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OGMCOAL - Public notices for change in postmining land use & change in permit area

From: Kevin Lundmark
To: Rusty Netz
Date: 3/18/2010 5:40 PM
Subject: Public notices for change in postmining land use & change in permit area
CC: Jim Smith; OGMCOAL; scarlson@twinpeakseng.com

Rusty,

To follow up on our call this afternoon, here are comments on the public notices for the amendments submitted for change in postmining land use & change in permit area.

Change in Postmining Land Use (Task 3496)

The Public Notice which was submitted with the application package for change in postmining land use (Task 3496) requires a minor modification. This notice is approved for publication after the following change is made. A letter documenting the administrative completeness of the change in postmining land use is being finalized and will be sent to you shortly.

About halfway down, change the line "Changes to the proposed permit area occur within lands described as:" to "Changes to the **postmining land use** occur within lands described as:"

Permit Area Reduction (Task 3495)

Since our call I confirmed that the Change in Permit Area (Task 3495) will require a Phase 3 Bond Release in order to remove liability associated with the area where usage is being transferred to ConocoPhillips. The public notice for the reduction in permit area and Phase 3 Bond release should **not** be published until the area is reclaimed (coal fines removed). Prior to publication, the Public Notice will require modification to meet the requirements of R645-301-880.120, including:

- Permit number
- Approval date
- Type and amount of bond filed and portion sought released
- Type and dates of reclamation work performed and results achieved

I can review the public notices once corrected and prior to publication. Please contact me at 801 538 5352 with any questions.

Thank you,
Kevin

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