0012

C/007/034 Incoming
cc: Daron
#2987

Canyon Fuel Company, LLC
Banning Loadout
P.O. Box 1029
Wellington, UT 84542
(435) 637-6360 Fax: (435) 636-2897

September 10, 2008

Attn: Coal Regulatory Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

RE: Permit Renewal, Banning Loadout, Canyon Fuel Company, LLC, C/007/034, Carbon County, Utah

Dear Sirs::

Canyon Fuel Company, LLC hereby files application for renewal of permit C/007/034, to operate under the provisions of the Utah Coal Mining and Reclamation Act pursuant to R645-303-300 of the Utah Coal Program Regulations.

The "affidavit of publication" of the legal notice for the Banning Loadout is provided in this submittal for inclusion in Appendix 1-2. By providing this affidavit we are complying with one of the requirements for permit renewal.

Should you have any questions please contact either Vicky Miller (435) 636-2869 or David Spillman at (435) 637-6360.

Sincerely yours,

Vicky S. Miller

Vicky S. Miller
Environmental Engineer

cc: David Spillman

RECEIVED
SEP 10 2008
DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☐ New Permit ☐ Renewal ☒ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Canyon Fuel Company, LLC
Mine: Banning Loadout **Permit Number:** C/007/034
Title: Permit Renewal C/007/034, Task ID # 2987
Description, Include reason for application and timing required to implement:

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

☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
☒ Yes ☐ No 6. Does the application require or include public notice publication?
☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
☒ Yes ☐ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) 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.

David Spillman
Print Name

David Spillman Engineering Manager
Sign Name, Position, Date

Subscribed and sworn to before me this 10 day of SEPT, 20 08

Vicky Sue Miller
Notary Public

My commission Expires: 1-2, 20 12

Attest: State of UTAH } ss:
County of CARBON

VICKY SUE MILLER
NOTARY PUBLIC-STATE OF UTAH
1776 KENILWORTH RD.
HELPER, UTAH 84526
COMM. EXP. 01-02-2012

For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining
		RECEIVED SEP 10 2008 DIV. OF OIL, GAS & MINING

Form DOGM- C1 (Revised March 12, 2002)

APPLICATION FOR COAL PERMIT PROCESSING
Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Canyon Fuel Company, LLC
Mine: Banning Loadout **Permit Number:** C/007/034
Title: Permit Renewal, Task ID # 2987

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
☒ Add	☐ Replace	☐ Remove	Volume 1, Chapter 1, Appenndix 1-2, Proof of Publication
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.	Received by Oil, Gas & Mining
9/10/08	RECEIVED SEP 10 2008 DIV. OF OIL, GAS & MINING

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Carbon,)

I, Richard Shaw, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the first publication was on the 14 day of August, 2008, and that the last publication of such notice was in the issue of such newspaper dated the 4th day of September, 2008.

Richard Shaw - Publisher

Subscribed and sworn to before me this 4th day of September, 2008.

Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, $ 366..08

LINDA THAYN
NOTARY PUBLIC-STATE OF UTAH
845 EAST MAIN
PRICE, UTAH 84501
COMM. EXP. 01-10-2011

LEGAL NOTICE

Canyon Fuel Company, LLC of Grand Junction, Colorado, hereby announces its intent to renew its permit for the operation of the Banning Loadout under the laws of the State of Utah and the U.S. Office of Surface Mining. The currently approved permit is number C/007/034.

Canyon Fuel Company, LLC, operates the Banning Loadout a coal loading facility which is located eight (8) miles east of Wellington, Utah, on or along a Union Pacific Company right-of-way. Located in portions of Section 15, 16, and 22, Township 15 South, Range 12 East, Salt Lake Base Meridian.

A legal description of the permit boundary includes:

Township 13 S., Range 12 E., Salt Lake Base and Meridian

Section 15: Portions of W1/2
Section 16: Portions of E1/2SE1/4
Section 22: Portions of W1/2NW1/4NW1/4

A copy of the permit renewal application will be available for inspection at the following locations: Utah Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114 and Carbon County Courthouse, 120 East Main Street, Price, Utah 84501.

The address of the applicant is:
Canyon Fuel Company, LLC, 225 North 5th Street, Suite 900, Grand Junction, Colorado 81501

Written comments or request for a hearing regarding this application must be submitted within 30 days of the last publication date of this notice, to the Utah Division of Oil, Gas and Mining, Attention Coal Regulatory Program, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801.

Published in Sun Advocate August 14, 21, 28, and September 4, 2008.