0009

State of Utah
DEPARTMENT OF NATURAL RESOURCES

Internal
OK

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

October 22, 2008

TO: Internal File

FROM: Daron R. Haddock, Permit Supervisor

RE: Compliance Review for Section 510 (c) Findings - Permit Renewal, Banning Siding Loadout, Canyon Fuel Company, LLC, C/007/0034

As of the writing of this memo, there are no NOVS or COs which are not corrected or in the process of being corrected at the Banning Siding Loadout. There are no finalized Civil Penalties, which are outstanding and overdue in the name of Canyon Fuel Company, LLC. Canyon Fuel Company, LLC does not have a demonstrated pattern of willful violations, nor have they been subject to any bond forfeitures for any operation in the state of Utah.

The recommendation from the Applicant Violator System (AVS) denotes that there were no violations retrieve by the system. (see attached AVS Evaluation Report, dated October 22, 2008).

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UTAH DNR OIL, GAS & MINING

Permit Evaluation

Permit Number	ACT007034
Permitee Name	142816 Canyon Fuel Company LLC
Date of Evaluation	10/22/2008 10:54:51 AM
Requested Individual	Angela Nance

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

There were no violations retrieved by the system

Evaluation OFT

Entities: 99

109255 Atlantic Richfield Co - ()
---061928 Mike R Bowlin - (Chairman of the Board)
---061928 Mike R Bowlin - (Chief Executive Officer)
---062210 Henry E Wendt - (Director)
---084987 Harrell L Bilhartz Jr - (Senior Vice President)
---086342 Marie L Knowles - (Chief Financial Officer)
---086342 Marie L Knowles - (Director)
---086342 Marie L Knowles - (Executive Vice President)
---113155 Lodwrick M Cook - (Director)
---113157 John Gavin - (Director)
---113158 Hanna H Gray - (Director)
---113175 William E Wade Jr - (Director)
---113175 William E Wade Jr - (Executive Vice President)
---113175 William E Wade Jr - (President)
---113180 Mark L Hazelwood - (Senior Vice President)
---113185 Patricia N Boinski - (Assistant Secretary)
---113186 Patrick J Brophy - (Assistant Secretary)
---113187 James R Coffee - (Assistant Secretary)
---113190 Thomas F Linn - (Assistant Secretary)
---113191 Ronald W Macdonald - (Assistant Secretary)
---113192 Richard C Morse - (Assistant Secretary)
---113194 Paul J Richmond - (Assistant Secretary)
---113195 Thomas C Roantree Iii - (Assistant Secretary)
---113199 Diane A Ward - (Assistant Secretary)
---113200 Bruce G Whitmore - (Secretary)
---113200 Bruce G Whitmore - (Senior Vice President)
---113202 Patrick J Ellingsworth - (Corporate Officer)
---113202 Patrick J Ellingsworth - (Vice President)
---113205 Allen C Holmes - (Vice President)
---120542 Anthony G Fernandes - (Director)
---120542 Anthony G Fernandes - (Executive Vice President)
---120546 Terry G Dallas - (Senior Vice President)
---120546 Terry G Dallas - (Treasurer)
---122949 Frank D Boren - (Director)
---122951 John B Slaughter - (Director)
---122952 Beverly L Hamilton - (Vice President)
---129866 Michael E Wiley - (Director)
---129866 Michael E Wiley - (Executive Vice President)
---129870 Robert E Mcmanus - (Corporate Officer)
---130259 Daniel J Rolf - (Assistant Secretary)
---131979 Allan L Comstock - (Controller)
---131979 Allan L Comstock - (Vice President)
---131980 John H Kelly - (Senior Vice President)
---131981 J Kenneth Thompson - (Executive Vice President)
---131981 J Kenneth Thompson - (Senior Vice President)
---135502 Stephen R Mut - (Senior Vice President)

