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Canyon Fuel Company, LLC
Soldier Canyon Mine
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ACT/007/039 #2

June 23, 1998

This memorandum of understanding is made between CANYON FUEL COMPANY, LLC, SOLDIER CANYON MINE and the DIVISION OF OIL, GAS AND MINING.

Need for slope stability analysis for the newly proposed temporary storage pile. Canyon Fuel will obtain a sample for size analysis and will perform a slope stability analysis with professional engineer certification. This will be submitted to DOGM. If for any reason the analysis fails, Canyon Fuel agrees to ship all of the material to a DOGM approved and permitted site.

Use of coal mine waste as an engineered fill material. The intent is NOT for the entire disturbed area site. Page 5-14 will be revised to reflect this intent for just the temporary waste rock pile.

CANYON FUEL COMPANY, LLC
SOLDIER CANYON MINE

DIVISION OF OIL, GAS & MINING



Ken M. Payne
Project Manager



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Permit Supervisor