

PART A

APPLICANT AND MINE SITE IDENTIFICATION

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**APPLICATION FORM FOR
PERMIT NUMBER 01-89-796**

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

PERMIT APPLICATION

TO CONDUCT SURFACE COAL MINING AND WATER

INSTRUCTIONS

The Alaska Surface Coal Mining Control and Reclamation Act provides that all surface coal mining and reclamation operations that will disturb more than two acres will require a Surface Mining Permit from the Department of Natural Resources prior to initiation of the operation. The purpose of the permit is to assure that the mining operation and reclamation practices are consistent with the performance standards set forth in the Act and its regulations; that the rights of surface owners and others with an interest in the property are protected; that appropriate procedures for incorporating public participation are provided; and that a proper balance exists between the protection of the environment and the development of the State's coals resources.

Articles 3, 4, and 5 of the surface mining regulations identify the information to be included in a surface mining permit application. This form parallels the organization of these Articles and is intended to serve as a checklist to assist you in the preparation of a complete application. No attempt has been made, however, to present all of the specific regulatory requirements on this form. The applicant should refer to cited provisions of the regulations to ensure that information provided is responsive to the requirements of the regulations and the Act.

Information submitted must also show how the applicant intends to meet requirements of the Performance Standards in Article 11 of the regulations, and, if applicable, the requirements for special categories of mining in Article 7. All technical data included in the application must be accompanied by the names of persons or organizations that collected and analyzed the data, dates of collection and analysis, and descriptions of the methodology used. The names, addresses and positions of officials of public and private agencies consulted during preparation of the application should be specified.

Maps submitted with the application should be presented in a consolidated format (i.e. a single map may serve more than one purpose). Certain maps plan views and cross sections must be prepared by, or under the direction of, and certified by, a registered professional engineer (or, in some cases, a geologist). These are identified by an asterisk (*) on this form.

Please submit one hard copy and one electronic submittal of all application materials.

References: Alaska Statute 27.21; 11 AAC Chapter 90, Articles 3, 4, 5, 7 and 11.

Application # _____.

Date Received _____.

Permit Application to Conduct Surface Coal Mining

CHECK ONE: / / New Permit / / Major Revision of Existing Permit / x / Permit Renewal

Previous or current permit number 01-89-796.

Number of acres currently permitted 1285.

Number of acres to be added/deleted 0.

Part A: APPLICATION AND MINE SITE IDENTIFICATION			
a) Name of Operation (Pit, mine or site name)	<i>Wishbone Hill Mine</i>		
b) Name of Applicant (Company name)	<i>Usibelli Coal Mine, Inc.</i>		
c) Address and Phone Number of Local Offices			
<i>P.O. Box 1000</i>			
<i>Healy, Alaska 99743</i>			
<i>(907) 683-2226</i>			
e) Name and Phone Number of Contact Person			
<i>Robert M. Brown (907) 745-6028</i>			
f) Name, Address and Phone Number of Operator			
<i>Same as Applicant</i>			
g) Name and Phone Number of Resident Agent			
<i>Alan E. Renshaw (907) 683-9739</i>			
h) Location of Proposed Operation			
Township	Range	Sections	Meridian
<i>19N</i>	<i>2E</i>	<i>Portions of 22, 23, 26, 27, 28, 34, 35, 36</i>	<i>Seward</i>

Latitude (Center Pt.)	61° 43' 00"	Longitude (Center Pt.)	149° 3' 30"
i) USGS 1:63,360 Quadrangle(s)	<i>Anchorage C-6</i>		
j) Distance and Direction to Nearest Community	<i>5 Miles West of Sutton</i>		
k) Mine Safety & Health Administration I.D. Number. 11 AAC 90.023(d)	<i>50-00030</i>		
l) Number of Disturbed acres under this permit	<i>440 (First 5-Year Term)</i>		
m) Total permit area (acres)	<i>1285</i>		
n) Permit fee (11 AAC 90.011)	<i>\$500</i>		
o) Requested permit term	<i>5 Years</i>		
p) Proposed initial bond amount	<i>\$10,000</i>		
q) Proposed total bond amount	<i>\$10,000 (Next 5-Year Term)</i>		
r) Surface land ownership (check one)	<i><input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Private <input checked="" type="checkbox"/> Combination</i>		
s) List names and address of all owners, purchasers of record, or leaseholders of the surface estate of lands within the proposed permit area. 11 AAC 90.023(a)(2)			
Name	<i>See Exhibit A</i>		
Address			
Name			
Address			
Mineral estate ownership (check one)	<i><input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Private <input checked="" type="checkbox"/> Combination</i>		
t) List names and addresses of all owners, purchases of record, or leaseholder of the mineral estate of lands within the proposed permit area. 11 AAC 90.023(a)(2)			
Name	<i>See Exhibit A</i>		
Address			
Name			
Address			
u) List names and addresses of every owner of record of the surface or mineral estates of lands adjacent to the proposed permit area. 11 AAC 90.023(a)(3)			

Name	<i>See Exhibit A</i>
Address	
Name	
Address	
Name	
Address	
v) Provide a map illustrating the surface and mineral ownership information requested under Part A Sections s), u), v) for the permit and adjacent area. 11 AAC 90.063(1). <i>See Exhibit A-1</i>	
PART B: LEGAL, FINANCIAL AND COMPLIANCE INFORMATION	
B1) IDENTIFICATION OF INTERESTS	
a) For all businesses other than single proprietorships listed in Part A, b-g or Part A, s-t of this form, provide the names, addresses and telephone numbers of every officer, partner, director or other person performing a function similar to a director, and, for the applicant only, any person owning 10% or more of any class of voting stock. 11 AAC 90.023(b)(1)	<i>Section 1.0</i>
b) List names under which the applicant, partner or principal shareholders previously conducted a surface coal mining operation in the United States within the five years preceding the date of this application. 11 AAC 90.023(b)(2)	<i>Section 1.0</i>
c) List any current or previous coal mining permits in the United States held by the applicant after 1970 and by any person identified in B1(a) and any pending application to conduct operations in the United States. Identify the regulator authority for each operation. 11 AAC 90.023(c)	<i>Section 1.0</i>
d) Describe all land, interests in land, options or pending bids on interest held or made by the applicant for land which is contiguous to the area to be covered by the permit. 11 AAC 90.023(e)	<i>Section 1.0</i>
B2) COMPLIANCE INFORMATION	
a) Has the applicant, operator or any subsidiary affiliate or other business controlled by or under common control with the applicant or operator: 11 AAC 90.023(f)(1)	
<ul style="list-style-type: none"> • Had a federal or state mining permit suspended or revoked in the last five years? 11 AAC 90.023(f)(1)(a), or 	Yes___ No__X_

<ul style="list-style-type: none"> Forfeited a mining bond or similar security deposited in lieu of bond? 11 AAC 90.023(f)(1)(b) 	Yes___ No <u>X</u>
b) If either question in B2(a) was answered yes, provide a statement of the facts involved in any suspension, revocation or forfeiture. 11 AAC 90.023(f)(2)	N/A
c) List all federal or state violation notices or notices of non-compliance received by the applicant in connection with a surface coal mining operation during the three-year period before this application. Include notices pertaining to air or water quality. 11 AAC 90.023(f)(3)	<i>Section 2.0</i>
B3 AUTHORITY TO ENTER	
a) Describe the legal authority for the applicant's right to enter the permit area and begin operations, and state whether that right is the subject of pending litigation. 11 AAC 90.025(a)	<i>Section 3.0</i>
b) Identify relevant documents under B3a by type, date of execution, and the specific land to which they pertain. If these documents include state coal leases or coal prospecting permits, also list identifying numbers here ADL# _____, _____, _____,	<i>Section 3.0</i>
c) If the mineral state of the area to be mined has been legally separated from the private surface estate, provide a copy of the document of consent or conveyance granting the right to extract coal by surface mining methods or a determination by a court that the applicant is authorized to extract coal by surface mining methods. 11 AAC 90.025(b)	<i>Section 3.0</i>
d) Show on a map the boundaries of land within the proposed permit area upon which the applicant has the legal right to enter and begin operations. 11 AAC 90.063(2)	<i>Section 3.0</i>
B4 AREAS UNSUITABLE FOR MINING	
a) Is the proposed permit area within an area designated unsuitable for mining or under study for designation as such? 11 AAC 90.027(a)	<i>No</i>
b) If B4(a) was answered yes, provide the petition name and number.	<i>N/A</i>
c) Is mining proposed within any areas defined to be unsuitable for mining under AS 27.21.260(g)?	<i>No</i>
d) If B4(c) was answered "yes" provide, as appropriate:	

<ul style="list-style-type: none"> • A written waiver from the owner of any occupied dwelling within 300 feet of the mining operation 11 AAC 90.027(c) 	N/A
<ul style="list-style-type: none"> • A description, with appropriate maps and cross sections, of measures to be used to ensure that the interests of the public and landowners are protected if relations of a public road or mining activities within 100 feet of the right-of-way line of any public road are proposed 11 AAC 90.093; or 	Part D Section 18.0
<ul style="list-style-type: none"> • Information demonstrating substantial financial and legal commitments prior to January 4, 1977, regarding the proposed operation, if an exception under AS 27.21.260(g) is sought. 11 AAC 90.027(b) 	N/A
B5 PERMIT TERM INFORMATION	
a) Specify the requested permit term	5 Years
b) If a permit term in excess of five years is requested, provide a demonstration that the longer term is necessary to allow the applicant to obtain financing for equipment or for the opening of the operation. Include written confirmation from your source of financing. 11 AAC 90.029(b).	NA
c) Describe and show on a map the boundaries of all areas proposed to be affected over the estimated total life of the operation and the size, sequence and timing of the operation and the size, sequence and timing of areas for which it is anticipated that additional permits will be sought. 11 AAC 90.029(a), 11 AAC 90.063(3)	Section 5.0
B6 OTHER LICENSES AND PERMITS	
a) Identify all other licenses and permits needed by the applicant to conduct the proposed operations. Include for each the type of permit or license, name and address of issuing authority, identification number, status, and date. 11 AAC 90.031	Section 6.0
B7) LIABILITY INSURANCE	
a) Provide certification from your insurance company that the applicant has a public liability insurance policy in force for the proposed operation, covering personal injuries or property damage resulting from the operation. 11 AAC 90.033	Section 7.0
PART C: ENVIRONMENT RESOURCES INFORMATION	
C1) CULTURAL AND HISTORIC INFORMATION AND MAN-MADE FEATURES	
a) Describe cultural and historic resources listed on the National Register of Historic Places	Chapter 1

