

November 5, 2015

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DIV. OF OIL, GAS & MINING

Permit Supervisor, Utah Coal Regulatory Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, UT 84114-5801

Re: Clean Copies of Amendment to MRP for Re-mining of Fossil Rock Waste Rock Facility,
Task ID# 5021, Canyon Fuel Company, LLC, Permit Number C/015/0009

Dear Sirs:

Please find enclosed with this letter two clean copies of an amendment to the Fossil Rock Permit to address the re-mining of the Waste Rock Facility. Bowie Coal Refining the re-mining contractor has committed to comply with the requirement of the SMCRA permit and other applicable regulations during the re-mining of the waste rock facility.

If you have questions or need addition information please contact Vicky Miller at (435)286-4481.

CANYON FUEL COMPANY, Fossil Rock Mine



Rick Parkins
General Manager

Encl.

cc: DOGM Correspondence File

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Fossil Rock Resources, LLC

Permit Number: C/015/0009

Title: Clean Copies of an Amendment for Re-mining of Fossil Rock Waste Rock Facility, Task ID# 5021

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

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 four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

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.

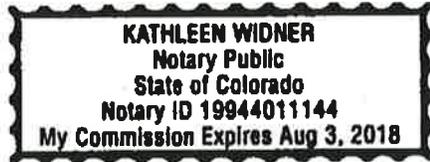
RICHARD PARKINS
Print Name

Richard Parkins, GENERAL MANAGER, 11-6-15
Sign Name, Position, Date

Subscribed and sworn to before me this 6th day of NOVEMBER, 20 15

Kathleen Widner
Notary Public

My commission Expires: 8-3, 20 18
Attest: State of COLORADO } ss:
County of MEJA



For Office Use Only: 	Assigned Tracking Number: 	Received by Oil, Gas & Mining <div style="text-align: center; font-size: 2em; font-weight: bold; color: red;">RECEIVED</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold; color: red;">NOV 06 2015</div> <div style="text-align: center; font-weight: bold;">DIV. OF OIL, GAS & MINING</div>
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CHAPTER 2 - SOILS

R645-301-200: Soils**R645-301-210 Introduction**

An on-site soil survey was conducted at the Waste Rock Storage Facility by T.H. Furst in July 1989 (refer to Appendix A). The survey identified that the site correlated well with the Strych soil series and Rockland. The Strych soil series is classified as an Ustollic Calciorthid, loamy-skeletal, mixed, mesic family. This series is a very stony loam, dry, 3-30% slopes, as described in the Carbon-Emery Area Soil Survey, 1970.

The Rockland is comparable to the Badland-Rubbleland-Rock Outcrop complex as described in the Carbon Area Soil Survey of 1970. Refer to the full report of the soils of the Cottonwood/Wilberg Waste Rock Storage Facility in Appendix A.

R645-301-220 Environmental Descriptions**R645-301-221 Prime Farmland Investigation**

A prime farmland investigation has been made by the State Agricultural Agent, Dennis Worwood. The results of the investigation found that the land of the Waste Rock Storage Facility shall not be considered prime farmland in that the land:

1. Has not been historically used as cropland.
2. The slope of the land is 10% or greater.
3. The land is not irrigated.
4. Has a very rocky surface,
5. The land has no soil map units that have been designated prime farmland.

Refer to Appendix B for letters from the Utah State Extension and Soil Conservation Service (now Natural Resource Conservation Service).

R645-301-221 Soil Survey

As mentioned above, a complete soil survey conducted by T.H. Furst can be found in Appendix A.

R645-301-222.100

Map CM-10818-WB delineates the different soil types in the area of the Waste Rock Storage Facility. Refer to this map in the Maps Section.

R645-301-230 Operation Plan

The following sections describe the methods for the removal and storage of topsoil and subsoil from the Waste Rock Storage Facility. The construction sequence covers approximately 17 acres that required the removal of topsoil. Subsoil within this area was also removed and stored. The location of the topsoil and subsoil storage areas is found on Plates 4-4 and 4-5 in the Maps Section.

Greater details to the construction and reclamation of the Waste Rock Storage Facility are given in R645-301-500 Engineering.