---135505 Patricia B Fisher - (Assistant Secretary)
---135779 Kent Kresa - (Director)
---137568 George S Davis - (Assistant Treasurer)
---137580 David T Mclaughlin - (Director)
---137583 W Steven Jones - (Assistant Secretary)
---137584 John R Lucas Jr - (Assistant Secretary)
---137585 Stephen Molina - (Assistant Secretary)
---137586 Ronald C Redcay - (Assistant Secretary)
---142826 John B Cheatham - (Senior Vice President)
---142842 Robert M Pine - (Controller)
---142843 Ronald R Williams - (Corporate Officer)
---142844 E Larry Cantu - (Assistant Secretary)
---142845 Susan O Liebson - (Assistant Secretary)
---142846 David W Marquez - (Assistant Secretary)
---142847 Karen R Monroe - (Assistant Secretary)
---142848 Eric E Sigsbey - (Assistant Secretary)
---142849 Antoinette M Tadolini - (Assistant Secretary)
---144427 Barbara M Bartoletti - (Secretary)
---145261 Donald R Voelte - (Senior Vice President)
---145262 Robert L Healy - (Vice President)
---145263 Ian F Chate - (Assistant Secretary)
---145264 June I Rose - (Assistant Secretary)
---145595 Arch Western Resources Llc - (Subsidiary Company)
------098471 David B Peugh - (Vice President)
------127325 Robert G Jones - (Assistant Secretary)
------127325 Robert G Jones - (Vice President)
------129563 Charles David Steele - (Vice President)
------138467 Paul A Lang - (President)
------146381 James E Florczak - (Treasurer)
------146381 James E Florczak - (Vice President)
------155171 Jolene Jouett Mermis - (Assistant Secretary)
------155430 Arch Western Bituminous Group Llc - (Subsidiary Company)
---------093320 Robert W Shanks - (Director)
---------129465 Eugene E Diclaudio - (Director)
---------129465 Eugene E Diclaudio - (Manager)
---------129465 Eugene E Diclaudio - (President)
---------129563 Charles David Steele - (Vice President)
---------133451 John W Eaves - (Director)
---------142816 Canyon Fuel Company LLC - (Subsidiary Company)
----------093320 Robert W Shanks - (Director)
----------113124 David N Warnecke - (Vice President)
----------129465 Eugene E Diclaudio - (Director)
----------129465 Eugene E Diclaudio - (President)
----------129563 Charles David Steele - (Vice President)
----------133451 John W Eaves - (Director)
----------146381 James E Florczak - (Treasurer)
----------146381 James E Florczak - (Vice President)
----------155171 Jolene Jouett Mermis - (Assistant Secretary)
----------157738 Gregory A Billhartz - (Secretary)
---------146381 James E Florczak - (Treasurer)
---------146381 James E Florczak - (Vice President)
---------155171 Jolene Jouett Mermis - (Assistant Secretary)
---------157738 Gregory A Billhartz - (Secretary)
------157738 Gregory A Billhartz - (Secretary)
------158835 Patricia A Will - (Assistant Treasurer)
------247567 John T. Drexler - (Vice President)
---145597 Mark J Friedman - (Assistant Secretary)
---145601 Gary L Tooker - (Director)
---145602 Denise L Ramos - (Assistant Treasurer)
---145603 Donald A Davis - (Vice President)
---145604 Roger E Truitt - (Senior Vice President)
---145605 Dodd W De Camp - (Vice President)
---145616 John M Slater - (Senior Vice President)
144492 Arch Coal Inc - ()
---044179 Clarence Henry Besten Jr - (Vice President)
---098471 David B Peugh - (Vice President)
---113124 David N Warnecke - (Vice President)
---118428 Thomas A Lockhart - (Director)
---119588 James Robert Boyd - (Director)
---125225 Steven F Leer - (Chairman of the Board)
---125225 Steven F Leer - (Chief Executive Officer)
---125225 Steven F Leer - (Director)
---127325 Robert G Jones - (General Counsel)

