

**BANNING LOADOUT
SOLDIER CREEK COAL COMPANY**

CHAPTER 1

COAL MINE PERMITTING: PERMIT APPLICATION REQUIREMENTS

R645. Natural Resources; Oil, Gas and Mining; Coal.

R645-301. Coal Mine Permitting: Permit Application Requirements.

R645-301-100. General Contents.

The rules in R645-301-100 present the requirements for the entitled information which should be included in each permit application.

R645-301-110. Minimum Requirements for Legal, Financial, Compliance and Related Information.

R645-301-111. Introduction.

This Soldier Creek Coal Company (SCCC) Application for Permit Transfer provides information regarding the ownership and control of the Banning Rail Loadout area pursuant R645-303-300. The compliance status and history of the operator for all other operations within the state are also provided herein.

Soldier Creek Coal Company is authorized, as applicant and operator, to operate the Banning Loadout in Carbon County, Utah under Permit Number ACT/007/034 issued by the State of Utah, Division of Oil, Gas, and Mining. Soldier Creek Coal Company is 100% owned by Sage Point Coal Company. During October, 1991, Soldier Creek Coal Company resubmitted the Mining and Reclamation Plan for the Banning Loadout with "Legal, Financial, and Compliance Related Information: showing Soldier Creek Coal Company to be both the Applicant and Operator of the mine. The existing permit is good until October 25, 1993. A draft permit renewal was submitted by Soldier Creek Coal Company on June 24, 1993.

On July 3, 1993, Coastal States Energy Company signed an acquisition agreement with Elk River Resources, Inc., the owner of Sage Point Coal Company, to purchase 100% of the Sage Point stock from Elk River Resources, Inc. Closing of the agreement is expected September 15, 1993.

As a result of these ownership changes, information in the Soldier Creek Coal Company Mining and Reclamation Plan for the Banning Loadout will change regarding "Legal, Financial, Compliance and Related Information" after the July 3, 1993 agreement is closed.

Applicant herein commits to modify Chapter One of the currently approved Banning Loadout Mining and Reclamation Plan with appropriate right-of-entry information and with information contained in this Permit Transfer Application within 60 days of closing of the Acquisition Agreement.

R645-301-111.100. Objectives.

The objectives of R645-301-100 are to insure that all relevant information on the ownership and control of persons who conduct coal mining and reclamation operations, the ownership and control of the property to be affected by the operation, the compliance status and history of those persons, and other important information is provided in the application to the Division.

R645-301-111.200. Responsibility.

It is the responsibility of the permit applicant to provide to the Division all of the information required by R645-301-100.

R645-301-111-300. Applicability.

The requirements of R645-301-100 apply to any person who applies for a permit to conduct coal mining and reclamation operations.

R645-301-111.400. *The applicant shall submit the information required by R645-301-112 and R645-301-113 in a format prescribed by the state program.*

R645-301-112. Identification of Interests.

An application will contain the following:

Soldier Creek Coal Company is wholly owned by Sage Point Coal Company. Sage Point Coal Company is a wholly owned subsidiary of Coastal States Energy Company, 175 East 400 South, Suite 800, Salt Lake City, Utah. Coastal States

Energy Company is a wholly owned subsidiary of the Coastal Corporation, a Delaware corporation.

Soldier Creek Coal Company is the operator of a train loading facility, called the Banning Rail Loadout, located in Carbon County, Utah. The facilities are within Sections 15, 16 and 21, Township 15 South, Range 12 East, SLBM. These locations are approximately eight miles east of Wellington, Utah.

R645-301-112.100. A statement as to whether the applicant is a corporation, partnership, single proprietorship, association, or other business entity;

Applicant is a corporation, incorporated under the laws of the state of Delaware, and registered to do business in Utah.

R645-301-112.200. The name, address, telephone number and, as applicable, social security number and employer identification number of the :

R645-301-112.210. Applicant;

Soldier Creek Coal Company
Post Office Box I
Price, Utah 84501
(801) 637-6360
Mine I.D. Number 42-00077

R645-301-112.220. Applicant's resident agent; and

The resident agent of the Applicant is:
C.T. Corporation Systems
811 Dallas Avenue
Houston, Texas 77002
Ph. (713) 658-9486

R645-301-112.230. Person who will pay the abandoned mine land reclamation fee.

Soldier Creek Coal Company will pay abandoned mine land fees associated with coal mined at the Banning rail Loadout.

R645-301-112.300. For each person who owns or controls the applicant under the definition of "owned or controlled" and "owns or controls" in R645-100-200 of this chapter, as applicable:

R645.301.112.310. The person's name, address, social security number and employer identification number;

R645-301-112.320. The person's ownership or control relationship to the applicant, including percentage of ownership and location in organizational structure;

R645-301-112.330. The title of the person's position, date position was assumed, and when submitted under R645-300-147, date of departure from the position;

The directors and officers of Soldier Creek Coal Company are:
Board of Directors:

David A. Arledge
Austin M. O'Toole

James L. Van Lanen
Vernal J. Mortensen
Robert A. Feilner

Officers:

David A. Arledge
James L. Van Lanen
Vernal J. Mortensen
Reid W. Olsen
Donald J. Appleman
Jeffery A. Connelly
Robert A. Feilner
William S. Hudgins, Jr.

Executive Vice President
President
Executive Vice President
Vice President
Vice President
Vice President and Treasurer
Vice President
Vice President, General Counsel
and Asst. Secretary
Vice President
Controller
Secretary
Assistant Secretary
Assistant Secretary
Assistant Secretary
Assistant Controller

E.C. Simpson
Edward P. Gleichauf
Austin M. O'Toole
Jay L. Gallia
John S. Gennaro
Robert A. Shaw, Jr.
H.R. Natho

The directors and officers of Sage Point Coal Company are the same as the directors and officers of Soldier Creek Coal Company.

The directors and officers of Coastal States Energy Company are:

Board of Directors:

O.S. Wyatt, Jr.	Austin M. O'Toole
Harold Burrow	David A. Arledge
James L. Van Lanen	

Officers:

David A. Arledge	Executive Vice President
James L. Van Lanen	President
Vernal J. Mortensen	Senior Vice President
Austin M. O'Toole	Senior Vice President and Secretary
Donald J. Appleman	Vice President
M.T. Arnold	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Robert A. Feilner	Vice President
Coby C. Hesse	Vice President
William S. Hudgins, Jr.	Vice President, General Counsel & Assistant Secretary
T.E. Jackson, Jr.	Vice President
E.C. Simpson	Vice President
Edward P. Gleichauf	Controller
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw Jr.	Assistant Secretary
H.R. Natho	Assistant Controller

The Coastal Corporation is the parent company of Coastal States Energy Company.

The directors and officers of the Coastal Corporation are:

THE COASTAL CORPORATION

BOARD OF DIRECTORS:

CLASS I DIRECTORS - TERM EXPIRING 1996

John M. Bissell
Harold Burrow
Roy D. Chapin, Jr.
James F. Cordes
Roy L. Gates
Jerome S. Katzin

CLASS II DIRECTORS - TERM EXPIRING 1994

David A. Arledge
George L. Brundett, Jr.
Edward J. Mosher
Lemuel Dale Wooddy, Jr.
O.S. Wyatt, Jr.