FOSSIL ROCK

R645-301-231.100 Methods for Removing and Storing Topsoil and Subsoil

The initial construction of the facility included the construction of the sediment pond, stripping and stockpiling of the topsoil and subsoil, and construction of the initial diversion ditch on the west side of the valley.

Topsoil

After the vegetative material was removed from the site the topsoil was stripped and stockpiled as shown on Plates 4-4 and 7-2. Stripping areas and depths were staked to facilitate topsoil excavation. Care was taken to avoid unnecessary compaction of the topsoil material. Following soil placement, the stockpiles were planted with an interim seed mix. Refer to R645-301-300 Vegetation.

Subsoil

Following removal of the topsoil material the remaining material needed for the subsoil stockpile was excavated to the lines and grades specified on the cross-sections. The material was placed, leveled, and compacted in 12" maximum lifts. Rocks larger than the lift thickness were worked into the fill to avoid forming voids. Those rocks that made good rip-rap were separated and hauled and stored for use as rip-rap. Any acid or toxic forming material found was segregated from the stockpile construction and placed on the bottom of the Waste Rock Storage Facility.

In 2015/2016 a plan is proposed to re-mine the waste rock site and salvage contemporaneously placed soils if they will be impacted by the re-mining process. Only the southern slope (18,183 square feet) adjacent to the sediment pond of the existing waste rock pile appears to have salvageable soils for storage. The other slopes have a mixture of coal waste with some soil, which will not be salvaged/stockpiled.

There are 3 tiers, 10+ feet each on the southern slope, the soils will be salvaged one tier at a time. Text indicates that these soils were placed during the original construction of the waste rock facility. The assumption will be made that soils were placed in depths according to those designated in the plan, i.e. 12" of topsoil and 24" of subsoil. If required, approximately 673 cubic yards of topsoil and 1347 subsoil will be salvaged off the three tiers of the southern slope. The subsoil will be stockpiled on the north end of the existing subsoil pile (12' deep) and the topsoil will be stockpiled on the west end of the southern #2 topsoil stockpile (additional 6' deep). Refer to Plate 4-5 for the proposed placement location of the soils should they be salvaged. The salvaged subsoil will receive interim revegetation, along with the use of one or more of the following drainage structures: subsoil berms, straw bales, silt fence or rolled erosion control products for containment. For topsoil storage drainage structures and interim revegetation refer to Section R645-301-234.

Within six months of the completion of the mining of the pile an as-built drawing and salvaged soil quantities will be incorporated into the permit. Section R645-301-526 has a description of the planned process for re-mining the waste rock pile.

R645-301-234 Topsoil Storage

Construction of the Waste Rock Storage Facility commenced as soon as the permit was issued. Sediment control measures were put in place to minimize the effects of the initial construction. Straw bales and silt fences were erected in the natural drainages to treat any runoff during the initial construction period. Interim revegetation was used on the bare slopes of the soil stockpiles and along the roadway to stabilize and prevent erosion. The topsoil stockpiles have been marked as such. Drainage structures have been constructed and will be maintained to ensure that they are in good repair and capable of handling the design flow rates. Silt fences have been constructed at the base of the soil stockpiles outside slopes. These silt fences will also be monitored and repaired as needed to ensure they are in good working order.

R645-301-240 Reclamation Plan

Construction of the refuse pile will incorporate a plan to allow contemporaneous reclamation of the outside slopes of the pile. Refuse material will be used to construct a berm, approximately 10 feet high, to contain the waste material to be deposited.

Prior to contemporaneously reclaiming the slopes, quality sampling shall be conducted as outlined in R645-536 Coal Mine Wastes. Prior to covering the top surface of the waste pile, quality sampling shall be conducted as outlined in R645-541 Reclamation Plan. These sampling procedures shall be conducted to identify any acid-forming and/or toxic-forming materials within the top four (4) feet of the proposed reclaimed surface. The top four (4) feet consists of 1 foot of waste material and 3 feet of soil cover.