---127325 Robert G Jones - (Secretary)
---127325 Robert G Jones - (Senior Vice President)
---129563 Charles David Steele - (Vice President)
---133451 John W Eaves - (Chief Operations Officer)
---133451 John W Eaves - (Director)
---133451 John W Eaves - (President)
---138362 Douglas H Hunt - (Director)
---138467 Paul A Lang - (Senior Vice President)
---142816 Canyon Fuel Company LLC - (Subsidiary Company)
------093320 Robert W Shanks - (Director)
------113124 David N Warnecke - (Vice President)
------129465 Eugene E Diclaudio - (Director)
------129465 Eugene E Diclaudio - (President)
------129563 Charles David Steele - (Vice President)
------133451 John W Eaves - (Director)
------146381 James E Florczak - (Treasurer)
------146381 James E Florczak - (Vice President)
------155171 Jolene Jouett Mermis - (Assistant Secretary)
------157738 Gregory A Billhartz - (Secretary)
---145629 Arch Western Acquisition Corp - (Subsidiary Company)
------044179 Clarence Henry Besten Jr - (Director)
------098471 David B Peugh - (Director)
------098471 David B Peugh - (Vice President)
------129563 Charles David Steele - (Vice President)
------138467 Paul A Lang - (Director)
------138467 Paul A Lang - (President)
------145595 Arch Western Resources Llc - (Subsidiary Company)
---------098471 David B Peugh - (Vice President)
---------127325 Robert G Jones - (Assistant Secretary)
---------127325 Robert G Jones - (Vice President)
---------129563 Charles David Steele - (Vice President)
---------138467 Paul A Lang - (President)
---------146381 James E Florczak - (Treasurer)
---------146381 James E Florczak - (Vice President)
---------155171 Jolene Jouett Mermis - (Assistant Secretary)
---------155430 Arch Western Bituminous Group Llc - (Subsidiary Company)
----------093320 Robert W Shanks - (Director)
----------129465 Eugene E Diclaudio - (Director)
----------129465 Eugene E Diclaudio - (Manager)
----------129465 Eugene E Diclaudio - (President)
----------129563 Charles David Steele - (Vice President)
----------133451 John W Eaves - (Director)
----------142816 Canyon Fuel Company LLC - (Subsidiary Company)
----------093320 Robert W Shanks - (Director)
----------113124 David N Warnecke - (Vice President)
----------129465 Eugene E Diclaudio - (Director)
----------129465 Eugene E Diclaudio - (President)
----------129563 Charles David Steele - (Vice President)
----------133451 John W Eaves - (Director)
----------146381 James E Florczak - (Treasurer)
----------146381 James E Florczak - (Vice President)
----------155171 Jolene Jouett Mermis - (Assistant Secretary)
----------157738 Gregory A Billhartz - (Secretary)
----------146381 James E Florczak - (Treasurer)
----------146381 James E Florczak - (Vice President)
----------155171 Jolene Jouett Mermis - (Assistant Secretary)
----------157738 Gregory A Billhartz - (Secretary)
---------157738 Gregory A Billhartz - (Secretary)
---------158835 Patricia A Will - (Assistant Treasurer)
---------247567 John T. Drexler - (Vice President)
------146381 James E Florczak - (Treasurer)
------146381 James E Florczak - (Vice President)
------155171 Jolene Jouett Mermis - (Assistant Secretary)
------157738 Gregory A Billhartz - (Secretary)
------247567 John T. Drexler - (Vice President)
---146381 James E Florczak - (Treasurer)
---146805 Michael A Perry - (Director)
---147242 Theodore D Sands - (Director)
---147387 John W Lorson - (Comptroller)
---147951 Robert G Potter - (Director)
---149037 Wesley M Taylor - (Director)
---149715 Frank M Burke - (Director)
---150775 Deck S Slone - (Vice President)

---152524 Anthony S Bumbico - (Vice President)
---153333 Sheila B Feldman - (Vice President)
---155172 Patricia Fry Godley - (Director)
---156500 Allen Kelley - (Corporate Officer)
---157113 Michael T Abbene - (Corporate Officer)
---157113 Michael T Abbene - (Vice President)
---157738 Gregory A Billhartz - (Assistant Secretary)
---158670 Brian J Jennings - (Director)
---247567 John T. Drexler - (Chief Financial Officer)
---247567 John T. Drexler - (Senior Vice President)

Narrative