and known archeological features within the permit area and adjacent area. 11 AAC 90.041	
b) Provide a map of cultural or historic resources, known archeological sites and public parks within the permit or adjacent area. 11 AAC 90.063(9), (10), and (11)	<i>Chapter 1</i>
c) Show on a map any land within the proposed permit and adjacent area which is within the boundaries of any units of the National System of Trails or the Wild and Scenic Rivers System, including designate study rivers. 11 AAC 90.063(11)	<i>N/A</i>
C2) HYDROLOGY AND GEOLOGY (GENERAL INFORMATION)	
a) Describe the geology, hydrology and water quality and quantity of all land within the permit area, adjacent area, and the general area. 11 AAC 90.043	<i>Chapters II, IV, V, & VI</i>
C3) GEOLOGY DESCRIPTION	
a) Provide a general statement of the geology within the proposed permit area down to and including the first aquifer to be affected below the lowest coal seam to be mined. 11 AAC 90.045(a)	<i>Chapter II</i>
b) Provide cross sections, maps and plan view showing:	
Elevations and locations of test boring and core samplings; 11 AAC 90.065(1)	<i>Chap II & III</i>
All coal crop lines and the attitude of the coal to be mined within the permit area; and	<i>Chapter II</i>
Nature, depth and thickness of the coal seams to be mined, any coal or rider seams above the seam to be mined, each stratum of the overburden and the stratum immediately below the lowest coal seam to be mined, 11 AAC 90.065(1), (3), (4).	<i>Chapters II & III</i>
C4) GROUND WATER INFORMATION	
a) Describe the ground water hydrology of the proposed permit and adjacent area. Include the depth, lithology, thickness and extent of the water table and aquifers; the quality and known uses of subsurface water; contributions of ground water to stream base flow; and if required, additional information describing recharge, storage, and discharge characteristics of aquifers and water quality and quantity. 11 AAC 990.047	<i>Chapters IV & V</i>
b) Provide cross sections, maps and plan views showing the location and extent of any subsurface water encountered, and the locations and elevation of monitoring stations used to gather data for water quality and quantity. 11 AAC 90.065(2), (6)	<i>Chapter IV</i>
C5) SURFACE WATER INFORMATION	
a) Identify the watershed, which will receive water discharges from the affected area, the location of any water discharge point into any surface body of water. 11 AAC 90.049	<i>Chapter V</i>

b) Describe surface drainage systems, identifying seasonal variations in water quality and quantity within the proposed permit area and adjacent area. 11 AAC 90.049	<i>Chapter V</i>
c) Provide a map showing the location of all surface water bodies within the proposed permit area and adjacent area, including those identified under C5a. Show the elevations and locations of monitoring stations used to gather water quality and quantity data. 11 AAC 90.065(2), (7)	<i>Chapter V</i>
C6) ALTERNATIVE WATER SUPPLY INFORMATION	
a) Identify the extent to which the proposed operations may result in contamination, diminution or interruption of a source of water within the proposed permit area or adjacent area for domestic, agricultural, industrial, fish and wildlife habitat or other legitimate use. 11 AAC 90.051	<i>Part D Sections 11.0, 14.0 & 15.0</i>
b) Provide a map showing the location of water supply intakes for current users of surface water flowing into, out of and within a hydrologic area. 11 AAC 90.063(7)	<i>Chapter VI</i>
c) Provide a map showing the location and depth, if available, of water wells within the proposed permit area and adjacent area. 11 AAC 90.065(10)	<i>Chapters IV & VI</i>
C7) CLIMATOLOGICAL INFORMATION	
a) Provide a description of climatological factors of the proposed permit area, including precipitation, wind speed and direction, and seasonal temperature ranges, when requested by the Commissioner 11 AAC 90.053	<i>Chapter VII</i>
b) Show on a map the elevation and location of monitoring stations used to gather data for air quality, if required 11 AAC 90.065(2)	<i>Chapter VII</i>
C8) VEGETATION INFORMATION	
a) Provide a description of vegetation types within the proposed permit area, adjacent area and any proposed reference area. Include information and quantitative measurements adequate to predict the potential for successful revegetation. 11 AAC 90.055	<i>Chapter VIII</i>
b) Provide a map delineating existing vegetation types within the permit and adjacent area, and showing the location and boundaries of any proposed reference areas. 11 AAC 90.055; 11 AAC 90.063(6)	<i>Chapter VIII</i>
C9) FISH AND WILDLIFE INFORMATION	
a) Provide a study of fish and wildlife, their habitats, and human use of these resources within the proposed permit area and portions of the adjacent area where effects on these	<i>Chapters IX, X, & XIII</i>

resources may reasonably be expected to occur. Identify any threatened or endangered species and their critical habitats and fish and game of economic, recreational or subsistence importance. 11 AAC 90.057	
b) Show on map the location and elevation of any monitoring stations used to gather fish and wildlife data 11 AAC 90.065(2)	<i>Chapters IX & X</i>
C10) SOIL RESOURCES INFORMATION	
a) Identify and describe soils within the proposed permit area, and provide analyses of each soil type to be affected. 11 AAC 90.059(a)(2), (a)(3)	<i>Chapter XI</i>
b) Provide information regarding present and potential productivity of existing soils 11 AAC 90.059(a)(4)	<i>Chapter XI</i>
c) Provide a map delineating different soils within the proposed permit area. 11 AAC 90.059(a)(1)	<i>Chapter XI</i>
d) If the use of selected overburdened materials as a supplement or substitute for topsoil is proposed, provide results of analyses, trials and tests required under 11 AAC 90.311, 11 AAC 90.059(b)	<i>N/A</i>
C11) LAND USE INFORMATION	
a) Describe the condition, capability and productivity of the land proposed to be affected by surface operations and facilities. Include a map, supporting narrative and analysis of the existing and, if applicable, the historic land uses. 11 AAC 90.061(a)	<i>Chapter XII</i>
b) Provide a description of existing land use classifications or zoning, if any of the proposed permit area and adjacent area 11 AAC 90.061(c)	<i>Chapter XII</i>
c) State whether the proposed permit area has been previously mined, and provide a description of the previous mining, including type, dates and extent of mining, and the uses of the land preceding mining. 11 AAC 90.061(b)	<i>Chapter XII</i>
d) Show on a map the extent of existing or previously surface-mined areas within the proposed permit area, and the location and extent of known workings of active, inactive or abandoned underground mines, including mine openings to the surface within and adjacent to the proposed permit area. 11 AAC 90.065(8), 11 AAC 90.065(5).	<i>Chapter XII</i>
e) Provide a map of all surface and subsurface man-made features within, passing through, or passing over the proposed permit area. Include the location and current use of all buildings on or within 1,000 feet of the proposed permit area; each cemetery or burial ground located in or within 100 feet of the proposed permit area; any gas and oil wells; and each public road in or within 100 feet of the proposed permit area. 11 AAC 90.063(4), (5), (8); 11 AAC 90.065 (10)	<i>Chapter XII</i>

PART D: OPERATION AND RECLAMATION PLAN	
D1) OPERATION PLAN	
a) Describe (in detail for the proposed permit area and in general for life of the operation) the type and method of coal mining procedures and proposed engineering techniques, anticipated annual and total production of coal and the major equipment to be used. 11 AAC 90.071(1)	<i>Section 3.0</i>
b) Illustrate using maps and plan views, and cross sections where appropriate, the area of land to be affected and the sequence of mining and reclamation within the proposed permit area. 11 AAC 90.077(b)(2)	<i>Section 3.0</i>
c) Describe measure to be used to maximize the use and conservation of the coal resources. 11 AAC 90.083(b)(6)	<i>Section 7.0</i>
d) Describe and illustrate using maps, plan views and cross sections where appropriate, any overburden storage area or structure. 11 AAC 90.071(2)(B); 11 AAC 90.077(b)(5)	<i>Section 5.0</i>
D2) EXISTING OPERATIONS, STRUCTURES AND FACILITIES	
a) Provide a map identifying areas where operations were conducted (coal was removed or lands were otherwise used in connection with the operation):	<i>Part C Chapter XII</i>
Before August 3, 1977;	<i>N/A</i>
After August 3, 1977 and before May 3, 1978;	<i>N/A</i>
After May 3, 1978 and before May 2, 1983 and	<i>N/A</i>
After the estimated date of Permit issuance 11 AAC 90.021(f)(2)	<i>N/A</i>
b) Provide cross sections, maps and plan views showing the location and dimensions of existing areas of spoil, waste, coal development waste, and non-coal waste disposal; dams, embankments, other impoundment's; and water treatment and air pollution control facilities within the proposed permit area. 11 AAC 90.065(9)	<i>N/A</i>
c) Identify and describe each existing structure proposed to be used in connection with the operation. Include its location, design, current condition and construction dates. Provide a showing of whether the structure meets applicable performance standard requirements. 11 AAC 90.073(a)	<i>N/A</i>
d) Provide a compliance plan for each existing structure to be modified or reconstructed for use in connection with the operation. Include design specifications, a construction	<i>N/A</i>

schedule, provisions for monitoring the structure, and a showing that risk of harm to the environment or to public health and safety is not significant. 11 AAC 90.073(b)	
D3) COAL TRANSPORTATION AND HANDLING	
a) Describe the construction, modification, use, maintenance and removal of structures and facilities for coal removal, handling, storage, cleaning and transportation. 11 AAC 90.071(2)(c)	<i>Section 8.0</i>
b) Provide maps and plans and cross-sections where appropriate, showing each coal storage, cleaning and loading area. 11 AAC 90.077(b)(4)	<i>Section 8.0</i>
D4) BUILDINGS, ROADS AND OTHER FACILITIES	
a) Describe construction, modification, use maintenance and removal of mine facilities 11 AAC 90.071(2)(E) and 11 AAC 90.83(b)(12)	<i>Sections 9.0, 10.0, & 13.0</i>
b) Provide maps and plans and cross-sections where appropriate, showing buildings, utility corridors and other facilities to be used. 11 AAC 90.077(b)(1)	<i>Section 10.0</i>
c) Describe each road, conveyor or rail system to be constructed, used or maintained within the proposed permit area. Include a map, appropriate cross sections and specifications for each road width, road gradient, road surface, road cut, fill embankment, culvert, bridge, drainage ditch and drainage structure. 11 AAC 90.097.	<i>Section 9.0</i>
D5) BLASTING PLAN	
a) Provide a plan describing blasting operations. Include a description of types and amounts of explosives, procedures for recording and retention of blasting information, blasting warning and access control procedures, blast monitoring, preblasting surveys and procedures for unscheduled blasts 11 AAC 90.075	<i>Section 6.0</i>
b) Provide a map showing the location of each explosive storage and handling facility. 11 AAC 90.077(b)(10)	<i>Section 3.0 Plate 3-1</i>
D6) AIR POLLUTION CONTROL PLAN	
a) Provide a plan showing how all surface areas will be stabilized and protected to comply with applicable federal and state air quality regulations, including, if required by the Commissioner, an air quality monitoring program 11 AAC 90.079	<i>Section 16.0</i>
b) Describe steps to be taken to comply with the requirements of the Clean Air Act (42 U.S.C. Section 7401, etc, seq.) and other applicable air quality laws and regulations. 11 AAC 90.083(b)(9)	<i>Section 16.0</i>

