND TECHNICAL DATA	1-13
R645-301-131.	TECHNICAL DATA REQUIREMENTS	1-16
R645-301-132.	TECHNICAL ANALYSES REQUIREMENTS	1-16
R645-301-140.	MAPS AND PLANS	1-16
R645-301-141.	MAP FORMATS	1-16
R645-301-142.	PHASES OF OPERATIONS AND MINING ACTIVITY	1-16
R645-301-150.	COMPLETENESS	1-18

INCORPORATED

MAR 05 2019

Div. of Oil, Gas & Mining