CLASS III DIRECTORS - TERM EXPIRING 1995

Ervin O. Buck
Kenneth O. Johnson
J. Howard Marshall, II
Thomas R. McDade

EXECUTIVE COMMITTEE

O.S. Wyatt, Jr. Chairman
Ervin O. Buck
Harold Burrow
James F. Cordes
J. Howard Marshall II

AUDIT COMMITTEE

Ervin O. Buck, Chairman
John M. Bissell
Roy L. Gates
Jerome S. Katzin

COMPENSATION AND EXECUTIVE DEVELOPMENT COMMITTEE

John M. Bissell, Chairman
Roy D. Chapin, Jr.
Jerome S. Katzin

LIST OF OFFICERS

O. S. Wyatt, Jr.	Chairman of the Board and Chief Executive Officer
David A. Arledge	Senior Executive Vice President and Chief Operating Officer
James F. Cordes	Executive Vice President
James A. King	Executive Vice President
Jerry D. Bullock	Senior Vice President
Carl A. Corrallo	Senior Vice President and General Counsel
Dan J. Hill	Senior Vice President
Jose J. Iglesias	Senior Vice President
Kenneth O. Johnson	Senior Vice President
Austin M. O'Toole	Senior Vice President and Secretary
Jack C. Pester	Senior Vice President
James L. Van Lanen	Senior Vice President
Sam F. Willson, Jr.	Senior Vice President
M. Truman Arnold	Vice President
Daniel F. Collins	Vice President
Jeffery A. Connelly	Vice President and Treasurer
Coby C. Hesse	Vice President and Controller
Robert G. Holsclaw	Vice President
Charles M. Oglesby	Vice President
M. Frank Powell	Vice President
E. C. Simpson	Vice President
Jay L. Gallia	Assistant Secretary
John S. Gennaro	Assistant Secretary
Robert A. Shaw, Jr.	Assistant Secretary
Dale V. Shultz	Assistant Secretary
Kirk W. Weinert	Assistant Secretary
Fred D. Gray	Assistant Treasurer
Ronald D. Matthews	Assistant Treasurer
James M. Rauch	Assistant Treasurer
J. W. French	Assistant Controller
Fred H. Hallman	Assistant Controller
J. W. Knowles	Assistant Controller
H. R. Natho	Assistant Controller

The addresses and phone numbers for the officers and directors of Soldier Creek Coal Company, Sage Point Coal Company, Coastal States Energy Company, and the Coastal Corporation are the same as those for the company for which the individuals are officers and directors and are as follows:

Soldier Creek Coal Company
P.O. Box I
Price, Utah 84501
Ph. (801) 637-6360

Sage Point Coal Company
P.O. Box I
Price, Utah 84501
Ph. (801) 637-6360

Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111
Ph. (801) 596-7111

Coastal Corporation
Nine Greenway Plaza
Houston, Texas 77049
Ph. (713) 877-1400

The Coastal Corporation owns and controls other coal mining and reclamation operations under ANR Coal Company and Coastal States Energy Company. These other operations, their permit numbers, MSHA numbers, and date of issuance of MSHA numbers are listed in this Application for Permit Transfer.

Written correspondence to Soldier Creek Coal Company regarding the operations should be addressed to:

R.W. (Reid) Olsen, Vice President and General Manager
Soldier Creek Coal Company
P.O. Box I
Price, Utah 84501
Ph. (801) 637-6360

with copies to:

Vernal J. Mortensen, Executive Vice President
Coastal States Energy Company
175 East 400 South, Suite 800
Salt Lake City, Utah 84111

Coastal Corporation's coal mining activities are operated either under Coastal States Energy Company or ANR Coal Company.

O.S. Wyatt, Jr. is the only stockholder of Coastal Corporation owning more than five percent of the corporation's outstanding common stock.

R645-301-112.340 Each additional name and identifying number, including employer identification number, Federal or State permit number, and MSHA number with date of issuance, under which the person owns or controls, or previously owned or controlled, a coal mining and reclamation operation in the United States within five years preceding the date of the application; and

N/A

R645-301-112.350. The application number or other identifier of, and the regulatory authority for, any other pending coal mine operation permit application filed by the person in any State in the United States.

N/A

R645-301-112.400. For any coal mining and reclamation operation owned or controlled by either the applicant or by any person who owns or controls the applicant under the definition of "owned or controlled" and "owns or controls" in R645-100-200 the operation's:

R645-301-112.410. Name, address, identifying numbers, including employer identification number, Federal or State permit number and MSHA number, and the regulatory authority; and

The following list represents all permits issued to Soldier Creek Coal Company, all pending applications for permits, and any permit recognized as necessary in the future for which no application has been filed. Identification numbers of applications or permits are contained in the following list. However, many of the agencies listed have review responsibility only and may not have submitted a numbered permit.

<u>Permit</u>	<u>Issuing Authority</u>	<u>Approval Status/ Identification No.</u>
Mining and Reclamation Permit ACT/007/018 Soldier Creek Mine	State of Utah Department of Natural Resources Division of Oil, Gas and Mining	Five-Year Permit renewal was approved on February 6, 1992
Mining and Reclamation Permit ACT/007/034 Banning Rail Loadout	State of Utah Department of Natural Resources Division of Oil, Gas and Mining	Five-Year Permit expires October 25, 1993. Renewal application has been submitted.
U.P.D.E.S. Permit UT-0023680 Soldier Canyon Mine Site	Environmental Protection Agency and Utah D.E.Q.	Approved
U.P.D.E.S. Permit UT-0040000 Banning Loadout	Environmental Protection Agency and Utah D.E.Q.	Approved
Business License	Carbon County	Approved
Mine Health and Safety Permit 42-00077 (Soldier Canyon Mine)	Mine Safety and Health Administration - Utah	All approved
Mine Health and Safety Permit 42-01756 (Savage Coal Services)	Mine Safety and Health Administration - Utah	All approved
Radio Permits	Federal Communications Commission	Approved
Certificate of Insurance and Authorization to do Business in State	State Industrial Development Commission	Approved

Air Quality Approval Order	State of Utah Utah Air Conservation Committee Department of Health Division of Environmental Health	Approved
Water Rights	State Engineer	Approved

The Coastal States Energy Company coal mining permits and operations are:

Soldier Creek Coal Company Soldier Canyon Mine Facility	ACT/007/018
Soldier Creek Coal Company Banning Rail Loadout Facility	ACT/007/034
Southern Utah Fuel Company	ACT/041/002
Utah Fuel Company, Skyline Mine	ACT/007/005

The issuing authority for the Coastal States Energy Company permits is the UDOGM.

The Coastal Corporation conducts coal mining operations under both Coastal States Energy Company and ANR Coal Company.