R645-301-242 Soil Redistribution

As reclamation commences of the waste pile slopes, 24 inches of subsoil and 12 inches of topsoil will be placed on the outside slope of the berm and revegetation of the slope. Successive berms will be constructed on top of the previous berms as the level of the waste material rises. There will be a two to three foot offset of the toe of the upper berm to provide a small terrace to reduce runoff velocities. (See Exhibit XXI in Exhibits Section) Once the waste pile construction is complete, the top surface of the pile will be graded for proper drainage and covered with subsoil and topsoil (24 and 12 inches, respectively), then revegetated.

When the final berm is constructed, contemporaneous reclamation will be conducted as explained above on the outside slope. The outside slope will be revegetated with the approved seed mix as outlined in R645-301-341.200.

The remaining subsoil will be stored at the north side of the waste rock pile (refer to Plate 4-7) and seeded. The original subsoil storage will then be covered with approximately 1' of topsoil, pocked and seeded. The remaining topsoil will then be relocated next to the subsoil pile on the

CHAPTER 5 - ENGINEERING

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outside edge of the top of the previously completed berm. This process will continue until site construction is completed. This configuration will result in an overall outslope of approximately 2.5:1 as recommended by Rollins, Brown & Gunnel (Stability Analysis, October 1992). Contemporaneous reclamation activities will progress along with the construction of each berm. See Exhibit XXI, Exhibits Section.

Soil will be salvaged at a depth of approximately 10 inches along the western and northern slopes of the Waste Rock Storage Facility. Once a lift has enough refuse material that leveling beyond the existing ditch line and against the western and northern slope is required, soil material will be salvaged across the slope. The width of material to be salvaged will be determined by the depth of refuse to be leveled to the slope. The ditch line will be constructed in compliance with the permit requirements. These parameters will be followed each time refuse is leveled to the slope.

Salvaged soil material will be handled in the following ways. If the berm is in the process of being constructed, the salvaged soil material will be used in stabilization of the berm. If a berm is not being constructed, the salvaged material will be hauled to the subsoil pile for storage.

During the leveling process, extraneous material, trash and etc. will be separated from the fill material and disposed of in an approved sanitary landfill.

Sediment Pond Sludge

Material removed during cleaning of the Trail Mountain sediment ponds will be placed in the Waste Rock Storage Facility. Sludge material that is dry enough to be immediately incorporated into the refuse material will be mixed with the waste rock and placed as previously described above. Sludge which contains more moisture than can be properly handled on the refuse pile will be placed in a containment area and allowed to dry. The containment area will be constructed within the refuse disposal area at a location that will allow drying of the sludge and maintain adequate working room for normal operation of the facility. When dry, the sludge material will be excavated and distributed throughout the refuse area for incorporation and compaction. This procedure will help maintain the proper coal-to-rock ratio throughout the site and ensure uniform stability.

Re-mining Waste Rock Pile

To re-mine the pile the planned process is to set up a temporary screening plant to segregate a high ash coal product from the waste. The salvageable high ash product will be sold to and mined by BRC (Bowie Refined Coal) and hauled to the BRC facility by truck as it is mined. The remaining waste rock will remain permanently at the waste rock pile. In the event waste from processing of the screened product at the BRC facility needs to be returned for disposal it will transported either to this Waste Rock Storage Facility or to the Dugout Waste Rock Site. The waste pile will be mined from the east to the west, supporting the existing drainage pattern to the southwest. The process area will drain into the existing drainage ditch and report to the sediment pond for treatment.

The reclamation plan for the facility will not be altered by the re-mining of the waste rock storage

FOSSIL ROCK

pile. Following re-mining the remaining waste rock will be placed and compacted as described in this permit.

Plate 4-5 will be updated with changes in topography of the waste rock pile as the re-mining progresses, at a minimum annually until the re-mining project is completed (refer to Section 231.100 for as-built commitment). Annual Total Coal produced from re-mining will be documented in the quarterly waste rock inspection (see Section 514).

R645-301-530 Operational Design Criteria and Plans

R645-301-531 General

This permit application includes a general plan and detailed design plans for each siltation structure, water impoundment, and coal processing waste bank, dam or embankment within the permit area. A discussion and design of the sediment pond and earthen dam is outlined in R645-301-700 Hydrology, Appendix C. Design of the Waste Rock Storage Facility is discussed above in R645-301-526.