c) Describe and show on a map each air pollution collection and control facility. 11 AAC 90.071(2)(F), 11 AAC 90.077(b)(7).	<i>Section 16.0</i>
D7) FISH AND WILDLIFE PROTECTION PLAN	
a) Provide a plan describing impact control measures, management techniques and monitoring methods designed to prevent or minimize disturbance and adverse impacts on fish and wildlife and related environmental values. Include threatened or endangered species, important or protected species and habitats of unusually high value for fish and wildlife. 11 AAC 90.081	<i>Section 14.0</i>
b) Provide maps and plan views and cross-sections where appropriate, showing each facility to be used to protect and enhance fish and wildlife and related environmental values. 11 AAC 90.077(b)(9)	<i>Section 14.0</i>
D8) RECLAMATION PLAN: GENERAL REQUIREMENTS AND BONDING	
a) Provide a plan for reclamation of the proposed permit area. Show how the applicant will comply with the performance standards in 11 AAC 90.301 -- 11 AAC 90.501. 11 AAC 90.083(a)	<i>Section 13.0</i>
b) Provide a detailed timetable for the completion of each major step in the reclamation plan 11 AAC 90.083(b)(1)	<i>Section 13.0</i>
c) Provide a detailed estimate, with supporting calculations, of the cost of the reclamation of all operations required to be covered by a performance bond. 11 AAC 90.083(b)(2)	<i>Section 13.0</i>
d) Provide a map, showing each area of land for which a performance bond or other equivalent guarantee will be posted. If incremental or cumulative bonding is proposed, this map should identify initial and successive bonding areas. 11 AAC 90.077(b)(3)	<i>Section 13.0</i>
D9) BACKFILLING AND GRADING PLAN	
a) Provide cross sections, maps and plan views adequate to portray the existing land surface configuration and slopes within the area to be affected. 11 AAC 90.065(11)	<i>Sections 3.0 & 13.0</i>
b) Provide a plan for backfilling, soil stabilization and grading, with contour maps or cross sections that show the anticipated final surface configuration of the proposed permit area. 11 AAC 90.083(b)(3)	<i>Sections 12.0 & 13.0</i>
c) Describe measures to be employed to ensure that all coal, acid-forming and toxic-forming materials, debris and materials constituting a fire hazard are covered, treated or otherwise properly disposed of. Include a contingency plan for preventing sustained combustion. 11 AAC 90.083(b)(7)	<i>Section 12.0</i>

D10) TOPSOIL HANDLING PLAN	
a) Provide a plan for removal, storage and redistribution of topsoil, subsoil and other substitute or supplemental material. 11 AAC 90.083(b)(4)	<i>Sections 4.0 & 13.0</i>
b) Provide a description of topsoil handling and storage areas and structures. Include; appropriate maps, plan views and cross sections. 11 AAC 90.071(2)(B); 11 AAC 90.077(b)(5)	<i>Section 4.0</i>
c) Provide a soil-testing plan for evaluation of the results of topsoil handling and reclamation procedures related to revegetation. 11 AAC 90.083(b)(5)(H)	<i>Section 13.0</i>
D11) REVEGETATION PLAN	
a) Provide a plan for revegetation, including a revegetation schedule, species and amounts per acre of seeds and seedlings, methods of planting, seeding and mulching and any planned irrigation or pest control measures. 11 AAC 90.083(b)(5)	<i>Section 13.0</i>
b) Specify measures proposed to be used to determine the success of revegetation. 11 AAC 90.083(b)(5)	<i>Section 13.0</i>
D12) PROTECTION OF THE HYDROLOGIC BALANCE	
a) Provide a detailed description, with appropriate maps and cross section drawings, of measures to be taken during and after the proposed operations to ensure the protection of the quality and quantity of surface and ground water, and the rights of present users. 11 AAC 90.085(b)	<i>Sections 11.0 & 13.0</i>
b) Provide a plan for the control of surface and ground water drainage into; through and out of the proposed permit area. 11 AAC 90.085(c)(1)	<i>Section 11.0</i>
c) Provide a description with maps and plan views and cross sections where appropriate of each water diversion, collection, conveyance, 11 AAC 90.071(2)(F), 11 AAC 90.077(b)(6)	<i>Section 11.0</i>
d) Provide a description, including maps and cross-sections of the design, construction and removal of stream channel diversions. 11 AAC 90.083 (b)(11)	<i>Section 11.0</i>
e) Provide a plan for treatment of surface and ground water drainage from the area to be disturbed. Include proposed quantitative limits on pollutants in discharges. 11 AAC 90.085(c)(2)	<i>Section 11.0</i>
f) Provide general design information, maps, plan views, descriptions, cross sections and other information for each proposed sedimentation pond, dam embankment or impoundment. Describe construction, modification, use, maintenance and removal. Include a schedule for submission of any detailed design plans. 11 AAC 90.071(2)(A); 11 AAC 90.077(b)(11); 11 AAC 90.089(a).	<i>Section 11.0</i>

g) Provide detailed design information for all ponds, dams, embankments or impoundments for which specific approval is requested. 11 AAC 90.089(b)	<i>Section 11.0</i>
h) For each structure 20 feet or higher or impounding more than 20-acre feet of water, include a stability analysis. 11 AAC 90.089(d)	<i>Section 11.0</i>
i) Provide a plan for the collection, recording and reporting of ground and surface water quality and quantity data. 11 AAC 90.085(c)(5)	<i>Section 15.0</i>
j) Provide a plan for the restoration of the approximate recharge capacity of the permit area and adjacent area. 11 AAC 90.085(c)(3)	<i>Section 15.0</i>
k) Provide a description including appropriate cross sections and maps, of measures to be used to plug, case or manage exploration holes, other bore holes, wells and other openings within the proposed permit area. 11 AAC 90.083(b)(8)	<i>Section 15.0</i>
l) Provide a determination of the probable hydrologic consequences of the operation on the proposed permit area and adjacent area with respect to the hydrologic regime and the quantity and quality of water in surface and ground water systems under all seasonal conditions. 11 AAC 90.085(a)	<i>Section 15.0</i>
m) Describe steps to be taken to comply with the Clean Water Act and other applicable water quality laws and regulations. 11 AAC 90.083(b)(9)	<i>Section 15.0</i>
D13) POST MINING LAND USE	
a) Provide a detailed description of the proposed use, following reclamation of the land to be affected. Include a discussion of how this use is to be achieved and the utility and capacity of the reclaimed land to support a variety of alternative uses. 11 AAC 90.087(a)	<i>Section 13.0</i>
b) If the proposed post mining land use differs from the pre-mining land use, attached all documentation needed to satisfy applicable criteria contained in 11 AAC 90.481, 11 AAC 90.087(a)	<i>N/A</i>
c) Describe the relationship of the proposed land use to applicable state and local land use policies and plans, and to surface owner plans. Include comments concerning the proposed use by the legal or equitable surface owner and the appropriate state and local government agencies. 11 AAC 90.087(b)	<i>Section 13.0</i>
D14) PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES	
a) Describe measures to be used to prevent or minimize impacts to any public park or historic place that may be adversely affected by the proposed operations. 11 AAC 90.091	<i>Section 17.0</i>

D15) EXCESS SPOIL AND UNDERGROUND DEVELOPMENT WASTE	
a) Describe the design, construction, operation, maintenance and removal if appropriate of all excess spoil or mine development waste disposal areas and structures. 11 AAC 90.071(2)(D); 11 AAC 90.095(a)	N/A
b) Provide appropriate maps, plan views and cross sections drawings illustrating the proposed disposal site and the design of the spoil disposal structures. 11 AAC 90.077(b)(11); 11 AAC 90.095(a)	N/A
c) Provide the results of a geotechnical investigation of the proposed disposal site. Include bedrock characteristics, a survey of springs and seeps, an analysis of potential effects of underground mine subsidence, a geotechnical description of rock materials to be used in any rock chimney cores or drainage blankets and a stability analysis of the fill. 11 AAC 90.095(b)	N/A
d) Provide engineering specifications utilized to design any rock-toe buttress or key-way cuts. Include the number, location and depth of borings or test pits. 11 AAC 90.095(c)	N/A
D16) HAZARDOUS COAL PROCESSING WASTE	
a) Describe the design, construction, modification, use, maintenance and removal of any hazardous coal processing waste disposal areas and structures. Explain how the structure complies with 11 AAC 90.391; 11 AAC 90.409; 11 AAC 90.071(2)(D)	N/A
b) Provide maps and plan views, and cross sections where appropriate of each hazardous coal processing waste storage area, disposal area, dam or embankment. 11 AAC 90.077(b)(11)	N/A
c) Provide maps, plan views and cross sections as appropriate to illustrate the sources of the coal processing waste. 11 AAC 90.077(b)(8)	N/A
d) For each hazardous coal processing waste dam or embankment, provide the results of a geotechnical investigation of the foundation area to determine structural competence of the foundation to support the dam or embankment and the impounded material. 11 AAC 90.089(c)	N/A
e) Describe the design, operation, and maintenance of any proposed facility to return hazardous coal processing waste to underground workings, including flow diagrams and appropriate drawings and maps. 11 AAC 90.099	N/A
D17) NON-COAL WASTE	
a) Describe and illustrate using appropriate maps, plan views and cross sections, the	Section 10.0

removal handling, storage and disposal of non-coal wastes. 11 AAC 90.071(2)(D) 11 AAC 90.077(b)(5)	
D18) UNDERGROUND MINING: SUBSIDENCE CONTROL PLAN	
a) Provide the results of a survey, which shows whether structures of renewable resource lands exist within the proposed permit and adjacent area, and a determination as to whether subsidence may cause material damage or affect the use of the structures or resources. 11 AAC 90.101(a)	N/A
b) If the subsidence may cause material damage or affect the use of structures or renewable resources, describe methods of operation which may affect subsidence, measures to be taken to prevent or reduce damage due to subsidence, a subsidence monitoring plan (including the location of subsidence monitoring points), and measures to determine the degree of damage or diminution of value or use. 11 AAC 90.077(c)(2); 11 AAC 90.101(c)	N/A
D19) UNDERGROUND MINING: RECLAMATION	
a) Provide a description, including appropriate cross sections, drawings and maps of measures to be used to seal or manage mine openings. Include a detailed description of permanent entry seals and down-slope barriers designed to ensure stability under anticipated hydraulic heads developed while promoting mine inundation after mine closure. 11 AAC 90.083(b)(8); 11 AAC 90.085(d)	N/A
b) Provide maps, plan views and cross sections illustrating the anticipated final surface configurations and profile to be achieved for the affected area, including the locations of each permanent facility. 11 AAC 90.077(c)	N/A
c) If operations are planned closer than 500 feet to an active or abandoned underground mine, describe measures to be used to comply with 11 AAC 90.393, 11 AAC 90.083(b)(10)	N/A
PART E: SPECIAL CATEGORIES OF MINING	
1) Does the proposed operation include:	
Mountaintop removal?	Yes__No X
Steep Slope Mining?	Yes__No X
Alluvial Valley Floors?	Yes__No X
In Situ Processing?	Yes__No X
Experimental Practices?	Yes__No X

Important Farmlands?	Yes___No X
2) Are you requesting a variance:	
From contour restoration requirements for steep slopes?	Yes___No X
For combined surface and underground mining?	Yes___No X
3) If any part of Part E 1 or 2 was answered "yes" provide documentation addressing relevant requirements of 11 AAC 90.141 -- 11 AAC 90.157	N/A
4) Will facilities such as roads, transportation, support facilities, and utility installations be constructed outside the permit area?	Yes
5) If number four above, was answered "yes" either attach a finding by the Commissioner that a permit is not required or provide information addressing the requirements of 11 AAC 90.155.	<i>Part E Section 1.0</i>

The applicant, being first duly sworn, states to the best of his knowledge and belief that all statements and representations made in this application are true and correct.