COMPANY PERMIT LIST
as of 8/31/1993

Company Name: **BROOKS RUN COAL COMPANY** (Employee ID No. 382174137)
Regulatory Authority: **West Virginia Department of Environmental Protection**

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). 3B/5B Haulroad	Haulroad (Active)	H-529	NONE	N/A
2). 8A Haulroad	Haulroad (Active)	H-562	NONE	N/A
3). No. 1 Prep. Plant	Prep. Plant (Active)	P-612	46-06045	9/04/1979
4). Prospect Permit	Prospect Permit (Active)	P-2015-92	NONE	N/A
5). 7A	Underground (Active)	U-1019-91	46-08129	1/15/1992
6). 9A Deep Mine	Underground (Active)	SMA-2004-93	46-08284	3/17/1993
7). Freeport Mine No. 2	Underground (Inactive)	U-3071-86	NONE	N/A
8). 9B Deep Mine	Underground (Pending)	SMA-2005-93	46-08284	3/17/1993
9). 3A/4A Haulroad	Haulroad (Released)	H-451	NONE	N/A
10). Prospect Permit	Prospect Permit (Released)	P-3021-88	NONE	N/A
11). Brooks Run Coal Company	Surface (Transferred 1/31/1991)	S-1026-90	N/A	N/A
12). Brooks Run Coal Company	Underground (Transferred 12/09/1988)	U-3057-87	N/A	N/A
13). Brooks Run Coal Company	Underground (Transferred 12/09/1988)	U-3058-87	N/A	N/A

COMPANY PERMIT LIST
as of 8/31/1993

Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). Enterprise Coal Company	Deep Mine (Active)	867-5100	15-14687	7/01/1990
2). Enterprise Coal Company	Deep Mine (Active)	867-5109	15-16741	7/01/1989
3). Enterprise Coal Company	Deep Mine (Active)	867-5157	15-17408	6/09/1993
4). Enterprise Coal Company	Deep Mine (Active)	898-5374	15-16434	7/01/1988
5). Enterprise Coal Company	Deep Mine (Active)	898-5585	15-17260	7/01/1992
6). Enterprise Coal Company	Deep Mine (Active)	898-5692	15-14977	11/26/1984
7). Enterprise Coal Company	Haulroad Only (Active)	867-7005	15-14533	7/01/1984
8). Enterprise Coal Company	Haulroad Only (Active)	867-7006	15-11121	3/23/1978
9). Enterprise Coal Company	Loadout (Active)	898-6020	15-11528	7/01/1988
10). Enterprise Coal Company	Prep. Plant (Active)	867-8018	15-11121	3/23/1978
11). Enterprise Coal Company	Prep. Plant/Refuse (Active)	498-8011	15-13857	2/16/1982
12). Enterprise Coal Company	Refuse Fill (Active)	867-8017	15-11121	3/23/1978
13). Enterprise Coal Company	Deep Mine (Bond Release 5/10/1993)	867-5107	N/A	N/A
14). Enterprise Coal Company	Deep Mine (Bond Release Status)	867-5090	15-09982	7/01/1989
15). Enterprise Coal Company	Deep Mine (Inactive)	498-5409	PENDING	PENDING
16). Enterprise Coal Company	Deep Mine (Inactive)	867-5102	15-16127	7/01/1987

**COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforcement

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). Enterprise Coal Company	Deep Mine (Inactive)	867-5109	15-15110	7/01/1989
18). Enterprise Coal Company	Deep Mine (N/A)	898-5554	15-05435	10/02/1982
19). Enterprise Coal Company	Surface Mine (N/A)	867-0342	PENDING	PENDING
20). Enterprise Coal Company	Surface Mine (N/A)	867-0343	PENDING	PENDING
21). Enterprise Coal Company	Deep Mine (Not Activated)	867-5099	N/A	N/A
22). Enterprise Coal Company	Deep Mine (Not Activated)	867-5105	N/A	N/A
23). Enterprise Coal Company	Deep Mine (Not Activated)	898-5574	N/A	N/A
24). Enterprise Coal Company	Loadout (Not Activated)	867-8028	N/A	N/A
25). Enterprise Coal Company	Surface Mine (Not Activated)	898-0353	PENDING	PENDING
26). Enterprise Coal Company	Surface Mine (Not Activated)	898-0354	PENDING	PENDING
27). Enterprise Coal Company	Deep Mine (PENDING)	836-5297	PENDING	PENDING
28). Enterprise Coal Company	Deep Mine (PENDING)	867-5126	PENDING	PENDING
29). Enterprise Coal Company	Surface Mine (PENDING)	898-0377	PENDING	PENDING
30). Enterprise Coal Company	Deep Mine (Phase I Bond Rel. 4/08/1993)	498-5399	15-13905	7/01/1984
31). Enterprise Coal Company	Deep Mine (Phase I Bond Rel.)	867-5101	15-16752	7/01/1989
32). Enterprise Coal Company	Deep Mine (Phase I Bond Rel.)	867-5106	15-12517	7/13/1981

**COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: ENTERPRISE COAL COMPANY (Employer ID No. 610855798)
Regulatory Authority: Kentucky Dept. for Surface Mining Reclamation and Enforceme

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
33). Enterprise Coal Company	Surface Mine (Phase II Bond Rel.)	867-0319	N/A	N/A
34). Enterprise Coal Company	Deep Mine (Temp. Abandonment)	867-5110	15-16898	7/01/1990
35). Enterprise Coal Company	Deep Mine (Temp. Abandonment)	867-5146	15-16530	7/01/1989
36). Enterprise Coal Company	Deep Mine (Temp. Inactive)	867-5103	15-14533	7/01/1984
37). Enterprise Coal Company	Surface Mine (Transferred 8/15/1991)	836-0217	N/A	N/A

**COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
Regulatory Authority: West Virginia Department of Environmental Protection

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). Greenbrier Coal Company	Deep Mine (Active)	SMA-3015-92	46-08189	06/24/1992
2). Greenbrier Coal Company	Haulroad (Active)	H-353	N/A	N/A
3). Greenbrier Coal Company	Loadout (Active)	O-99-83	46-00376	1983
4). Greenbrier Coal Company	Prospect Permit (Active)	P-3005-93	N/A	N/A
5). Greenbrier Coal Company	Prospect Permit (Active)	P-3016-92	N/A	N/A
6). Greenbrier Coal Company	Prospect Permit (Active)	P-3017-92	N/A	N/A
7). Greenbrier Coal Company	Refuse Area (Active)	R-681	N/A	N/A
8). Greenbrier Coal Company	Surface Mine (Active)	S-138-78	46-07376	1987
9). Greenbrier Coal Company	Surface Mine (Active)	S-139-78	46-08182	06/1992
10). Greenbrier Coal Company	Surface Mine (Active)	S-3022-91	46-08127	01/17/1992
11). Greenbrier Coal Company	Surface Mine (Active)	S-3029-89	46-08059	7/11/1991
12). Greenbrier Coal Company	Surface Mine (Active)	S-3032-86	46-06895	10/87
13). Greenbrier Coal Company	Surface Mine (Active)	S-51-76	46-08059	8/15/1991
14). Greenbrier Coal Company	Surface Mine (Active)	S-68-77	46-08059	8/15/1991
15). Greenbrier Coal Company	Surface Mine (Active)	SMA-3030-92	46-07376	1987
16). Greenbrier Coal Company	Surface Mine (Active)	SMA-3047-92	46-08303	05/19/1993

**COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
Regulatory Authority: West Virginia Department of Environmental Protection**

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). Greenbrier Coal Company	Underground (Active)	SMA-3019-91	46-08319	7/20/93
18). Greenbrier Coal Company	Underground (Active)	U-3053-89	46-07814	9/21/1990
19). Greenbrier Coal Company	Deep Mine (Inactive)	UO-27	46-03816	N/A
20). Greenbrier Coal Company	Haulroad (Not Issued)	O-3026-92	N/A	N/A
21). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3009-93	PENDING	PENDING
22). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3010-93	PENDING	PENDING
23). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3011-93	PENDING	PENDING
24). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3048-92	PENDING	PENDING
25). Greenbrier Coal Company	Surface Mine (Pending)	SMA-3050-91	PENDING	PENDING
26). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-101-79	46-06033	1979
27). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-137-78	46-06947	1985
28). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-77-84	46-06560	1984
29). Greenbrier Coal Company	Surface Mine (Phase I Bond Rel.)	S-97-82	46-06560	1982
30). Greenbrier Coal Company	Prospect Permit (Released)	P-3033-90	N/A	N/A
31). Greenbrier Coal Company	Prospect Permit (Released)	P-3038-90	N/A	N/A
32). Greenbrier Coal Company	Prospect Permit (Released)	P-3042-90	N/A	N/A

**COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: GREENBRIER COAL COMPANY (Employer ID No. 760301391)
Regulatory Authority: West Virginia Department of Environmental Protection**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
33). Greenbrier Coal Company	Surface Mine (Transferred 1992)	S-3039-86	46-07136	1986

**COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: KINGWOOD COAL COMPANY (Employer ID No. 760292683)
Regulatory Authority: West Virginia Department of Environmental Protection**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Kingwood Coal Company	Deep Mine (H & H) (Active)	D-82-82	46-08201	7/15/1982
2). Kingwood Coal Company	Deep Mine (Moonshine) (Active)	D-39-82	46-07912	09/02/1987
3). Kingwood Coal Company	Deep Mine (Sarah) (Active)	U-1010-89	46-07732	7/31/1989
4). Kingwood Coal Company	Deep Mine (Whitetail) (Active)	U-1014-92	46-08285	11/30/92
5). Kingwood Coal Company	Prep. Plant (Active)	P-685	46-02560	4/30/1974
6). Kingwood Coal Company	Prospect (Active)	P-1011-93	N/A	N/A
7). Kingwood Coal Company	Refuse Area (Active)	R-673	46-02560	4/30/1974
8). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1009-92	N/A	N/A
9). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1011-92	N/A	N/A
10). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1025-91	N/A	N/A
11). Kingwood Coal Company	Prospect (Bond Released 12/01/92)	P-1040-91	N/A	N/A
12). Kingwood Coal Company	Prospect (Bond Released 3/13/1991)	P-1022-90	N/A	N/A
13). Kingwood Coal Company	Surface Mine (Pending Bond Rel.)	3-80	46-02560	1/14/1980

COMPANY PERMIT LIST
as of 8/31/1993

Company Name: SOUTHERN UTAH FUEL COMPANY (Employer ID No. 742010288)
Regulatory Authority: Utah Division of Oil, Gas and Mining

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). SUFCo Mine	Underground (Active)	ACT/041/002	42-00089	1973

**COMPANY PERMIT LIST
as of 8/31/1993**

**Company Name: UTAH FUEL COMPANY (Employer ID No. 742010721)
Regulatory Authority: Utah Division of Oil, Gas and Mining**

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
1). Skyline Mine #1	Underground (Active)	ACT/007/005	42-01435	1979
2). Skyline Mine #3	Underground (Active)	ACT/007/005	42-01566	1979
3). Skyline Mine #2	Underground (Not Activated)	ACT/007/005	42-01565	1979

COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA CITY COAL COMPANY (Employer ID No. 541262278)
Regulatory Authority: Virginia Division of Mined Land Reclamation

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). Virginia City Coal Company	Associated Facility (Active - Temporary Cessation)	1401453	44-00294	1983
2). Virginia City Coal Company	Associated Facility (Active - Temporary Cessation)	1401453	44-05517	1983
3). Virginia City Coal Company	Underground (Active - Temporary Cessation)	1200763	NONE	N/A
4). Virginia City Coal Company	Deep/Prep/Refuse (Transferred)	1400479	44-00294	1983
5). Virginia City Coal Company	Deep/Prep/Refuse (Transferred)	1400479	44-05517	1983

**COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
1). VICC - Mountaineer #4 Mine	Deep Mine (Active)	1401475	44-05090	2/1990
2). VICC - Phipps Dock	Loading Dock (Active)	1301071	44-05863	11/24/1987
3). VICC - T.C. Prep. Plant	Preparation/Refuse (Active)	1300400	44-05270	8/28/1979
4). VICC - Meade Fork	Surface Mine (Active)	1101396	44-06661	9/06/1991
5). VICC - Bee Branch Imboden	Underground (Active)	1201476	44-06594	04/01/1993
6). VICC - Guest Mountain U.B.	Underground (Active)	1201454	44-06736	3/04/1993
7). VICC - White Oak Mine	Underground (Active)	1201459	44-04871	2/01/1991
8). VICC - Nora Haulroad	Haulroad (Active - Temporary Cessation)	1801138	N/A	N/A
9). VICC - Cranesnest Dock	Loading Dock (Active - Temporary Cessation)	1300937	44-04301	3/19/1976
10). VICC - Dale Ridge Dock	Loading Dock (Active - Temporary Cessation)	1300938	44-05270	5/01/1980
11). VICC - Nora Dock	Loading Dock (Active - Temporary Cessation)	1300401	44-01462	3/18/1976
12). VICC - Cane Branch	Surface Mine (Active - Temporary Cessation)	1101397	44-06662	9/06/1991
13). VICC - Steels Fork 2A	Deep Mine (Completed 5/23/1987)	1200374	N/A	N/A
14). VICC - Gladly Fork	Surface Mine (Completed 2/12/1992)	1101250	44-06021	5/30/1991
15). VICC - T.C. Edwards	Underground (Not Activated)	1201322	N/A	N/A
16). VICC - Ace High	Deep Mine (Released 4/17/1985)	3361-U	N/A	N/A

**COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
17). VICC - Bull Hill L.B.	Deep Mine (Released)	3280-U	N/A	N/A
18). VICC - Coke Oven Hollow	Deep Mine (Released)	3526-U	N/A	N/A
19). VICC - Deep Mine	Deep Mine (Released)	1413	N/A	N/A
20). VICC - Deep Mine	Deep Mine (Released)	3323-U	N/A	N/A
21). VICC - Edison #2	Deep Mine (Released)	3505-U	N/A	N/A
22). VICC - Little R.	Deep Mine (Released)	3503-U	N/A	N/A
23). VICC - Little Tom's Crk. #1	Deep Mine (Released)	3286-U	N/A	N/A
24). VICC - Little Tom's Crk. #2	Deep Mine (Released)	3287-U	N/A	N/A
25). VICC - Red Dog Hill	Deep Mine (Released)	3523-U	N/A	N/A
26). VICC - Steels Fork 2	Deep Mine (Released)	3355-U	N/A	N/A
27). VICC - Steels Fork 2A	Deep Mine (Released)	3504-U	N/A	N/A
28). VICC - Steels Fork Mine	Deep Mine (Released)	2500	N/A	N/A
29). VICC - T.C. Lower Banner #2	Deep Mine (Released 2/10/1992)	1200347	N/A	N/A
30). VICC - T.C. Mine	Deep Mine (Released)	2521-U	N/A	N/A
31). VICC - VA City Jawbone	Deep Mine (Released 11/13/1984)	1200267	N/A	N/A
32). VICC - VA City Jawbone	Deep Mine (Released)	3527-U	N/A	N/A