R645-301-532 Sediment Control

The Waste Rock Storage Facility covers approximately 15.82 acres of disturbed area. All water within this area is conveyed to ditches, and/or culvert systems. Sediment control allows for undisturbed runoff to bypass the facilities via a diversion ditch and culvert system into the surrounding ephemeral drainage adjacent to the site. Disturbed runoff from the site is diverted to the sediment pond. Refer to R645-301-700 Hydrology for a complete discussion on sediment control.

R645-301-533 Impoundments

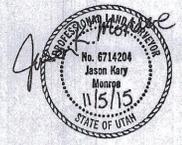
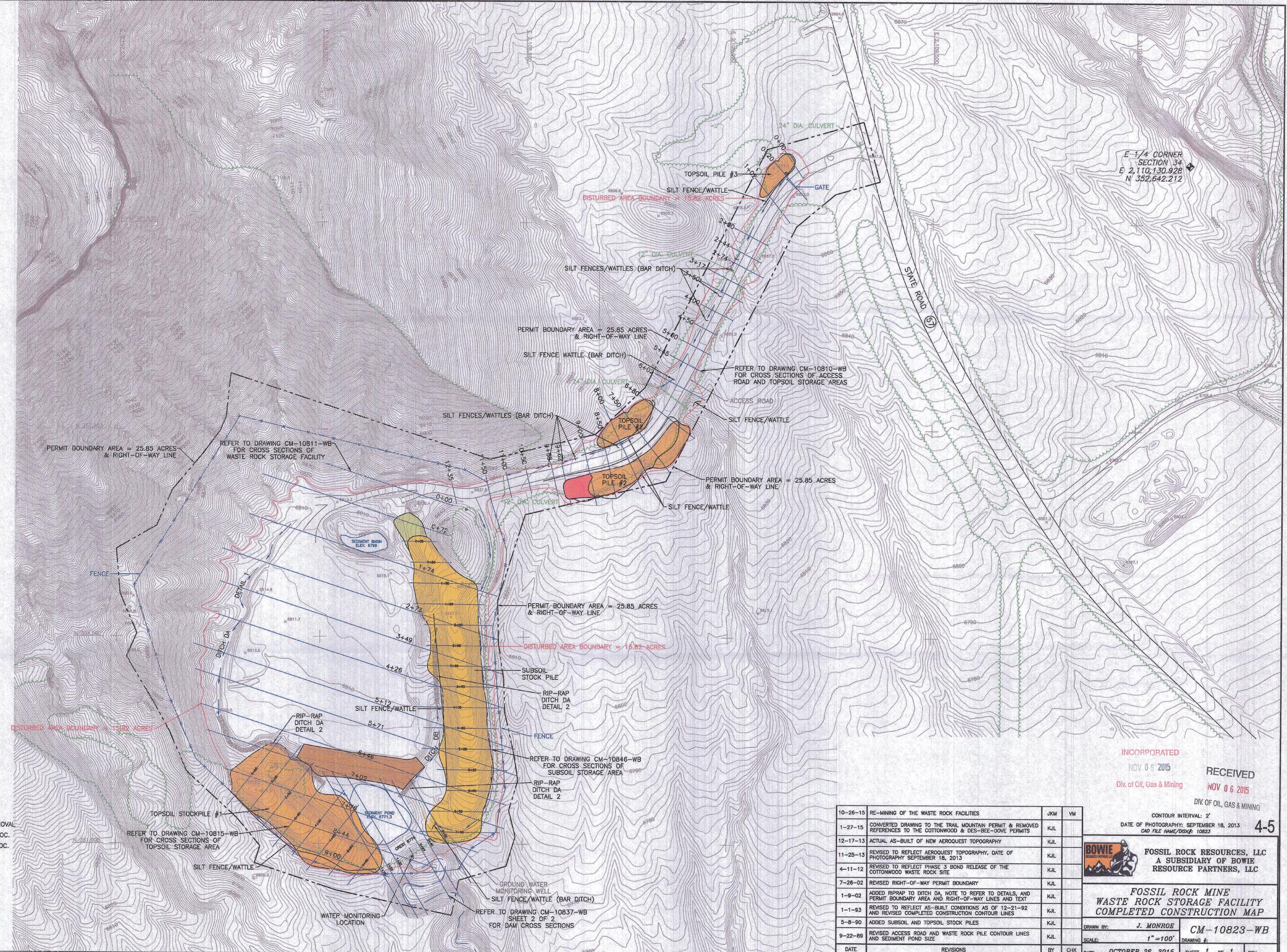
As described previously, a sediment pond is utilized to collect storm water runoff from the disturbed area of the Waste Rock Storage Facility. The design of the pond is found in R645-301-700 Hydrology, Appendix C. Pond design encompasses approximately 1.0 acre of disturbed land.