Applicant's Name _____ Title _____.

Address _____.

Applicant's Signature _____ Date _____.

Subscribed and sworn before me by _____ this the _____ day of _____, 20____.

Notary Public _____ My commission expires _____.

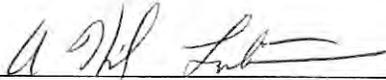
Note: Attach a copy of power of attorney, or resolution of Board of Directors that grants signature authority)

CORPORATE RESOLUTION OF USIBELLI COAL MINE, INC.

CERTIFICATE OF RESOLUTION

IT IS HEREBY RESOLVED: That the Board of Directors for USIBELLI COAL MINE, INC. authorizes Alan E. Renshaw, V.P. Operations, and Frederick W. Wallis, V.P. Engineering, authority to sign all documents relating to the Alaska Surface Mining Control and Reclamation Act (ASMCRA) on behalf of Usibelli Coal Mine, Inc.

I, A. Kirk Lanterman as secretary of USIBELLI COAL MINE, INC. hereby certify that the Board adopted this Resolution on the 3rd of May, 2010.



A. Kirk Lanterman, SECRETARY
USIBELLI COAL MINE, INC.

**EXHIBIT A
OWNERS AND LEASEHOLDERS OF RECORD
FOR PERMIT NUMBER 01-89-796**

SURFACE ESTATE WITHIN THE PERMIT AREA

Owners of Record

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
550 West 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

Usibelli Coal Mine, Inc.
P.O. Box 1000
Healy, Alaska 99743-1000

State of Alaska
Department of Natural Resources
Mental Health Trust Land Unit
718 L St., Suite 202
Anchorage, Alaska 99501

Leaseholders

Usibelli Coal Mine, Inc.
P.O. Box 1000
Healy, Alaska 99743-1000

SUBSURFACE (MINERAL) ESTATE WITHIN THE PERMIT AREA

Owners of Record

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
550 West 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

Cook Inlet Region, Inc.
2525 "C" Street, Suite 500
P.O. Box 93330
Anchorage, Alaska 99509-3330

State of Alaska
Department of Natural Resources
Mental Health Trust Land Unit
718 L St., Suite 202
Anchorage, Alaska 99501

Leaseholders

Usibelli Coal Mine, Inc.
P.O. Box 1000
Healy, Alaska 99743-1000

SURFACE OR SUBSURFACE (MINERAL) ESTATE ADJACENT TO THE PERMIT AREA

Owners of Record

ADAIR ROBERT & CARRIE	1470 JENNIFER DR		FAIRBANKS	AK	99709
ADAMS MELISSA A, DAVIS BETTY	300 S WILLOW LN		WASILLA	AK	99654
AK DEPT OF CORRECTIONS	2200 E 42ND AVE		ANCHORAGE	AK	99508
AK DNR LAND	550 W 7TH AVE, STE 1050A		ANCHORAGE	AK	99501-3579
AK DNR MINING	PO BOX 107016	ATTN: LOCATABLES	ANCHORAGE	AK	99510-7016
AK MHT	718 L ST STE 202	TRUST LAND OFFICE	ANCHORAGE	AK	99501-3336
ALASKA STATE ELKS ASSN	PO BOX 290	% DAVE CHARLESWORTH	KENAI	AK	99611-0290
ALCANTRA JOS R	PO BOX 871981		WASILLA	AK	99687-1981
ALEXANDER RICHARD II	PO BOX 4034		PALMER	AK	99645-4034
ALWARD STEPHAN C	PO BOX 476		PALMER	AK	99645-0476
ANACLETO IAN J	14251 E CANYON DR		PALMER	AK	99645
ANACLETO OMAR G & B S	14251 E CANYON DR		PALMER	AK	99645
ARNEY TIMOTHY V	PO BOX 90097		ANCHORAGE	AK	99509-0097
BALCOM LARRY D & JANICE D	13900 E NORDEN TERRASSE		PALMER	AK	99645
BECK DARYL K & SHERRIE A	3231 E 43RD AVE		ANCHORAGE	AK	99508-5424
BENEDETTI GARY E, PREVOST MICHELLE A	PO BOX 3389		PALMER	AK	99645-3389
BEZOLD KENNETH A	PO BOX 920172		DUTCH HARBOR	AK	99692-0172
BORREGO MICHAEL	175 MEADOWVIEW RD		FOREST GROVE	OR	97116
BOWEN RONALD & KATHLEEN LVG TR	PO BOX 1068		PALMER	AK	99645-1068
BRADBURY LORNE G	PO BOX 2434	% LINDA BRADBURY	PALMER	AK	99645-2434
BRENNER JOS E & LINDA C	342 S ALASKA ST		PALMER	AK	99645
BRINKERHOFF LARRY D & BRENDA L	10100 N BUFFALO MINE RD		PALMER	AK	99645
BROWN DARRELL W & LAURA L	10050 STAR LN		CHERRY VALLEY	CA	92223
BROWN SAMANTHA L	PO BOX 262		GIRDWOOD	AK	99587-0262
BRUNER FRANK B	PO BOX 311		HOUSTON	AK	99694-0311
BRUNK STEVEN & LAURIE	14001 E SCENIC VIEW DR		PALMER	AK	99645

Owners of Record (Cont'd)

BURLISON HUGH & DEAN, GARY JR, DAVID BURLISON GARRY	9460 N HILLSIDE DR		PALMER	AK	99645
CARR JOHN E & PATRICIA L	1000 N BUFFALO MINE RD		PALMER	AK	99645-9251
CHICKALOON MOOSE CRK NV A	PO BOX 1105		CHICKALOON	AK	99674-1105
CHICKALOON VILLAGE TRADITIONAL COUNCIL	PO BOX 1105		CHICKALOON	AK	99674-1105
CHRISTENSON CURTIS E	10051 HWY 2		BROOKSTON	MN	55711
CHRISTY KATHY JEAN	5172 E 98TH AVE		ANCHORAGE	AK	99516-6403
CLINE LEE & ELIZABETH	14051 E MIKE LN		PALMER	AK	99645
COPELAND JEFFREY J&LANITA	27 GILMORE AVE		SANTA RITA	GU	96915-1144
DARNELL SHAWN ERIN	PO BOX 231393		ANCHORAGE	AK	99523-1393
DAVIS CRAIG A & SUSAN L	10150 N BROW TINE CIR		PALMER	AK	99645
DEN BLEYKER THE REV TR	PO BOX 4656		PALMER	AK	99645-4656
DIETZE WILLIAM P & NATALIE K	PO BOX 871476		WASILLA	AK	99687-1476
DINGMAN JOEL E JR	PO BOX 4112		PALMER	AK	99645-4112
DONEGAN JUDITH D	13603 E OCEANVIEW RD		PALMER	AK	99645
DURAN JANE E EST	3810 S MITTMAN	% CAROLINE DREYER	SAN ANTONIO	TX	78223
EDMONDS GILBERT CHAD	13526 E OCEANVIEW RD		PALMER	AK	99645
EKLUTNA INC	16515 CENTERFIELD DR #201		EAGLE RIVER	AK	99577-7719
ELLIOTT DAVID & KERRY	PO BOX 2256		PALMER	AK	99645-2256
ERETZIAN PATRICIA E, RIPLEY ROSSALIE A CUSHMAN	PO BOX 481		KINGSTON	WA	98346-0481
ERICKSON MICHAEL A& ALISA	14040 E WILDERNESS LN		PALMER	AK	99645
FITHIAN BOB & BARBARA	HC 60 BOX 299C		COPPER CENTER	AK	99573-9601
FITZGERALD KATHERINE	PO BOX 81761		FAIRBANKS	AK	99708-1761
FOWLER JAMES W & PAULA J	20204 GLACIER PARK CIR		EAGLE RIVER	AK	99577-8854
GALLAGHER RYAN JAS	5800 BULGARIA DR		ANCHORAGE	AK	99516
GARTLAND MICHAEL & ESTHER	PO BOX 210141		ANCHORAGE	AK	99521-0141

Owners of Record (Cont'd)

GIESLER MARIANNE L TRE, GIESLER M L 1998 TR	1290 SADDLEBRONC CT		MINDEN	NV	89423
GIMBERG KEVIN, ROESTENBURG JANICE	PO BOX 2961		PALMER	AK	99645-2961
GONZALES FRANK C	13757 E SYBRITE RD		PALMER	AK	99645
GRAHAM MICHAEL	PO BOX 2726		PALMER	AK	99645-2726
GROHALL DAVID L, PATRICIA L, LANCE C	14351 E MIKES LN		PALMER	AK	99645-9212
GROHALL LANCE	9300 N BUFFALO MINE RD		PALMER	AK	99645
GROHALL LANCE C& ANDREA M	9300 N BUFFALO MINE RD		PALMER	AK	99645
HALE JOHN GARLAND	PO BOX 4477		PALMER	AK	99645-4477
HALLEY RAYMOND J & CATHERINE M	PO BOX 3695		PALMER	AK	99645-3695
HANSEN PAIGE BYRON, ERLENDSON BETTY A EST & ERLENDSON G	11021 N SNOWY MOUNTIAN CIR		PALMER	AK	99645
HANSON CRAIG & SONNA	305 E FIREWEED AVE		PALMER	AK	99645
HARVEY VIVAN J	9460 N PINE DR		PALMER	AK	99645
HARVEY VIVAN J II& GAIL A	PO BOX 3011		PALMER	AK	99645-3011
HELVIK CAROL M LINDBLADE, THOMA JAN M EST	1806 MADRONA ST	% CAROL EMERY	NORTH BEND	OR	97459-2139
HICKMAN JONATHAN P	PO BOX 4363		PALMER	AK	99645-4363
HIGLEY JACK C	2316 SIRKKA ST		CENTRALIA	WA	98531
HOPP KAREN M	10128 N SPIKE FORK CIR		PALMER	AK	99645
HUBBARD RUSSELL R&CATRINA	PO BOX 47		PALMER	AK	99645-0047
HUDSON CHAS B	11033 N RIDGE RUNNER CIR		PALMER	AK	99645
HUDSON CHAS BRENT	11033 N RIDGE RUNNER CIR		PALMER	AK	99645-9274
HURST ROY	9700 N BUFFALO MINE RD		PALMER	AK	99645-9204
INDEPENDENCE UNLIMITED	11726 N SAMOVAR WAY	% CRAIG STRATTON	PALMER	AK	99645
INDEPENDENT BAPTIST CHURCH OF ANCHORAGE	PO BOX 2635		PALMER	AK	99645-2635
JAMES JOHN E & CAROL J	18224 JUSTICE RD		CAMP DOUGLAS	WI	54618