COMPANY PERMIT LIST
as of 8/31/1993

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

Mine Name	Type of Facility (Status)	Permit No.	M.S.H.A. ID. No.	MSHA Issue Date
33). VICC - Bruton Siding	Loading Dock (Released 5/03/1983)	2619-U	44-02712	1978
34). VICC - Clinch River Dock	Loading Dock (Released 7/27/1983)	3524-AF	44-05008	1979
35). VICC - Cranesnest Dock	Loading Dock (Released 7/27/1983)	3602-AF	44-04301	3/19/1976
36). VICC - Fremont Dock	Loading Dock (Released 10/17/1983)	2579-U	44-04743	1978
37). VICC - Lick Fork Dock	Loading Dock (Released 7/27/1983)	3525-AF	44-05028	5/12/1978
38). VICC - T.C. Dock	Loading Dock (Released 7/27/1983)	2572-U	44-01463	3/18/1976
39). VICC - Dale Ridge Prep.	Prep. Plant (Released)	2573-U	44-01463	3/18/1976
40). VICC - Nora Prep.	Prep. Plant (Released 8/13/1985)	3065-U	44-01462	3/18/1976
41). VICC - T.C. Prep.	Prep. Plant/Refuse (Released 12/20/1983)	3077-U	44-05270	8/28/1979
42). VICC - Coke Oven Hollow	Refuse Area (Released)	3074-U	N/A	N/A
43). VICC - Kilgore Creek	Refuse Area (Released 3/12/1987)	1300373	N/A	N/A
44). VICC - Kilgore Creek	Refuse Area (Released 1/17/1984)	3347-AF	N/A	N/A
45). VICC - Nora Refuse Area	Refuse Area (Released)	1179	N/A	N/A
46). VICC - Nora Refuse Area	Refuse Area (Released)	1197	N/A	N/A
47). VICC - Refuse Area	Refuse Area (Released)	1765	N/A	N/A
48). VICC - Thelma Refuse	Refuse Area (Released)	3215-U	N/A	N/A

**COMPANY PERMIT LIST
as of 8/31/1993**

Company Name: VIRGINIA IRON, COAL & COKE CO. (Employer ID No. 382240920)
Regulatory Authority: Virginia Division of Mined Land Reclamation

<u>Mine Name</u>	<u>Type of Facility (Status)</u>	<u>Permit No.</u>	<u>M.S.H.A. ID. No.</u>	<u>MSHA Issue Date</u>
49). VICC - Gladly Fork	Surface Mine (Released 12/27/1983)	3757	N/A	N/A
50). VICC - Short Hollow	Underground (Released 2/10/1992)	1201256	N/A	N/A
51). VICC - Duncan Gap	Underground/Surface (Released 12/09/1991)	1600984	N/A	N/A
52). VICC - Lyons Fork U.B.	Deep Mine (Transferred 11/01/1984)	1200571	N/A	N/A
53). VICC - Lick Fork Dock	Loading Dock (Transferred 8/30/1991)	1300971	44-05028	5/12/1978
54). VICC - Rabbit Ridge	Surface Mine (Transferred 11/07/1989)	1101203	N/A	N/A
55). VICC - Bee Branch Imboden	Underground (Transferred 8/25/1993)	1201464	44-06594	04/01/1993

R645-301-112.420. Ownership or control relationship to the applicant, including percentage of ownership and location in organizational structure.

The Banning Loadout Facility is wholly owned by the Soldier Creek Coal Company.

R645-301-112.500. The name and address of each legal or equitable owner of record of the surface and mineral property to be mined, each holder of record of any leasehold interest in the property to be mined, and any purchaser of record under a real estate contract for the property to be mined;

The legal or equitable owners of the areas to be affected by the surface operations and facilities are:

The United States of America

BLM right-of-way leases U-33855 and U-49763

The State of Utah

State lease 435

The Denver and Rio Grande Railroad

Lease 16663

Sage Point Coal Company

No area within the land to be affected by surface operations and facilities or within the area is a real estate contract.

No coal is to be mined on the permit area.

The holders of record of any leasehold interest in areas to be affected by surface operations or facilities:

Soldier Creek Coal Company

Post Office Box I
Price, UT 84501

Denver and Rio Grande Western Railroad Company

Post Office Box 5482
Denver, CO 80217

United States of America

Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

Sage Point Coal Company

P.O. Box I
Price, Utah 84501

Utah State Office

Department of Natural Resources
Division of Lands and Forests
3 Triad Center
355 West North Temple
Salt Lake City, Utah 84180-1203

The holder of record of leasehold interest in the area to be affected by surface coal handling operations is Sage Point Coal Company (whose officers are listed in section 1.2.2.3), the United States of America, the State of Utah, and the Denver and Rio Grande Western Railroad Company.

R645-301-112.600. The name and address of each owner of record of all property (surface and subsurface) contiguous to any part of the proposed permit area;

Owners of record of surface and subsurface areas contiguous to the proposed permit area are shown on Exhibits 1.12-1 and 1.12-2. Names and addresses of the owners are:

Surface: Sage Point Coal Company
P.O. Box I
Price, UT 84501

United States of America
Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

Utah State Offices
Department of Natural Resources
Division of Lands & Forests
#3 Triad Center
355 West North Temple
Salt Lake City, UT 84180-1203

Subsurface: Utah State Office
Department of Natural Resources
Division of Lands & Forests
#3 Triad Center
355 West North Temple
Salt Lake City, UT 84180-1203

United States of America
Department of Interior
Bureau of Land Management
Price Coal Office
900 North 700 East
Price, Utah 84501

R645-301-112.700. The MSHA numbers for all mine-associated structures that require MSHA approval; and

The mine name and identification number are as follows:

Soldier Canyon Mine and Banning Rail Loadout
Mine ID No. 42-01756 (Savage Coal Services).

R645-301-112.800. A statement of all lands, interest in lands, options, or pending bids on interests held or made by the applicant for lands contiguous to the area described in the permit application. If requested by the applicant, any information required by R645-301-112.800 which is not on public file pursuant to Utah law will be held in confidence by the Division as provided under R645-300-124.320.

The Applicant has no pending interests in lands contiguous to the area covered by the proposed mine permit.

R645-301-112.900. After an applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under R645-301-112.100 through R645-301-112.800.

The Soldier Creek Coal Company will, after notification that its application is approved, but before the permit is issued, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under R645-301-112.100 through R645-301-112.800.

R645-301.113. Violation Information.
An application will contain the following:

R645-301-113.100. A statement of whether the applicant or any subsidiary, affiliate, or persons controlled by or under common control with the applicant has:

R645-301-113.110. 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

R645-301-113.120. Forfeited a performance bond or similar security deposited in lieu of bond;

Neither the Applicant, nor any of its subsidiaries, affiliates or persons controlled by or under common control with the Applicant has had a Federal or State mining permit suspended or revoked in the last five

years; nor forfeited a mining bond or similar security deposit in lieu of bond.

To applicant's knowledge, there are no unabated cessation orders and air and water quality violation notices received prior to the date of application by any coal mining and reclamation operation owned or controlled by either the applicant or by a person who owns or controls the applicant.

Table 1-1 contains the NOV history for the Banning Rail Loadout (and the associated Soldier Canyon Mine).

Table 1-2 contains the NOV history for Coastal States Energy Company's SEFCO Mine. Table 1-3 contains the NOV history for Coastal States Energy Company's Skyline Mine.

