

2006 Annual Report Review

Permittee: Canyon Fuel Company, LLC
Mine Name: Banning Siding Loadout
Permit Number: C/007/0034
Date Report Received: March 15, 2007

| Assigned Reviewers: | Date Completed |
|----------------------------------|----------------|
| <i>DD</i> Dana Dean, Hydrologist | 11/13/2007 |
| Stephen J. Demczak <i>SJD</i> | 12/19/2007 |
| Jerriann Ernstsen <i>JAE</i> | 1/03/2007 |

Instructions: The assigned staff will review their respective portions of the Annual report and provide a written determination (findings) on how the mine has or has not met the permit requirements for reporting. If the report is deficient or remedial action is required to obtain compliance, this should be noted and the inspector notified. Once all reviewers have completed the report, they should initial it and a copy will be filed in the Mine Internal File.

Assignments:

- Inspectors:** Review each cover sheet, AVS Legal/Financial, Mine Sequence Maps.
- Hydrologists:** Review Water Monitoring Data, Precipitation and Climatological Data, Non-Coal Waste
- Biologists:** Review Vegetation/Revegetation Success Monitoring, Raptor Survey
- Engineers:** Review Subsidence Monitoring Data, Annual Impoundment Certification, Annual Overburden, Spoils, Refuse, Floor, etc.

| SECTIONS TO REVIEW | SUBMITTED | | FINDINGS |
|---|-------------------------------------|-------------------------------------|--|
| | YES | NO | |
| Cover Sheet | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Form is filled out. |
| AVS; Legal/ Financial Update | <input type="checkbox"/> | <input checked="" type="checkbox"/> | In Chapter 1 in the MRP |
| Mine Sequence Map | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Loadout |
| Water Monitoring Data | <input checked="" type="checkbox"/> | <input type="checkbox"/> | No summary report was submitted, however all required data was submitted each quarter in a timely manner. The UPDES sites did not flow all year. The "Truck Dump Sump" was dry again this year. There are no concerns regarding hydrology at the Banning Siding Loadout. |
| Precipitation & Climatological Data | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The approved plan does not require yearly submission of precipitation or climatological data. None was submitted. |
| Non-Coal Waste report | <input type="checkbox"/> | <input checked="" type="checkbox"/> | A non-coal waste report is not required, since the facility is in temporary cessation. |
| Subsidence Monitoring Data | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Loadout no mining |
| Annual Impoundment Certification | <input checked="" type="checkbox"/> | <input type="checkbox"/> | P.E. Certified |
| Annual Overburden, Spoil, Refuse, Floor, etc. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | No refuse pile |
| Vegetation Data | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not required as stated on the AnnRep check off list. |

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|---------------------------------|--------------------------|-------------------------------------|---|
| | YES | NO | |
| Revegetation Success Monitoring | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>As a reminder, the DOGM will want the Permittee to update the reclamation plan and associated seed mix prior to any reclamation. Here are some consideration that I'm not sure where to include these old recommendations of mine, so I added them here:</p> <p>Seed mix pg 3-11 Hydroseeding Gouging Revisiting the ref area prior to reclamtion to see if still in good condition. Visit the test plot near the railroad pg 3-15 Read the final report for the test plot annual report 1998. Proof the recommendations by Tom Paluso 1981 (Appendix 3-3 two sections UMC 783.20 and UMC 784.21 mitigation recommends) pgs in appendix: UMC 783.20</p> <ul style="list-style-type: none"> · 1 · 3: it states there are two community types –riparian and desert scrub. Why only one seed mix and I think other paras in the mrp say no riparian (pg 3-15)??? Where is the Cottonwood wash relative to Banning site?? · 3: if there reclamation plan does not include restoring riparian then how can they <p>UMC 784.21</p> <ul style="list-style-type: none"> · 2: avoid straight edges · 4: are there coal fines along any drainage or channel · 5: create islands · provide screens especially near watering or nesting sites · 8: move snake dens, may take 1yr to complete · snakes and amphibians are protected by law in utah! · 9: 1 km buffer zone if a nest is active and within and above the nest site. <p>Last pg of app 3-4, NRCS 1992 provides productivity for two refer areas: loadout storage and sewage lagoon ref areas. Map 1994 shows only one ref area</p> |
| Raptor Survey | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Not required as stated on the AnnRep check off list. |
| Other Information | <input type="checkbox"/> | <input type="checkbox"/> | |

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