Owners of Record (Cont'd)

JACKSON WARREN R TR, JACKSON MARK G TRE	PO BOX 3155		PALMER	AK	99645-3155
JAMES STANLEY C, JAMES CAROL J & JAMES JOHN E	13961 E MOYEN RUELLE CT		PALMER	AK	99645-9284
JONES TONY W & JULIA L	PO BOX 3595		PALMER	AK	99645-4595
KALINA MARTIN L & DIANE R	7157 FAIRWEAHTER PARK LP		ANCHORAGE	AK	99518-2277
KAVALOK ANTON P JR & K A	PO BOX 2464		PALMER	AK	99645-2464
KETCHAM MALCOLM DAVID	1339 6TH AVE		FAIRBANKS	AK	99701
KIRKMEYER MELBA J			BRIGTON	CO	80603
KNAPP KATHERINE L	PO BOX 19385	% KATHERINE L MARTIN	THORNE BAY	AK	99919-0385
KNAPP KATHERINE L	PO BOX 19385	% KATHERINE L MARTIN	THORNE BAY	AK	99919-0385
LABARGE MARK J & NORA J	9500 N HILLSIDE DR		PALMER	AK	99645
LACASSE BRYAN	PO BOX 88		PALMER	AK	99645-0088
LEACH RICHARD P, LEACH TIMOTHY T	PO BOX 3666		PALMER	AK	99645-3666
LEWIS ANETTE T	13407 E MIKES LN		PALMER	AK	99645
LEWIS APRIL C	13407 E MIKES LN		PALMER	AK	99645
LONG WM E REV TR, LONG KATHERINE M REV TR	PO BOX 1831		PALMER	AK	99645-1831
LORDAN STACIE M	PO BOX 575		GIRDWOOD	AK	99587-0575
LUNDEN BETTY L ED TR	PO BOX 1561		PALMER	AK	99645-1561
MACIOLEK KRISTA	PO BOX 1316		PALMER	AK	99645-1316
MARTIN KATHERINE L	PO BOX 2682		PALMER	AK	99645-2682
MARTIN LYLE W & SHEILA R	PO BOX 1561		PALMER	AK	99645-1561
MASON ROBT E & LENA D	2926 CAMPBELL AIRSTRIP RD		ANCHORAGE	AK	99504
MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER	AK	99645
MCCULLOUGH TIMOTHY J & JENNIFER M	9800 N BUFFALO MINE RD		PALMER	AK	99645
MCCULLOUGH TIMOTHY L & J E	9830 N BUFFALO MINE RD		PALMER	AK	99645
METZNER ALEXANDER DAVID	PO BOX 401		PALMER	AK	99645-0401

Owners of Record (Cont'd)

MENEZES MATTHEW L, EDENS-MENEZES W ANN	PO BOX 4159		PALMER	AK	99645-4159
MISTLER BARBARA A	472 N MAIN ST, Ste A		WASILLA	AK	99654-7018
MORIGEAU ROBT S & DONNA L	PO BOX 2135		PALMER	AK	99645-2135
MORRISSEY JILLIAN L, LEACH TIMOTHY T	PO BOX 3666		PALMER	AK	99645-3666
MULLIGAN DENNIS K JR & JULIE M	PO BOX 150		PALMER	AK	99645-0150
NYMAN RICHARD W & JACQUI	PO BOX 91938		ANCHORAGE	AK	99509-1938
OESTREICH ROBT E & B A	955 TROUT BROOK RD		HUDSON	WI	54016
OLSEN GARY C & SHERI LYNN	PO BOX 1906		PALMER	AK	99645-1906
OLSON SUSAN	6530 E 11TH AVE		ANCHORAGE	AK	99504
O'MALLEY JERRY & LESLIE S	PO BOX 971		PALMER	AK	99645-0971
PALMER LODGE #1842 BPOE	2600 N BARRYS RESORT DR		WASILLA	AK	99654
PELTIER KENNETH J & AMY, MAT-SU BOROUGH	PO BOX 2433		PALMER	AK	99645-2433
PERRINE ROSS	3170 SPARROW CT		PALMER	AK	99645
PERRY JAMES	13901 E MOYEN RUELLE CT		PALMER	AK	99645
PETREE ELIZABETH	4818 SUNVIEW CIR, AP 903		INDIANAPOLIS	IN	46237-3642
PFEIFFER NANCY	13408 E SYBARITE RD		PALMER	AK	99645
PHILLIPS WANDA	PO BOX 3993		PALMER	AK	99645-3993
PIERCE RICHARD A LIVING TRUST	2308 BONIFACE PKY	% DENNIS ZIEMKE	ANCHORAGE	AK	99504
PIERCE STEPHEN M	PO BOX 220373		ANCHORAGE	AK	99522-0373
PINNIX JOHN			PALMER	AK	99645-9250
PLOTNIK JULIA NICOLE	9430 N HILLSIDE DR		PALMER	AK	99645
POLLOCK ADAM	PO BOX 705		PALMER	AK	99645-0705
PRAETORIUS PETER W, CULHANE ALYS	13329 E OCEANVIEW RD		PALMER	AK	99645
RESLER SHERRY	1731 TUAM ST		HOUSTON	TX	77004
RHOADES BRIAN C & ELENA L	140 CHAPS RD, #9		ANCHO	NM	88301-9020
RICHARDSON GARY	PO BOX 2824		PALMER	AK	99645-2824
ROACH STANLEY C & BETTY J	PO BOX 2635		PALMER	AK	99645-2635

Owners of Record (Cont'd)

RIDGE RUNNER HM OWNR ASSN	18211 N EAGLE RIVER LOOP	EAGLE RIVER	AK	99577-8205
ROBERTSON BRIAN M	13880 E WILDERNESS LN	PALMER	AK	99645
ROMERO GARY	13772 E SYBARITE RD	PALMER	AK	99645
ROOT ALAN R & VIVKI L	PO BOX 007	MC GRATH	AK	99627-0007
RUBINSTEIN STEVEN, KELL ANNE-CORINNE	6404 N LOSSING RD	PALMER	AK	99645
RUSSELL BARBARA WILLIAMS, WILLIAMS DAVID	7960 CHAGRIN RD	CHAGRIN FALLS	OH	44023
RUSTAMIER JAMES M	100025 51ST AVE SW	SEATTLE	WA	98146-1047
SCAFIDE JOHN RAY	9650 N BUFFALO MINE RD	PALMER	AK	99645
SCHMEISSER SUSAN	PO BOX 1791	KODIAK	AK	99615-1791
SCHMIDT COLBY LANE	PO BOX 2755	PALMER	AK	99645-2755
SCOTT GLENDA I	PO BOX 8202	PORT ORCHARD	WA	98366-8202
SCOTT JON ROBERT	3617 N WILLOW PTARMIGAN CIR	PALMER	AK	99645-9689
SEELEY JAS L & KRISTINE D	PO BOX 3664	PALMER	AK	99645-3664
SEELEY KRISTINE	PO BOX 3664	PALMER	AK	99645-3664
SEIDL MARK & SUSAN	PO BOX 429	PALMER	AK	99645-0429
SIMMERMEYER JENNIFER L	14350 E CANYON DR	PALMER	AK	99645
SIMPSON DREW P, NINGEN ERIN L	14200 E CANYON DR	PALMER	AK	99645-9209
SMITH JAS F & GARNET D	9791 N BUFFALO MINE RD	PALMER	AK	99645
SNYDER DAVID K & TROTT PATRICIA M, SNYDER GARY M & IRELAND HEATHER	1711 SUNRISE DR	ANCHORAGE	AK	99508
SOLTIS JAS L	13261 E SYBARITE RD	PALMER	AK	99645
SPANGLER FREDERIC L REV TR TRE	400 STEVENS CT	OSHKOSH	WI	54901
SPANGLER KIRBY D	13588 E SYBARITE RD	PALMER	AK	99645
SPIES ANN M	PO BOX 1854	PALMER	AK	99645-1854
STEHN JAMEY M	PO BOX 121	HOPE	AK	99605-0121
STEWART WM L & SHELLEY A	PO BOX 3827	% ROGER JAMES PALMER	AK	99645-3827

Owners of Record (Cont'd)