R645-301-533.200 Foundations

The pond is designed as an incised structure. Foundations for embankments and impounding structures are constructed utilizing the information outlined in the Geotechnical Study conducted by Rollins, Brown, and Gunnell September, 1989. Refer to this report in Appendix A of this section. Stability analysis for the construction of the earthen dam is found in Exhibits XII through XVIII in the Exhibits Section.

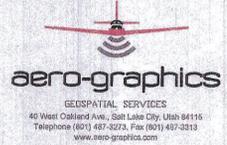


E 1/4 CORNER
SECTION 34
E 2,110-130.928
N 352,642.212



NOTES:
REFER TO DRAWING #CM-10830-WB
PLATE 4-12 FOR DETAIL 1 AND
DETAIL 2

- BONDED AREA IS DISTURBED AREA
- SUBSOIL STORAGE
 - TOPSOIL STORAGE
 - POTENTIAL AREA FOR SOIL REMOVAL
 - POTENTIAL SUBSOIL STORAGE LOC.
 - POTENTIAL TOPSOIL STORAGE LOC.



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CONTOUR INTERVAL: 2'
DATE OF PHOTOGRAPHY: SEPTEMBER 18, 2013
CAD FILE NAME/DISK# 10823

4-5

DATE	REVISIONS	BY	CHK
10-28-15	RE-MINING OF THE WASTE ROCK FACILITIES	JKM	VM
1-27-15	CONVERTED DRAWING TO THE TRAIL MOUNTAIN PERMIT & REMOVED REFERENCES TO THE COTTONWOOD & DES-BEE-DOVE PERMITS	KJL	
12-17-13	ACTUAL AS-BUILT OF NEW AERQUEST TOPOGRAPHY	KJL	
11-25-13	REVISED TO REFLECT AERQUEST TOPOGRAPHY, DATE OF PHOTOGRAPHY SEPTEMBER 18, 2013	KJL	
4-11-12	REVISED TO REFLECT PHASE 3 BOND RELEASE OF THE COTTONWOOD WASTE ROCK SITE	KJL	
7-26-02	REVISED RIGHT-OF-WAY PERMIT BOUNDARY	KJL	
1-9-02	ADDED RIPRAP TO DITCH DA. NOTE TO REFER TO DETAILS, AND PERMIT BOUNDARY AREA AND RIGHT-OF-WAY LINES AND TEXT	KJL	
1-1-93	REVISED TO REFLECT AS-BUILT CONDITIONS AS OF 12-21-92 AND REVISED COMPLETED CONSTRUCTION CONTOUR LINES	KJL	
5-8-90	ADDED SUBSOIL AND TOPSOIL STOCK PILES	KJL	
9-22-89	REVISED ACCESS ROAD AND WASTE ROCK PILE CONTOUR LINES AND SEDIMENT POND SIZE	KJL	

BOWIE RESOURCE PARTNERS, LLC
FOSSIL ROCK RESOURCES, LLC
A SUBSIDIARY OF BOWIE
RESOURCE PARTNERS, LLC

**FOSSIL ROCK MINE
WASTE ROCK STORAGE FACILITY
COMPLETED CONSTRUCTION MAP**

DRAWN BY: J. MONROE
SCALE: 1"=100'
DATE: OCTOBER 26, 2015
SHEET 1 OF 1
REV.