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APR - 2 2004

DIV. OF OIL, GAS & MINING

State of Utah

Department of
Environmental
Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF SOLID &
HAZARDOUS WASTE
Dennis R. Downs
Director

April 1, 2004

Johnny Pappas
Senior Environmental Engineer
Plateau Mining Corporation
Willow Creek Mine
PO Box 30
Helper, Utah 84526

George
007/0038
FAX PFO
Copy for Binder

Subject: Final Permit by Rule for Willow Creek Mine Class IIIb Landfill

Dear Mr. Pappas:

In accordance with R315-318, Utah Administrative Code, we have enclosed the Permit by Rule to operate the Willow Creek Mine Class IIIb Landfill located at the Willow Creek Mine site in carbon County Utah.

Please note that the permit is for the waste described in the documents received by the Division of Solid and Hazardous Waste on March 22, 2004. No other waste may be disposed at the site. Also note that the permit by rule requires that a notation be made to the county recorder's record of title that this property has been used for a landfill.

If you have any questions please contact Ralph Bohn at 801-538-6794.

Sincerely,

Dennis R. Downs
Dennis R. Downs, Executive Secretary
Solid and Hazardous Waste Control Board

DRD/RTB/kk

Enclosure: Permit

- c David Cunningham, B.S.N., R.N., Health Officer/Director, Southeast Utah District Health Dept.
- David Ariotti, DEQ Southeastern District Engineer
- Division of Oil, Gas and Mining, Coal Regulation Program

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File: Willow Creek Mine Class IIIb

**UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD
SOLID WASTE PERMIT BY RULE**

CLASS IIIb LANDFILL

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Utah Code Annotated (UCA) 1953, as amended (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code (UAC) R315-301 through 320 adopted thereunder,

Plateau Mining Corporation as owner and operator

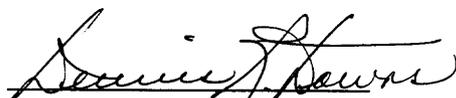
is hereby permitted by rule under UAC R315-318 to construct and operate the Willow Creek Mine Class IIIb landfill located in SW 1/4 of the SW 1/4 of Section 31, Township 12 South, Range 10 East, Salt Lake Base and Meridian, Carbon County, Utah as shown in the permit by rule application that was determined complete on March 24, 2004.

The operation of the landfill is subject to the condition that Plateau Mining Corporation (Permittee) meet the requirements set forth herein. Plateau Mining Corporation is also required to meet the requirements of the permit from the Utah Division of Oil, Gas and Mining Permit No. C/007/038 under which this permit by rule is granted, including closure and post-closure care requirements and financial assurance requirements. If at any time Plateau Mining Corporation is found to be in noncompliance with the requirements of this permit by rule or the portions of the Utah Division of Oil, Gas and Mining Permit No. C/007/038, under which this permit by rule is granted, this permit by rule may be revoked.

All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this permit becomes effective.

Effective date: April 1, 2004.

Signed this 1 day of April, 2004.



Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

NAME Willow Creek Mine Class IIIb Landfill
OWNER: Plateau Mining Corporation
ADDRESS Willow Creek Mine
PO Box 30
Helper, Utah 84526
Telephone: 435-472-4075
TYPE Class IIIb Noncommercial Solid Waste Landfill
APPROVAL Permit By Rule
LOCATION Landfill site is located in Township 12 South, Range 10 East,
Section 31, SLBM; Carbon County, Lat. 39° 44'00", Long. 110°
51' 08"

By this permit by rule, the Permittee shall be subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. Inspection and Inspection Access

The Permittee shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board or an authorized representative of the Board, or representatives from the Southeastern Utah District Health Department, to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated Under this Permit by Rule;
2. Have access to and copy any records kept;
3. Inspect any loads of waste, treatment, pollution management, or control facilities; and
4. Obtain a record of any inspection by photographic, videotape, electronic, or other reasonable means.

B. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2; no PCB's as defined by UAC R315-301-2(53), except those specified by UAC R315-315-7(2)(a) and (c); no household waste; no municipal waste; special waste, except as specified in the permit application; or commercial waste shall be accepted for treatment, storage, or disposal at the landfill.

C. Acceptable Waste

This permit is for disposal of non-hazardous industrial waste, as defined in UAC R315-301-2(35), generated by Plateau Mining Corporation and as described in the application for permit by rule.

D. Revocation

1. This permit by rule is subject to revocation if any condition of this permit is not being met or any operation conducted at the facility is in violation of the Solid and Hazardous Waste Act or the UAC R315-301 through 320. The Permittee will be notified in writing prior to any proposed revocation action and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

II. LANDFILL OPERATION

A. Waste Inspections

The Permittee shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill.

B. Cover

The Permittee shall cover the waste as necessary to prevent fires, and control vectors, blowing litter, odor, scavenging, and fugitive dust.

C. Disposal of Liquids

Disposal of non-containerized material containing free liquids or any waste containing free liquids in containers larger than five gallons is prohibited.

D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-

303-5(2)(b). All accidental fires shall be extinguished as soon as possible.

III. CLOSURE REQUIREMENTS

A. Closure

The Permittee shall close and maintain the facility in accordance with the closure and post-closure plans included in Utah Division of Oil Gas and Mining permit No. C/007/038.

B. Title Recording

The Permittee shall also meet the requirements of UAC R315-302-2(6) by recording with the Carbon County Recorder as part of the record of title that the property has been used as a landfill.

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File:Willow Creek Class IIIb Landfill - Permit by rule