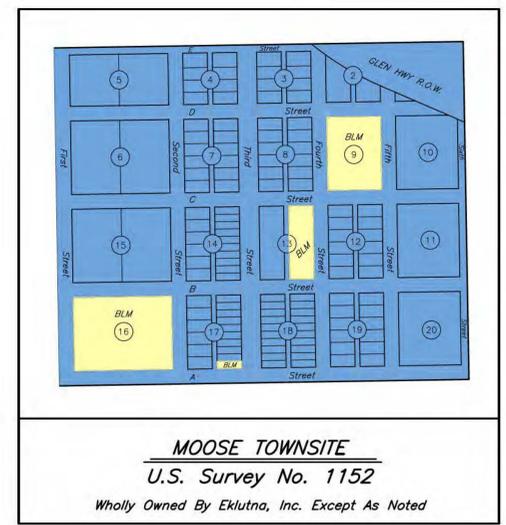
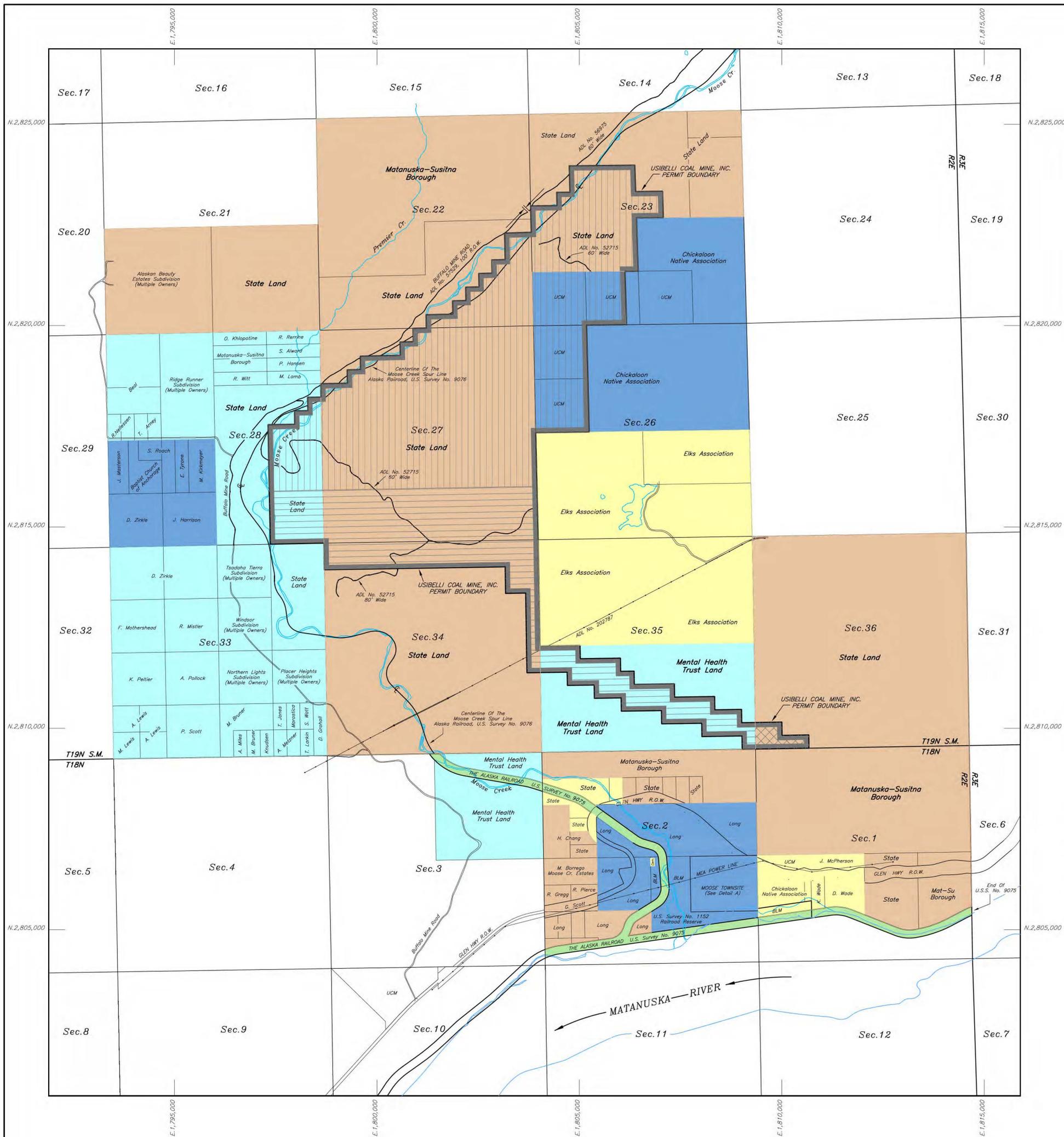
SWAN CURT A	14201 E CANYON DR		PALMER	AK	99645
SWAN ERIC D & ANNIE M	16719 W RED RABBIT DR		WASILLA	AK	99654
SWANSON GARY L	HC 38 BOX 2522		WASILLA	AK	99654-9612
THOMAS CLEVEN&BETTY K TRE, THOMAS FAMILY TRUST	11851 TUNSTALL ST		GARDEN GROVE	CA	92645-1117
TUTTLE DAVID	PO BOX 3130		PALMER	AK	99645-3130
TWARDOCK PAUL	1408 P ST #A		ANCHORAGE	AK	99501-4935
US BLM	6881 ABBOT LOOP RD	% FIELD MGR/ANCH FLD OFFC	ANCHORAGE	AK	99507
USIBELLI COAL MINE INC	PO BOX 1000		HEALY	AK	99743-1000
VAN DIEST MARK K	PO BOX 2662		PALMER	AK	99645-2662
VAN NEST TIMOTHY J JR	13505 E SYBARITE RD		PALMER	AK	99645
VANDEVER JAN	PO BOX 3432		PALMER	AK	99645-3432
WADE DOUGLAS G, GREEN CAROL A	PO BOX 2173		PALMER	AK	99645-2173
WADE LAWRENCE M, HOLBROOK TERESA L	8975 N GLENN HWY		PALMER	AK	99645
WADE LISA R, AGNEW GENE R	9510 N GLENN HWY		PALMER	AK	99645
WALASZEK GREGORY, JENSEN SHEILA	4424 E BIRCH DR		WASILLA	AK	99654
WALKER ELIZABETH A REV TR	312 RIDGE RD		SOUTHAMPTON	NJ	08088
WALKER JENNIFER LEE	PO BOX 3790		PALMER	AK	99645-3790
WALTON RICHARD W& ALEISHA	PO BOX 3495		PALMER	AK	99645-3495
WATT M LYNN	9651 N BUFFALO MINE RD		PALMER	AK	99645
WEILAND MARNI	9652 N BUFFALO MINE RD		PALMER	AK	99645
WEILAND MARNI LYNN, GAMBLE TINA MAE, DALLMANN MONICA JEAN	9600 N BUFFALO MINE RD	% TINA GAMBLE	PALMER	AK	99645
WELLER JOHN SHANNON, WELLER KEITH K & WELLER KIRARI K & WELLER TOMOMIO	14300 E CANYON DR		PALMER	AK	99645
WHEATON SCOTT	1327 KINNICK ST		ANCHORAGE	AK	99508
WILLIAMS DAN & KIM	PO BOX 3558		PALMER	AK	99645-3558
WILSON DUANE P JR & MARIE	1803 161ST ST S		SPANAWAY	WA	98387

Owners of Record (Cont'd)

WITZ RANDALL S& BARBARA A	PSC 817 BOX 2	% RANDALL WITZ	FPO	AE	09622
WRIGHT APRIL & REBECCA	PO BOX 876794		WASILLA	AK	99687-6794
WRIGHT JOHN & LISA GAIL	PO BOX 1767		PALMER	AK	99645-1767
YOUNG JEFF & GENEVIEVE	10161 N SILVA VIA CT		PALMER	AK	99645
YOUNG NANETTE M	9350 N GREENLAND CIR		PALMER	AK	99645
ZIRKLE DALE & BONNIE	13388 E MOOSE WALLOW AVE		PALMER	AK	99645

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EXHIBIT A-1
SURFACE AND MINERAL OWNERSHIP MAP
FOR PERMIT NUMBER 01-89-796



DETAIL A
Scale: 1" = 300'

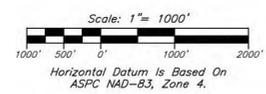


**LEGEND
MINERAL ESTATE**

- STATE OF ALASKA, GENERAL SELECTION LAND.
- STATE OF ALASKA, RECONSTITUTED MENTAL HEALTH TRUST ESTATE.
- STATE OF ALASKA, ALASKA RAILROAD CORPORATION LAND.
- FEDERAL ESTATE.
- PRIVATE ESTATE.

**LEGEND
SURFACE & COAL LEASE STATUS**

- USIBELLI SURFACE LEASE.
- USIBELLI COAL LEASE.
- USIBELLI & ALASKA DEPT. OF CORRECTIONS JOINT SURFACE LEASE.
- PERMIT BOUNDARY.



SUBJECT REVISIONS			
REV.	DATE	BY	DESCRIPTION
0	0/00	JEH	Original Submittal By Idemitsu Alaska, Inc.
1	4/01	AER	Submittal Update By Usibelli Coal Mine, Inc.
2	7/08	TSV	Update Land Ownership ~ Conveyed To UCM.
3	5/09	TSV	Update Land Ownership ~ Conveyed To UCM.

WISHBONE HILL MINE PERMIT No. 01-89-796

**PERMIT AREA & ADJACENT LAND
SURFACE & MINERAL ESTATE STATUS**

Research By: J.E. Helling
Compiled & Drafted By: T.S. Venechuk PLS
Date Of Plot: May 12, 2009

EXHIBIT No. A-1
Sheet No. 1 Of 1

USIBELLI COAL MINE, INC.
P.O. BOX 1000, HEALY, ALASKA 99743
(907) 683-2222

**APPLICATION FORM FOR
PERMIT NUMBER 02-89-796**

ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

PERMIT APPLICATION

TO CONDUCT SURFACE COAL MINING AND WATER

INSTRUCTIONS

The Alaska Surface Coal Mining Control and Reclamation Act provides that all surface coal mining and reclamation operations that will disturb more than two acres will require a Surface Mining Permit from the Department of Natural Resources prior to initiation of the operation. The purpose of the permit is to assure that the mining operation and reclamation practices are consistent with the performance standards set forth in the Act and its regulations; that the rights of surface owners and others with an interest in the property are protected; that appropriate procedures for incorporating public participation are provided; and that a proper balance exists between the protection of the environment and the development of the State's coals resources.

Articles 3, 4, and 5 of the surface mining regulations identify the information to be included in a surface mining permit application. This form parallels the organization of these Articles and is intended to serve as a checklist to assist you in the preparation of a complete application. No attempt has been made, however, to present all of the specific regulatory requirements on this form. The applicant should refer to cited provisions of the regulations to ensure that information provided is responsive to the requirements of the regulations and the Act.

Information submitted must also show how the applicant intends to meet requirements of the Performance Standards in Article 11 of the regulations, and, if applicable, the requirements for special categories of mining in Article 7. All technical data included in the application must be accompanied by the names of persons or organizations that collected and analyzed the data, dates of collection and analysis, and descriptions of the methodology used. The names, addresses and positions of officials of public and private agencies consulted during preparation of the application should be specified.

Maps submitted with the application should be presented in a consolidated format (i.e. a single map may serve more than one purpose). Certain maps plan views and cross sections must be prepared by, or under the direction of, and certified by, a registered professional engineer (or, in some cases, a geologist). These are identified by an asterisk (*) on this form.

Please submit one hard copy and one electronic submittal of all application materials.

References: Alaska Statute 27.21; 11 AAC Chapter 90, Articles 3, 4, 5, 7 and 11.

Application # _____.

Date Received _____.

Permit Application to Conduct Surface Coal Mining

CHECK ONE: /_/ New Permit /_/ Major Revision of Existing Permit /x/ Permit Renewal

Previous or current permit number 02-89-796.

Number of acres currently permitted 66.

Number of acres to be added/deleted 0.