R645-301-113.200. N/A

R645-301-113.210. N/A

R645-301-113.220. N/A

R645-301-113.230. N/A

R645-301-113.240. N/A

R645-301-113.250. N/A

R645-301-113.300. For any violation of a provision of the Act, or of any law, rule or regulation of the United States, or of any derivative State reclamation law, rule or regulation enacted pursuant to Federal law, rule or regulation pertaining to air or water environmental protection incurred in connection with any coal mining and reclamation operation, a list of all violation notices received by the applicant during the three year period preceding the application date, and a list of all unabated cessation orders and unabated air and water quality violation notices received prior to the date of the application by any coal and reclamation operation owned or controlled by either the applicant or by any person who owns or controls the applicant. For each violation notice or cessation order reported, the lists shall include the following information, as applicable:

Table 1-1
List of Violations

Soldier Creek Coal Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N87-9-6-1 Banning Loadout	07/17/87	Failure to prevent, to the extent possible, additional contributions of sediment to stream flow outside the permit area.	Repaired two small piping holes along berm.	8/20/87	Terminated
N88-13-1-1 Banning Loadout	04/18/88	Failure to pass disturbed runoff through an operating sediment control structure.	Repaired and reinstalled two silt fences and installed two straw bale dikes.	4/28/88	Terminated
N89-28-1-1 SCCC minesite	02/01/89	Failure to pass surface drainage from a disturbed area through a sediment pond or treatment facility before leaving a permit area.	Snow pushed beyond drainage control facilities was recovered to the extent possible. Straw bales installed around remainder.	2/16/89	Terminated
N89-17-3-1 SCCC minesite	10/11/89	Failure to maintain adequate sediment control to prevent to the extent possible, additional contributions of sediment to Soldier Creek.	Diverted all stream flow including mine water discharge around construction site during construction activities.	10/16/89	Terminated
N89-22-89 SCCC minesite	11/22/89	Failure to confine disturbance to limits of previously approved boundaries during surface facilities expansion construction.	An adequate plan for the use and/or reclamation of areas disturbed was submitted.	01/22/90	Terminated

Table 1-1 (Cont.)

List of Violations

Soldier Creek Coal Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N90-27-6-1 SCCC minesite	05/22/90	Failure of sub-contractor (Cowin & Company, Inc.) for new mine port- al development to have surface blaster certification.	Sub-contractor had completed work and moved off the job site. No remedial action required.	05/22/90	Terminated
N90-28-5-1 Banning Loadout	08/01/90	Failure to have a valid certificate of blaster certification during surface blasting activities.		08/06/90	Terminated
N90-15-1-1 Banning Loadout	10/04/90	Violation 2 of 2 issued for failure to conduct water monitoring in accordance with approved plan.		10/04/90	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 1 of 3 issued for failure to operate within disturbed area boundary.		04/02/91	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 2 of 3 issued for failure to place excess spoil in a designated area within the permit boundary.		03/01/91	Terminated
N91-37-1-3 SCCC minesite	01/30/91	Violation 3 of 3 issued for failure to identify and protect the topsoil resource.		03/01/91	Terminated
N92-15-1-1 Banning Loadout	08/26/92	Failure to submit a complete response to Division Order 92B regarding M&RP submittal.	Submitted response	01/12/93	Terminated

Table 1-2
List of Violations

Southern Utah Fuel Company - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N89-13-1-1	9/28/89	Failure to confine mining activities to within the approved disturbed area.	9/29/90 - Cleared channel and stabilized bank.	11/14/89 Termination of notice.	10/12/89 Proposed assessment. 10/27/89 Requested assessment conference.
		Failure to minimize disturbance to surface water systems. Disturbing stockpiled topsoil. Placing soil materials in an undisturbed ephemeral drainage.	11/6/90 - Revegetated channel and top-soil stockpile.		12/05/89 Assessment conference. 12/05/89 Finalized assessment.
N89-28-10-1	11/17/89	Failure to maintain required records at the mine site and submit required reports to the Division.	11/19/89 - Obtained copies of NPDES discharge monitoring report submitted to the Division.	12/7/89 Termination of notice.	12/18/89 Proposed assessment. 1/08/90 Requested assessment conference. 02/06/90 Assessment conference. 02/13/90 Finalized assessment.
N90-28-1-1	3/19/90	Failure to maintain sediment control structures in a manner which prevents additional contributions of sediment to stream flow outside the permit area.	3/20/90 - Repaired silt fences.	4/11/90 Termination of notice.	04/16/90 Proposed assessment.
N90-39-1-1	11/26/90	Failure to conduct mining in accordance with the terms and conditions of the permit. TDS pt 003 above NPDES limit.	12/14/90 - Necessary documentation submitted.	12/24/90 Termination of notice.	12/27/90 Proposed assessment. 2/25/91 Assessment conference. 2/26/91 Finalized assessment.

Table 1-3
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-1-1	March 4, 1992	Failure to provide monitoring results of revegetation practices, treatments, and trails as described in pages 4-35 and 4-36, and Volume A-2 of the M.R.P. This information is also requested annually by the Division in the Annual Report.	<u>8/4/92</u> - Necessary documentation submitted. <u>3/20/92</u> - NOV vacated. Division Order issued to correct deficiency.		<u>3-20-92</u> - NOV vacated

Table 1-3
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-3:1	March 25, 1992	<p>Failure to comply with the terms and conditions of the approved permit, specifically exceedence of NPDES Discharge Permit UT-002340 for TDS and sulfates. Permitted limits for TDS is 1000 mg/L daily maximum and 723 mg/L annual average. The permitted limit for sulfate discharge is 500 mg/L daily maximum. Sample taken 2/26/92 reports 1,250 mg/L TDS and 619 mg/L SO4 at NPDES point 001. Sampling confirms chronic exceedence of UPDES TDS limits that have been self-reported to the Bureau of Water Pollution Control.</p>	<p><u>10/28/92</u> - Written acceptance of the action items in Docket No. 192-03.</p> <p><u>11/3/92</u> - an acceptable agreement achieved.</p> <p><u>5/17/93</u> - Final assessment reduced - fine paid.</p>	<p><u>4/24/92</u> - Abatement date extended May 25, 1992.</p> <p><u>4/29/92</u> - Proposed assessment.</p> <p><u>5/26/92</u> - New time frame decided in a meeting between DEQ and Utah Fuel Co. On 5/29/92 (or before) DEQ will receive a plan to lower TDS values.</p> <p><u>6/10/92</u> - Request for Extension of Abatement date.</p> <p><u>6/26/92</u> - Abatement date extended to 8/31/92.</p> <p><u>9/1/92</u> - Request for extension beyond the normal 90 day abatement time.</p>	<p><u>5/28/92</u> - Requested Administrative Conference to review findings.</p> <p><u>3/22/93</u> - Assessment Conference established for 4/21/93.</p> <p><u>4/7/93</u> - Assessment Conference rescheduled for 5/12/93.</p>

Table 1-3
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-4-1	May 22, 1992	Failure to maintain sediment control in Area 17 of the Railroad Loadout. Failure to prevent to the extent possible, additional contributions of sediment to stream flow or run off outside the permit area.	<u>8/3/93</u> - Required remedial action completed.	<u>6/15/92</u> - Part 1 of 1 terminated. <u>6/25/92</u> - Proposed Assessment. <u>10/9/92</u> - Finalized Assessment paid.	<u>7/21/92</u> - Informal assessment conference requested. <u>9/10/92</u> - Assessment Conference scheduled for 9/29/92.
N92-37-5-1	August 26, 1992	Failure to maintain diversion as described in the mining and reclamation plan Volume 5, section 10, page 4/4.	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/15/92</u> - Part 1 of 1 modified, and abatement extended to 11/25/92. <u>9/23/92</u> - Proposed Assessment. <u>11/5/92</u> - Part 1 of 1 terminated. <u>1/7/93</u> - Received final assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93.

