

**2005 ANNUAL REPORT
TO THE
UTAH DIVISION OF OIL, GAS AND MINING**

**BANNING LOADOUT
C/007/034**

Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, UT 84542

File in:

Confidential

Shelf

Expandable

Refer to Record No. 0006 Date 03062006

In C/ 0070034 Utah Mining

For additional information

To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.

GENERAL INFORMATION

Permitte Name	CANYON FUEL COMPANY, LLC
Mine Name	BANNING LOADOUT
Operator Name (If other then permittee)	
Permit Expiration Date	October 24, 2008
Permit Number	C/007/034
Authorized Representative Title	ERWIN SASS, GENERAL MANAGER
Phone Number	(435) 637-6360
Fax Number	(435) 636-2897
E-mail Address	esass@archcoal.com
Mailing Address	PO Box 1029, Wellington, Utah 84542
Designated Representative	
Resident Agent	C.T. Corporation Systems
Resident Agent Mailing Address	50 West Broadway, Salt Lake City, Utah 84104
Number of Binders Submitted	(1) Binder, Two Copies

IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-01756		N/A
MSHA Impoundment(s)	N/A		
NPDES/UPDES Permit(s)	UT 040011	UPDES Discharge Permit	April 30, 2008
PSD Permit(s) (Air)	DAQE-334-94	Air Quality Permit	N/A
Other			
Storm Water Permit	UTR000572	Storm Water Discharge Permit	N/A

CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included or on file with DOGM		Comments
	Yes	No	Included	On File	
Excess Spoil Piles	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Refuse Piles	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Impoundments	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

REPORTING OF OTHER TECHNICAL DATA

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

Technical Data:	Required		Included or on file with DOGM		Comments
	Yes	No	Included	On file	
Climatological	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Subsidence Monitoring	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Vegetation Monitoring	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Raptor Survey	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Soils Monitoring	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Water Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
First quarter	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Second quarter	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Third quarter	X	<input type="checkbox"/>	<input type="checkbox"/>	X	Sample taken either 3 rd or 4 th Quarters
Fourth quarter	X	<input type="checkbox"/>	<input type="checkbox"/>	X	Not Both.
Geological / Geophysical	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Engineering	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Non Coal Waste / Abandoned Underground Equipment*	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	
Other Data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Reminder: If equipment has been abandoned during 2005, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

APPENDIX A

Certified Reports

Excess Spoil Piles
Refuse Piles
Impoundments

As required under R645-301-514

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2005 Impoundment Report

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Page 1 of 2
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Permit Number	C/007/034	Report Date	02/13/06
Mine Name	Banning Loadout		
Company Name	Canyon Fuel Company, LLC		
Impoundment Identification	Impoundment Name	Banning Loadout Sedimentation Pond	
	Impoundment Number	None	
	UPDES Permit Number	UTG040011	
	MSHA ID Number	Impoundment -None (Loadout - 42-01756)	

IMPOUNDMENT INSPECTION

Inspection Date	11/17/05		
Inspected By	David G. Spillman		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Routine Quarterly Inspection & Annual Certification		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

There were no signs of instability, structural weakness or other hazardous conditions observed during this inspection.

Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p><i>Sediment Storage Capacity - 100% = 0.27 acre-feet @ an elevation of 5,487.8 feet</i> <i>- 60% = 0.16 acre-feet @ an elevation of 5,486.6 feet</i></p> <p><i>The existing sediment level was observed to be well below the established sediment cleanout marker.</i></p>
	<p>3. Principle and emergency spillway elevations.</p> <p><i>Principal Spillway Elevation - 5,494.2 feet</i> <i>Emergency Spillway Elevation - 5,495.1 feet</i></p>

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

At the time of the inspection the pond was dry.

Sediment accumulation was observed near the outlet of the primary spillway. This sediment has been deposited by intermittent flows within the receiving channel, not from the sediment pond. This small amount of sediment should be removed by hand shoveling and can be accomplished when the ground is not frozen.

To date, there has been no discharge from this pond.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Qualification Statement

I hereby certify that, I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____ Date: _____

CERTIFIED REPORT

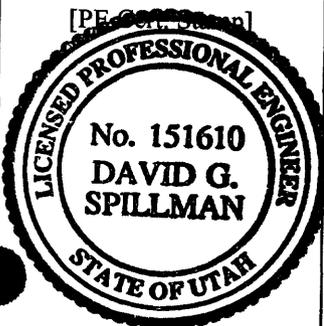
IMPOUNDMENT EVALUATION (If NO, explain under Comments)

	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

COMMENTS AND OTHER INFORMATION

Certification Statement:

I hereby certify that, I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: David G. Spillman, Technical Services Manager
(Full Name and Title)

Signature: David G. Spillman Date: 02/13/06

P.E. Number & State: No. 151610, State of Utah

APPENDIX B

Reporting of Technical Data

Including monitoring data, reports, maps, and other information
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

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APPENDIX C

Legal Financial, Compliance and Related Information

Annual Report of Officers
As submitted to the Utah Department of Commerce

Other change in ownership and control information
As required under R645-301-110

CONTENTS

REFER TO THE GENERAL CHAPTER ONE

APPENDIX D

Mine Maps

As required under R645-302-525-270

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APPENDIX E

Other Information

In accordance with the requirements of R645-301 and R645-302

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