Part A: APPLICATION AND MINE SITE IDENTIFICATION			
e) Name of Operation (Pit, mine or site name) <i>Wishbone Hill Mine</i>			
f) Name of Applicant (Company name) <i>Usibelli Coal Mine, Inc.</i>			
g) Address and Phone Number of Local Offices			
<i>P.O. Box 1000</i>			
<i>Healy, Alaska 99743</i>			
<i>(907) 683-2226</i>			
e) Name and Phone Number of Contact Person			
<i>Robert M. Brown (907) 745-6028</i>			
f) Name, Address and Phone Number of Operator			
<i>Same as Applicant</i>			
g) Name and Phone Number of Resident Agent			
<i>Alan E. Renshaw (907) 683-9739</i>			
h) Location of Proposed Operation			
Township	Range	Sections	Meridian
<i>18N</i>	<i>2E</i>	<i>Portion of 1</i>	<i>Seward</i>

Latitude (Center Pt.)	61° 41' 00"	Longitude (Center Pt.)	149° 1' 15"
i) USGS 1:63,360 Quadrangle(s)	<i>Anchorage C-6</i>		
j) Distance and Direction to Nearest Community	<i>5 Miles West of Sutton</i>		
k) Mine Safety & Health Administration I.D. Number.	11 AAC 90.023(d)	<i>50-00030</i>	
l) Number of Disturbed acres under this permit	<i>9.5 (Life of Mine)</i>		
m) Total permit area (acres)	<i>66</i>		
n) Permit fee (11 AAC 90.011)	<i>Included in the fee for Permit 01-89-796</i>		
o) Requested permit term	<i>5 Years</i>		
p) Proposed initial bond amount	<i>Covered under Permit 01-89-796</i>		
q) Proposed total bond amount	<i>Covered under Permit 01-89-796</i>		
r) Surface land ownership (check one)	<input type="checkbox"/> State	<input type="checkbox"/> Federal	<input checked="" type="checkbox"/> Private <input type="checkbox"/> Combination
s) List names and address of all owners, purchasers of record, or leaseholders of the surface estate of lands within the proposed permit area. 11 AAC 90.023(a)(2)	Name <i>See Exhibit B</i>		
	Address		
	Name		
	Address		
Mineral estate ownership (check one)	<input type="checkbox"/> State	<input type="checkbox"/> Federal	<input type="checkbox"/> Private <input checked="" type="checkbox"/> Combination
t) List names and addresses of all owners, purchases of record, or leaseholder of the mineral estate of lands within the proposed permit area. 11 AAC 90.023(a)(2)	Name <i>See Exhibit B</i>		
	Address		
	Name		
	Address		
u) List names and addresses of every owner of record of the surface or mineral estates of lands adjacent to the proposed permit area. 11 AAC 90.023(a)(3)			

Name	<i>See Exhibit B</i>
Address	
Name	
Address	
Name	
Address	
v) Provide a map illustrating the surface and mineral ownership information requested under Part A Sections s), u), v) for the permit and adjacent area. 11 AAC 90.063(1). <i>See Exhibit A-1</i>	
PART B: LEGAL, FINANCIAL AND COMPLIANCE INFORMATION	
B1) IDENTIFICATION OF INTERESTS	
a) For all businesses other than single proprietorships listed in Part A, b-g or Part A, s-t of this form, provide the names, addresses and telephone numbers of every officer, partner, director or other person performing a function similar to a director, and, for the applicant only, any person owning 10% or more of any class of voting stock. 11 AAC 90.023(b)(1)	<i>Section 1.0</i>
b) List names under which the applicant, partner or principal shareholders previously conducted a surface coal mining operation in the United States within the five years preceding the date of this application. 11 AAC 90.023(b)(2)	<i>Section 1.0</i>
c) List any current or previous coal mining permits in the United States held by the applicant after 1970 and by any person identified in B1(a) and any pending application to conduct operations in the United States. Identify the regulator authority for each operation. 11 AAC 90.023(c)	<i>Section 1.0</i>
h) Describe all land, interests in land, options or pending bids on interest held or made by the applicant for land which is contiguous to the area to be covered by the permit. 11 AAC 90.023(e)	<i>Section 1.0</i>
B2) COMPLIANCE INFORMATION	
a) Has the applicant, operator or any subsidiary affiliate or other business controlled by or under common control with the applicant or operator: 11 AAC 90.023(f)(1)	
<ul style="list-style-type: none"> Had a federal or state mining permit suspended or revoked in the last five years? 11 AAC 90.023(f)(1)(a), or 	Yes___ No__X_

<ul style="list-style-type: none"> Forfeited a mining bond or similar security deposited in lieu of bond? 11 AAC 90.023(f)(1)(b) 	Yes___ No_ <u>X</u>
b) If either question in B2(a) was answered yes, provide a statement of the facts involved in any suspension, revocation or forfeiture. 11 AAC 90.023(f)(2)	N/A
c) List all federal or state violation notices or notices of non-compliance received by the applicant in connection with a surface coal mining operation during the three-year period before this application. Include notices pertaining to air or water quality. 11 AAC 90.023(f)(3)	Section 2.0
B3 AUTHORITY TO ENTER	
a) Describe the legal authority for the applicant's right to enter the permit area and begin operations, and state whether that right is the subject of pending litigation. 11 AAC 90.025(a)	Section 3.0
b) Identify relevant documents under B3a by type, date of execution, and the specific land to which they pertain. If these documents include state coal leases or coal prospecting permits, also list identifying numbers here ADL# _____, _____,	Section 3.0
c) If the mineral state of the area to be mined has been legally separated from the private surface estate, provide a copy of the document of consent or conveyance granting the right to extract coal by surface mining methods or a determination by a court that the applicant is authorized to extract coal by surface mining methods. 11 AAC 90.025(b)	N/A
d) Show on a map the boundaries of land within the proposed permit area upon which the applicant has the legal right to enter and begin operations. 11 AAC 90.063(2)	Section 3.0
B4 AREAS UNSUITABLE FOR MINING	
a) Is the proposed permit area within an area designated unsuitable for mining or under study for designation as such? 11 AAC 90.027(a)	No
b) If B4(a) was answered yes, provide the petition name and number.	N/A
c) Is mining proposed within any areas defined to be unsuitable for mining under AS 27.21.260(g)?	No
d) If B4(c) was answered "yes" provide, as appropriate:	

<ul style="list-style-type: none"> • A written waiver from the owner of any occupied dwelling within 300 feet of the mining operation 11 AAC 90.027(c) 	N/A
<ul style="list-style-type: none"> • A description, with appropriate maps and cross sections, of measures to be used to ensure that the interests of the public and landowners are protected if relations of a public road or mining activities within 100 feet of the right-of-way line of any public road are proposed 11 AAC 90.093; or 	N/A
<ul style="list-style-type: none"> • Information demonstrating substantial financial and legal commitments prior to January 4, 1977, regarding the proposed operation, if an exception under AS 27.21.260(g) is sought. 11 AAC 90.027(b) 	N/A
B5 PERMIT TERM INFORMATION	
a) Specify the requested permit term	5 Years
b) If a permit term in excess of five years is requested, provide a demonstration that the longer term is necessary to allow the applicant to obtain financing for equipment or for the opening of the operation. Include written confirmation from your source of financing. 11 AAC 90.029(b).	NA
c) Describe and show on a map the boundaries of all areas proposed to be affected over the estimated total life of the operation and the size, sequence and timing of the operation and the size, sequence and timing of areas for which it is anticipated that additional permits will be sought. 11 AAC 90.029(a), 11 AAC 90.063(3)	Section 5.0
B6 OTHER LICENSES AND PERMITS	
a) Identify all other licenses and permits needed by the applicant to conduct the proposed operations. Include for each the type of permit or license, name and address of issuing authority, identification number, status, and date. 11 AAC 90.031	Section 6.0
B7) LIABILITY INSURANCE	
a) Provide certification from your insurance company that the applicant has a public liability insurance policy in force for the proposed operation, covering personal injuries or property damage resulting from the operation. 11 AAC 90.033	Section 7.0
PART C: ENVIRONMENT RESOURCES INFORMATION	
C1) CULTURAL AND HISTORIC INFORMATION AND MAN-MADE FEATURES	
a) Describe cultural and historic resources listed on the National Register of Historic Places	Chapter 1

and known archeological features within the permit area and adjacent area. 11 AAC 90.041	
b) Provide a map of cultural or historic resources, known archeological sites and public parks within the permit or adjacent area. 11 AAC 90.063(9), (10), and (11)	<i>Chapter 1</i>
c) Show on a map any land within the proposed permit and adjacent area which is within the boundaries of any units of the National System of Trails or the Wild and Scenic Rivers System, including designate study rivers. 11 AAC 90.063(11)	<i>N/A</i>
C2) HYDROLOGY AND GEOLOGY (GENERAL INFORMATION)	
a) Describe the geology, hydrology and water quality and quantity of all land within the permit area, adjacent area, and the general area. 11 AAC 90.043	<i>Chapters II, IV, V, & VI</i>
C3) GEOLOGY DESCRIPTION	
a) Provide a general statement of the geology within the proposed permit area down to and including the first aquifer to be affected below the lowest coal seam to be mined. 11 AAC 90.045(a)	<i>Chapter II</i>
b) Provide cross sections, maps and plan view showing:	
Elevations and locations of test boring and core samplings; 11 AAC 90.065(1)	<i>Chap II & III</i>
All coal crop lines and the attitude of the coal to be mined within the permit area; and	<i>Chapter II</i>
Nature, depth and thickness of the coal seams to be mined, any coal or rider seams above the seam to be mined, each stratum of the overburden and the stratum immediately below the lowest coal seam to be mined, 11 AAC 90.065(1), (3), (4).	<i>Chapters II & III</i>
C4) GROUND WATER INFORMATION	
a) Describe the ground water hydrology of the proposed permit and adjacent area. Include the depth, lithology, thickness and extent of the water table and aquifers; the quality and known uses of subsurface water; contributions of ground water to stream base flow; and if required, additional information describing recharge, storage, and discharge characteristics of aquifers and water quality and quantity. 11 AAC 990.047	<i>Chapters IV & V</i>
b) Provide cross sections, maps and plan views showing the location and extent of any subsurface water encountered, and the locations and elevation of monitoring stations used to gather data for water quality and quantity. 11 AAC 90.065(2), (6)	<i>Chapter IV</i>
C5) SURFACE WATER INFORMATION	
a) Identify the watershed, which will receive water discharges from the affected area, the location of any water discharge point into any surface body of water. 11 AAC 90.049	<i>Chapter V</i>

