

February 29, 2016

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

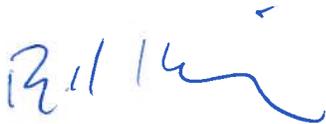
Subject: Banning Loadout Water and Vegetation Monitoring Changes, C/007/034

Dear Mr. Haddock:

Canyon Fuel Company, LLC hereby files application to modify the permit C/007/034. Enclosed please find a copy of the submittal to address the changes.

Should you have any questions please contact Bill King at (435) 636-2898 or David Spillman at (435) 636-2872.

Sincerely,



Bill King  
Mining Engineer

# 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:** Banning Loadout Water and Vegetation Monitoring Changes

**Description,** Include reason for application and timing required to implement:

As requested by Lisa Reinhart water monitoring and vegetation monitoring requirements will be updated

**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 one (1) review copy of the application.**

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 2/29/16

Subscribed and sworn to before me this 29 day of February, 2016

Carmen Humphrey  
Notary Public  
My commission Expires: Nov. 16, 2018  
Attest: State of Utah } ss:  
County of Carbon



<b>For Office Use Only:</b>	<b>Assigned Tracking Number:</b>	<b>Received by Oil, Gas &amp; Mining</b>
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general location of the mining operations change and this change drastically affects the quality of the coal. All water monitoring data will be summarized and submitted to DOGM on an ~~annual~~ quarterly basis. Raw data received from the laboratories will be included with the annual report.

~~Vegetation monitoring at Banning Loadout will consist of qualitative observations of the reference area every two years by the SCS. The SCS will be requested to provide the estimated range condition of the reference area and to provide qualitative information on the reclamation progress of the test plot. The test plot area will be monitored in first, second, third and fifth years as stated in Section R645-301-540. This information and all miscellaneous vegetative information and/or data will be included in the annual report sent to DOGM.~~

The Applicant applied for and received an Air Quality Approval Order for Banning Loadout on July 16, 1980. The facilities are operated in accordance to the approval order. Each year, the emission inventory for the operation is submitted to the Division of Environmental Quality, Division of Air Quality. A copy of this emission inventory will be included in the annual report. Also, a copy of the approval order is shown in Chapter 1.

The sedimentation pond for Banning Loadout, along with all berms and embankments, will be constructed in accordance to the design criterion in Chapter 7 and Appendices. Inspections of the pond will be done quarterly for structure weakness, erosion and any other hazardous conditions. Also, following the construction, the pond embankment was inspected and certified by a registered professional engineer. The first inspection was the first quarter following construction of the pond. These inspection will be submitted to DOGM as a part of the annual report. Along with the inspections, a general report on the condition of all runoff control structures and any repairs to them will be sent yearly to DOGM (See Section R645-301-514.300).

DOGM will be notified within 30 days or as soon as it is known that Banning Loadout will temporary cease operations for more than 30 days. The notice will include a statement of the exact number of effected surface acres in the permit area and all activities that will cease and those that will continue during the temporary cessation. (See Section R645-301-515.300).

The intent of all monitoring programs for Banning Loadout is to insure that no additional degradation of the environment occurs due to the Applicant's operation. As stated throughout this section, all monitoring information will be submitted to DOGM in the annual report. Any additional observation or information on environmental concerns will also be included in the report.