

PRELIMINARY FINDINGS OF FACT AND DECISION

Renewal of Surface Coal Mining Permit S-0605

The Alaska Department of Natural Resources, Division of Mining, Land and Water (DMLW) has reviewed the Jumbo Dome Mine Road Corridor (JDRC) Renewal Application, submitted by Usibelli Coal Mine, Inc., PO Box 1000, Healy, AK 99743. The DMLW found the renewal application to be consistent with AS 27.21 and 11 AAC 90 and makes the following Preliminary Findings of Fact and Decision.

1. A request to renew the Surface Coal Mining Permit number S-0605 was filed with the Division of Mining, Land and Water on April 12, 2011. Renewal of the permits has been requested in accordance with AS 27.21.080(d) and 11 AAC 90.129(b).
2. The (JDRC) area includes about 606 acres, located approximately six (6) miles northeast of Healy, Alaska. The mine is located within: Sections 4, 8, 9, 19, 20, 25, 29 and 30, Township 11 South, Range 6 West, and Sections 25 and 36, Township 11 South, Range 7 West, within the Fairbanks Meridian.
3. The application for a surface coal mine permit is found to be complete. The application contains all the information required and is sufficient for this office to make a decision. The application is currently being evaluated to determine if it meets the technical requirements of the Alaska Surface Coal Mining Program.
4. The application request that the renewal permit be issued for a five-year term. The existing approved permits meet the requirements of AS 27.21 and 11 AAC 90, subject to the stipulations of these permits.
5. Public notice of this permit renewal application will be for a 30 day period beginning December 28, 2012, ending January 28, 2013. Legal ads will be placed in the Fairbanks Daily News Miner starting on December 28, 2012 and will be noticed for four consecutive weeks. Notice will be mailed directly to the Division's mailing list of 39 affected persons and agencies.
6. Pursuant to 11 AAC 90.205(d) the Division has determined that reclamation bond in the amount of \$102,697.00 is sufficient to guarantee the present obligations under these permits. The bond is conditioned upon the completion of the required reclamation and compliance with all terms, stipulations, and conditions of the original permits and this renewal.
7. The proposed surface coal mining reclamation and operation plan will not affect known threatened or endangered species or their critical habitat.
8. Copies of the application and preliminary decision document are available for review at the Department of Natural Resources website (www.dnr.state.ak.us/mlw/mining/index.htm). Written comments should be addressed to Jennifer Keese, Coal Program Geologist, Division of Mining, Land and Water, 550 West 7th Avenue, Suite 920, Anchorage, AK 99501-3577, or by e-mail to coalprogram@alaska.gov with the subject, "Jumbo Dome Road Corridor". The deadline for written comments is 5:00 PM, January 28, 2013.