Table 1-3
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-6-1	August 26, 1992	Failure to implement sediment control measures as described in the construction plan and consequently conducting coal mining operations outside of the permit area (D + B)	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<u>9/18/92</u> - Requested extension to 10/16/92. <u>9/21/92</u> - Abatement date extended to 10/16/92. <u>9/23/92</u> - Proposed Assessment. <u>10/14/92</u> - Requested extension to 11/6/92. <u>10/20/92</u> - Abatement extended to 11/6/92. <u>1/7/93</u> - Finalized assessment - paid.	<u>12/7/92</u> - Assessment Conference scheduled for 1/5/93. <u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93

Table 1-3
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N92-37-7-1	August 26, 1992	Failure to provide maps and plans showing relevant surface configuration and slope; size and location of spoil and development waste areas.	<u>9/4/92</u> - Necessary documentation submitted and required actions taken.	<p><u>9/15/92</u> - Requested abatement extension to 9/22/92.</p> <p><u>9/15/92</u> - Part 1 of 1 is modified. Abatement extended.</p> <p><u>9/17/92</u> - Part 1 of 1 is modified. Abatement extended to 11/25/92.</p> <p><u>9/23/92</u> - Proposed Assessment</p> <p><u>10/6/92</u> - Approval of Amendment Addressing Division Order which vacated.</p> <p><u>11/5/92</u> - Part 1 of 1 is terminated.</p> <p><u>1/7/93</u> - Finalized assessment - paid.</p>	<p><u>12/7/92</u> - Assessment Conference scheduled for 1/5/93.</p> <p><u>12/14/92</u> - Assessment Conference rescheduled for 1/6/93.</p>

Table 1-3
List of Violations

Utah Fuel Company (Skyline Mines) - Utah Division of Oil Gas and Mining NOV History

NOV	Date	Description	Actions Taken	Status	Administrative or Judicial Proceedings
N93-39-2-1	April 1, 1993	Conducting mining activities outside of the permit area.			<u>5/18/93</u> - Paid assessed fine.

R645-301-113.310. Any identifying numbers for the operation, including the Federal or State permit number and MSHA number, the dates of issuance of the violation notice and MSHA number, the name of the person to whom the violation notice was issued, and the name of the issuing regulatory authority, department or agency;

R645-301-113.320. A brief description of the violation alleged in the notice;

R645-301-113.330. The date, location, and type of any administrative or judicial proceedings initiated concerning the violation, including, but not limited to, proceedings initiated by any person identified in R645-301-113.300 to obtain administrative or judicial review of the violation.

R645-301-113.340. The current status of the proceedings and of the violation notice; and

R645-301-113.350. The actions, if any, taken by any person identified in R645-301-113.300 to abate the violation.

A list of Notices of Violation issued to the Applicant in connection with mining activities, within the three year period preceding the application date, are presented in Table 1-1.

R645-301-113.400. After an applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under R645-301-113.

The Soldier Creek Coal Company will, after notification that its application is approved, but before the permit is issued, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under R645-301-113.

R645-301-114. Right-of-Entry Information

R645-301-114.100 An application will contain a description of the documents upon which the applicant bases their legal right to enter and begin coal mining and reclamation operations in the permit area and will state whether that right is the subject of pending litigation. The description will identify the documents by type and date of execution, identify the specific lands to which the document pertains, and explain the legal rights claimed by the applicant.

The Applicant bases its right to enter and continue loadout activities on a number of documents pertaining to right-of-ways, lease agreements, and surface ownership within the permit area. The documents are summarized below and copies of all documents can be found in Appendix 1-5.

RIGHT-OF-WAYS

Federal Right-of-Way U-33855

(Tramroad)

Dated: October 18, 1976

Grantee: Soldier Creek Coal Company

Lands Covered: T15S, R12E, SLB&M

Secs. 15 and 22

Land within described tramroad

Containing: 8.7 ac, more or less

Expiration: October 17, 2001

Supporting Documents:

1. Assignment of Right-of-Way from California Portland Cement company to Sunedco Coal Co. on September 19, 1985, approved by the BLM.
2. Working agreement established between Applicant and sunedco Coal Co.

Federal Right-Of-Way U49763

(Operation and Maintenance of a Coal Loadout Facility)

Dated: January 17, 1984

Grantee: Soldier Creek Coal Company

Lands Covered: T15S, R12E, SLB&M

Sec 15; W1/2 SW1/4

Land within described facility

Containing: 15.4 ac, more or less

Expiration: January 16, 2014

Supporting Documents:

1. Assignment of Right-os-Way from California Portland Cement Company to Sunedco Coal Co. on September 19, 1985, approved by the BLM.
2. Working agreement established between Applicant and Sunedco Coal Co.

LEASE AGREEMENTS

State of Utah Special Use Lease Agreement 435

(Road and Coal Storage Facility)

Dated: November 1, 1978

Grantee: Savage Coal Service Corporation

Lands Covered: T15S, R12E, SLB&M

Sec 16; E1/2 E1/2 NE1/4 SE1/4

Containing: 10.0 ac, more or less

Expiration: October 31, 1998

Supporting Document:

1. Working agreement established between Applicant and Savage Coal Service Corporation.

Denver and Rio Grande Western Railroad Company Lease Agreement 16663

(Railroad Spur)

Dated: May 24, 1976

Grantee: California Portland Cement Company

Lands Covered: T15S, R12#, SLB&M

Secs. 15 and 22

Strip of Land 91.5 ft. wide,
8.5 ft. westerly of the
centerline of the main Sunny
Side Branch track

Containing: 155.6 ac, more or less

Supporting Documents:

1. Assignment of Lease Agreement 16663 from California Portland Cement Company to Soldier Creek Coal Company on November 26, 1985.

Surface Owner: Soldier Creek Coal Company

Lands Covered: T15S, R12E, SLB&M

Sec. 16: SE1/4 SE1/4

Sec. 21: E1/2 NE1/4

Containing: 120 ac, more or less

Supporting Documents:

1. Deed for the purchase of property by and between Kaiser coal Corporation ("Grantor") and Soldier Creek Coal Company (Grantee).

R645-301-114.200. Where the private mineral estate to be mined has been severed from the private surface estate, an applicant will also submit:

R645-301-114.210. A copy of the written consent of the surface owner for the extraction of coal by certain coal mining and reclamation operation;

R645-301-114.220. A copy of the conveyance that expressly grants or reserves the right to extract coal by certain coal mining and reclamation operations; or

R645-301-114.230. If the conveyance does not expressly grant the right to extract the coal by certain coal mining and reclamation operation, documentation that under applicable Utah law the applicant has the legal authority to extract the coal by those operations.

R645-301-114.300. Nothing given under R645-301-114.100 through R645-301-144.200 will be construed to provide the Division with the authority to adjudicate property rights disputes.

R645-301-114.200 through R645-301-114.300 do not apply as the Soldier Creek Coal Company will not conduct any mining activities which involve the extraction of coal at the Banning Loadout Facility.

R645-301-115. Status of Unsuitability Claims

R645-301-115.100. An application will contain available information as to whether the proposed permit area is within an area designated as unsuitable for coal mining and reclamation operation or is within an area under study for designation in an administrative proceeding under R645-103-300, R645-103-400, or 30 CFR Part 769.

The Applicant's permit area is not within an area designated as unsuitable for coal mining and reclamation operations, or within an area under study for designation in an administrative proceeding under R645-103-300, R645-103-400 or 30 CFR Part 769.

R645-301-115.200. An application in which the applicant claims the exemption described in R645-103-333 will contain information supporting the assertion that the applicant made substantial legal and financial commitments before January 4, 1977, concerning the proposed coal mining and reclamation operations.

The Applicant does not claim the exemption described in R645-103-333.

R645-301-115.300. An application in which the applicant proposes to conduct coal mining and reclamation operations within 300 feet of an occupied dwelling or within 100 feet of a public road will contain the necessary information and meet the requirements of R645-103-230 through R645-103-238.

The Applicant does not propose to conduct coal mining and reclamation operations within 300 feet of an occupied dwelling.

Operations conducted at the loadout facility, tramroad, are within 100 ft. of a public road. U.S. Highway 6-50 is the public road and the affected portion is a stretch within T15S, R12E, Sec. 15, Carbon County, Utah.

R645-301-116. Permit Term

R645-301-116.100. Each permit application will state the anticipated or actual starting and termination date of each phase of the coal mining and reclamation operation and the anticipated number of acres of land to be affected during each phase of mining over the life of the mine.

The Applicant began operations at Banning Loadout in 1976, when they were granted permission to receive, stockpile, and load coal from the Bureau of Land Management. Construction of the site was initiated in 1977 and completed in 1979. Exhibits 5-2 and 4-1 show the surface facilities and the number of acres to be affected by the operations.

Working agreement with Savage Coal Service Corporation has insured continuous operation of the loadout for the Applicant. This agreement also allows for use of the leased state lands held by the operator.

The Applicant proposes to operate Banning Loadout, in conjunction with their underground mining operation, for 30 years and requests that a permit be issued for a five-year permit term. The extent of surface disturbance at the loadout is confined to a portion of the proposed permit area shown on Exhibit 5-1. The operational reclamation plans presented in this permit application package represent the life-of-operation plans for Banning Loadout.

R645-301-116.200. *If the applicant requires an initial permit term in excess of five years in order to obtain necessary financing for equipment and the opening of the operation, the application will:*

R645-301-116.210. *Be complete and accurate covering the specified longer term; and*

R645-301-116.220. *Show that the proposed longer term is reasonably needed to allow the applicant to obtain financing for equipment and for the opening of the operation with the need confirmed, in writing, by the applicant's proposed source of financing.*

Soldier Creek Coal Company does not require an initial permit term in excess of five years in order to obtain necessary financing for equipment and the opening of the Banning Loadout Facility.

R645-301-117. *Insurance, Proof of Publication and Facilities or Structures Used in Common*

R645-301-117.100. *A permit application will contain either a certificate of liability insurance or evidence of self-insurance in compliance with R645-301-800.*

A Certificate of Liability Insurance with the Applicant listed as the insured and a Certificate of Liability Insurance for the operator, Savage Coal Service Corporation, is included in Appendix 1-4.

R645-301-117-200. A copy of the newspaper advertisements of the application for a permit, significant revision of a permit, or renewal of a permit, or proof of a publication of the advertisements which is acceptable to the Division will be filed with the Division and will be made a part of the application not later than 4 weeks after the last date of publication as required by R645-300-121.100.

A copy of the newspaper advertisement(s) of the application for permit renewal is included as Appendix 1-1.

R645-301-117.300. The plans of a facility or structure that is to be shared by two or more separately permitted coal mining and reclamation operations may be included in one permit application and referenced in the other applications,. In accordance with R645-301-800, each permittee will bond the facility or structure unless the permittees sharing it agree to another arrangement for assuming their respective responsibilities. If such agreement is reached, then the application will include a copy of the agreement between or among the parties setting forth the respective bonding responsibilities of each party for the facility or structure. The agreement will demonstrate to the satisfaction of the Division that all responsibilities under the R645 Rules for the facility or structure will be met.

The Banning Loadout Facility is owned by Soldier Creek Coal Company and operated by Savage Coal Service Corporation. It is anticipated that only Soldier Creek Coal will be loaded at the facility, however, some contract loading of other coals may occur in the future.

The complete plans for the Banning Loadout Facility and its associated structures are provided in Chapter 5, Engineering, of this Permit Renewal Application.

Bonding for the facility has been accomplished solely by the Soldier Creek Coal Company, and is detailed in Chapter 8, Bonding and Insurance, of this Permit Renewal Application.

R645-301-118. Filing Fee

Each permit application to conduct coal mining and reclamation operations pursuant to the State Program will be accompanied by a fee of \$5.00.

This application for permit renewal is accompanied by a fee for \$5.00.

R645-301-120. Permit Application Format and Contents.

R645-301-121. The permit application will:

R645-301-121.100. Contain current information, as required by R645-200, R645-300, R645-301 and R645-302.

R645-301-121.200. Be clear and concise; and

R645-301-121.300. Be filed in the format required by the Division.

This application for permit renewal will contain current information, as required by R645-200, R645-300, R645-301 and R645-302, will be clear and concise, and will be filed in the format required by the Division.

R645-301-122. If used in the permit application, referenced materials will either be provided to the Division by the applicant or be readily available to the Division. If provided, relevant portions of referenced published materials will be presented briefly and concisely in the application by photocopying or abstracting and with explicit citations.

Referenced materials in this application for permit renewal will be readily available to the Division, or will be provided and presented briefly and concisely in the application by photocopying or abstracting and with explicit citations.

R645-301-123. Applications for permits; permit changes; permit renewals; or transfers, sales or assignments of permit rights will contain the notarized signature of a responsible official of the applicant, that the information contained in the application is true and correct to the best of the officials's information and belief.

This application for permit renewal contains the notarized signature of R. W. Olsen, a responsible official of the Applicant, that the information contained herein is true and correct to the best of his information and belief.

R645-301-130. *Reporting of Technical Data*

R645-301-131. *All technical data submitted in the permit application will be accompanied by the names of persons or organizations that collected and analyzed the data, dates of the collection and analysis of the data, and descriptions of the methodology used to collect and analyze the data.*

All technical data submitted herein is accompanied by the names of companies, individuals and/or publications as a bibliography at the end of each chapter, with dates of the collection and analysis of the data, and descriptions of the methodology used to collect and analyze the data.

R645-301-132. *Technical analyses will be planned by or under the direction of a professional qualified in the subject to be analyzed.*

All technical analyses have been planned by or under the direction of professional individuals.

R645-301-140. *Maps and Plans*

R645-301-141. *Maps submitted with permit applications will be presented in a consolidated format, to the extent possible, and will include all the types of information that are set forth on U.S. Geological Survey of the 1:24,000 scale series. Maps of the permit area will be at a scale of 1:6,000 or larger. Maps of the adjacent area will clearly show the lands and waters within those areas and be at a scale determined by the Division, but in no event smaller than 1:24,000.*

All maps and plans submitted in this application for permit renewal will be presented in accordance with R645-301-141.

R645-301-142. All maps and plans submitted with the permit application will distinguish among each of the phases during which coal mining and reclamation operations were or will be conducted at any place within the life of operations. At a minimum, distinctions will be clearly shown among those portions of the life of operations in which coal mining and reclamation operations occurred:

R645-301-142.100. Prior to August 3, 1977;

R645-301-142.200. After August 3, 1977, and prior to either:

R645-301-142.210. May 3, 1978; or

R645-301-142.220. In the case of an applicant or operator which obtained a small operator's exemption in accordance with the Interim Program rules (MC Rules), January 1, 1979;

R645-301-142.300. After may 3, 1978 (or January 1, 1979, for persons who received a small operator's exemption) and prior to the approval of the State Program; and

R645-301-142.400. After the estimated date of issuance of a permit by the Division under the State Program.

All maps and plans submitted in this application for permit renewal will distinguish among each of the phases during which coal mining and reclamation operations were or will be conducted at any place within the life of operations in accordance with the provisions of R645-301-142 through R645-301-142.400.

R645-301-150. Completeness
An application for a permit to conduct coal mining and reclamation operations will be complete and will include at a minimum information required under R645-301 and, if applicable, R645-302.

This application for permit renewal is complete and includes information required under R645-301.

Information required under R645-302-206 is included in the permit under sections in R645-301, which referenced in R645-302-260 through R645-302-264.900.