b) Describe surface drainage systems, identifying seasonal variations in water quality and quantity within the proposed permit area and adjacent area. 11 AAC 90.049	<i>Chapter V</i>
c) Provide a map showing the location of all surface water bodies within the proposed permit area and adjacent area, including those identified under C5a. Show the elevations and locations of monitoring stations used to gather water quality and quantity data. 11 AAC 90.065(2), (7)	<i>Chapter V</i>
C6) ALTERNATIVE WATER SUPPLY INFORMATION	
a) Identify the extent to which the proposed operations may result in contamination, diminution or interruption of a source of water within the proposed permit area or adjacent area for domestic, agricultural, industrial, fish and wildlife habitat or other legitimate use. 11 AAC 90.051	<i>Part D Sections 11.0, 14.0 & 15.0</i>
b) Provide a map showing the location of water supply intakes for current users of surface water flowing into, out of and within a hydrologic area. 11 AAC 90.063(7)	<i>Chapter VI</i>
c) Provide a map showing the location and depth, if available, of water wells within the proposed permit area and adjacent area. 11 AAC 90.065(10)	<i>Chapters IV & VI</i>
C7) CLIMATOLOGICAL INFORMATION	
a) Provide a description of climatological factors of the proposed permit area, including precipitation, wind speed and direction, and seasonal temperature ranges, when requested by the Commissioner 11 AAC 90.053	<i>Chapter VII</i>
b) Show on a map the elevation and location of monitoring stations used to gather data for air quality, if required 11 AAC 90.065(2)	<i>Chapter VII</i>
C8) VEGETATION INFORMATION	
a) Provide a description of vegetation types within the proposed permit area, adjacent area and any proposed reference area. Include information and quantitative measurements adequate to predict the potential for successful revegetation. 11 AAC 90.055	<i>Chapter VIII</i>
b) Provide a map delineating existing vegetation types within the permit and adjacent area, and showing the location and boundaries of any proposed reference areas. 11 AAC 90.055; 11 AAC 90.063(6)	<i>Chapter VIII</i>
C9) FISH AND WILDLIFE INFORMATION	
a) Provide a study of fish and wildlife, their habitats, and human use of these resources within the proposed permit area and portions of the adjacent area where effects on these	<i>Chapters IX, X, & XIII</i>

resources may reasonably be expected to occur. Identify any threatened or endangered species and their critical habitats and fish and game of economic, recreational or subsistence importance. 11 AAC 90.057	
b) Show on map the location and elevation of any monitoring stations used to gather fish and wildlife data 11 AAC 90.065(2)	<i>Chapters IX & X</i>
C10) SOIL RESOURCES INFORMATION	
a) Identify and describe soils within the proposed permit area, and provide analyses of each soil type to be affected. 11 AAC 90.059(a)(2), (a)(3)	<i>Chapter XI</i>
b) Provide information regarding present and potential productivity of existing soils 11 AAC 90.059(a)(4)	<i>Chapter XI</i>
c) Provide a map delineating different soils within the proposed permit area. 11 AAC 90.059(a)(1)	<i>Chapter XI</i>
d) If the use of selected overburdened materials as a supplement or substitute for topsoil is proposed, provide results of analyses, trials and tests required under 11 AAC 90.311, 11 AAC 90.059(b)	<i>N/A</i>
C11) LAND USE INFORMATION	
a) Describe the condition, capability and productivity of the land proposed to be affected by surface operations and facilities. Include a map, supporting narrative and analysis of the existing and, if applicable, the historic land uses. 11 AAC 90.061(a)	<i>Chapter XII</i>
b) Provide a description of existing land use classifications or zoning, if any of the proposed permit area and adjacent area 11 AAC 90.061(c)	<i>Chapter XII</i>
c) State whether the proposed permit area has been previously mined, and provide a description of the previous mining, including type, dates and extent of mining, and the uses of the land preceding mining. 11 AAC 90.061(b)	<i>Chapter XII</i>
d) Show on a map the extent of existing or previously surface-mined areas within the proposed permit area, and the location and extent of known workings of active, inactive or abandoned underground mines, including mine openings to the surface within and adjacent to the proposed permit area. 11 AAC 90.065(8), 11 AAC 90.065(5).	<i>Chapter XII</i>
e) Provide a map of all surface and subsurface man-made features within, passing through, or passing over the proposed permit area. Include the location and current use of all buildings on or within 1,000 feet of the proposed permit area; each cemetery or burial ground located in or within 100 feet of the proposed permit area; any gas and oil wells; and each public road in or within 100 feet of the proposed permit area. 11 AAC 90.063(4), (5), (8); 11 AAC 90.065 (10)	<i>Chapter XII</i>

PART D: OPERATION AND RECLAMATION PLAN	
D1) OPERATION PLAN	
a) Describe (in detail for the proposed permit area and in general for life of the operation) the type and method of coal mining procedures and proposed engineering techniques, anticipated annual and total production of coal and the major equipment to be used. 11 AAC 90.071(1)	<i>Section 3.0</i>
b) Illustrate using maps and plan views, and cross sections where appropriate, the area of land to be affected and the sequence of mining and reclamation within the proposed permit area. 11 AAC 90.077(b)(2)	<i>Section 3.0</i>
c) Describe measure to be used to maximize the use and conservation of the coal resources. 11 AAC 90.083(b)(6)	<i>Section 7.0</i>
d) Describe and illustrate using maps, plan views and cross sections where appropriate, any overburden storage area or structure. 11 AAC 90.071(2)(B); 11 AAC 90.077(b)(5)	<i>Section 5.0</i>
D2) EXISTING OPERATIONS, STRUCTURES AND FACILITIES	
a) Provide a map identifying areas where operations were conducted (coal was removed or lands were otherwise used in connection with the operation):	<i>Part C Chapter XII</i>
Before August 3, 1977;	<i>N/A</i>
After August 3, 1977 and before May 3, 1978;	<i>N/A</i>
After May 3, 1978 and before May 2, 1983 and	<i>N/A</i>
After the estimated date of Permit issuance 11 AAC 90.021(f)(2)	<i>N/A</i>
b) Provide cross sections, maps and plan views showing the location and dimensions of existing areas of spoil, waste, coal development waste, and non-coal waste disposal; dams, embankments, other impoundment's; and water treatment and air pollution control facilities within the proposed permit area. 11 AAC 90.065(9)	<i>N/A</i>
c) Identify and describe each existing structure proposed to be used in connection with the operation. Include its location, design, current condition and construction dates. Provide a showing of whether the structure meets applicable performance standard requirements. 11 AAC 90.073(a)	<i>N/A</i>
d) Provide a compliance plan for each existing structure to be modified or reconstructed for use in connection with the operation. Include design specifications, a construction	<i>N/A</i>

schedule, provisions for monitoring the structure, and a showing that risk of harm to the environment or to public health and safety is not significant. 11 AAC 90.073(b)	
D3) COAL TRANSPORTATION AND HANDLING	
a) Describe the construction, modification, use, maintenance and removal of structures and facilities for coal removal, handling, storage, cleaning and transportation. 11 AAC 90.071(2)(c)	<i>Section 8.0</i>
b) Provide maps and plans and cross-sections where appropriate, showing each coal storage, cleaning and loading area. 11 AAC 90.077(b)(4)	<i>Section 8.0</i>
D4) BUILDINGS, ROADS AND OTHER FACILITIES	
a) Describe construction, modification, use maintenance and removal of mine facilities 11 AAC 90.071(2)(E) and 11 AAC 90.83(b)(12)	<i>Sections 9.0, 10.0, & 13.0</i>
b) Provide maps and plans and cross-sections where appropriate, showing buildings, utility corridors and other facilities to be used. 11 AAC 90.077(b)(1)	<i>Section 10.0</i>
c) Describe each road, conveyor or rail system to be constructed, used or maintained within the proposed permit area. Include a map, appropriate cross sections and specifications for each road width, road gradient, road surface, road cut, fill embankment, culvert, bridge, drainage ditch and drainage structure. 11 AAC 90.097.	<i>Section 9.0</i>
D5) BLASTING PLAN	
a) Provide a plan describing blasting operations. Include a description of types and amounts of explosives, procedures for recording and retention of blasting information, blasting warning and access control procedures, blast monitoring, preblasting surveys and procedures for unscheduled blasts 11 AAC 90.075	<i>Section 6.0</i>
b) Provide a map showing the location of each explosive storage and handling facility. 11 AAC 90.077(b)(10)	<i>Section 3.0 Plate 3-1</i>
D6) AIR POLLUTION CONTROL PLAN	
a) Provide a plan showing how all surface areas will be stabilized and protected to comply with applicable federal and state air quality regulations, including, if required by the Commissioner, an air quality monitoring program 11 AAC 90.079	<i>Section 16.0</i>
b) Describe steps to be taken to comply with the requirements of the Clean Air Act (42 U.S.C. Section 7401, etc, seq.) and other applicable air quality laws and regulations. 11 AAC 90.083(b)(9)	<i>Section 16.0</i>

c) Describe and show on a map each air pollution collection and control facility. 11 AAC 90.071(2)(F), 11 AAC 90.077(b)(7).	<i>Section 16.0</i>
D7) FISH AND WILDLIFE PROTECTION PLAN	
a) Provide a plan describing impact control measures, management techniques and monitoring methods designed to prevent or minimize disturbance and adverse impacts on fish and wildlife and related environmental values. Include threatened or endangered species, important or protected species and habitats of unusually high value for fish and wildlife. 11 AAC 90.081	<i>Section 14.0</i>
b) Provide maps and plan views and cross-sections where appropriate, showing each facility to be used to protect and enhance fish and wildlife and related environmental values. 11 AAC 90.077(b)(9)	<i>Section 14.0</i>
D8) RECLAMATION PLAN: GENERAL REQUIREMENTS AND BONDING	
a) Provide a plan for reclamation of the proposed permit area. Show how the applicant will comply with the performance standards in 11 AAC 90.301 -- 11 AAC 90.501. 11 AAC 90.083(a)	<i>Section 13.0</i>
b) Provide a detailed timetable for the completion of each major step in the reclamation plan 11 AAC 90.083(b)(1)	<i>Section 13.0</i>
c) Provide a detailed estimate, with supporting calculations, of the cost of the reclamation of all operations required to be covered by a performance bond. 11 AAC 90.083(b)(2)	<i>Section 13.0</i>
d) Provide a map, showing each area of land for which a performance bond or other equivalent guarantee will be posted. If incremental or cumulative bonding is proposed, this map should identify initial and successive bonding areas. 11 AAC 90.077(b)(3)	<i>Section 13.0</i>
D9) BACKFILLING AND GRADING PLAN	
a) Provide cross sections, maps and plan views adequate to portray the existing land surface configuration and slopes within the area to be affected. 11 AAC 90.065(11)	<i>Sections 3.0 & 13.0</i>
b) Provide a plan for backfilling, soil stabilization and grading, with contour maps or cross sections that show the anticipated final surface configuration of the proposed permit area. 11 AAC 90.083(b)(3)	<i>Sections 12.0 & 13.0</i>
c) Describe measures to be employed to ensure that all coal, acid-forming and toxic-forming materials, debris and materials constituting a fire hazard are covered, treated or otherwise properly disposed of. Include a contingency plan for preventing sustained combustion. 11 AAC 90.083(b)(7)	<i>Section 12.0</i>

D10) TOPSOIL HANDLING PLAN	
a) Provide a plan for removal, storage and redistribution of topsoil, subsoil and other substitute or supplemental material. 11 AAC 90.083(b)(4)	<i>Sections 4.0 & 13.0</i>
b) Provide a description of topsoil handling and storage areas and structures. Include; appropriate maps, plan views and cross sections. 11 AAC 90.071(2)(B); 11 AAC 90.077(b)(5)	<i>Section 4.0</i>
c) Provide a soil-testing plan for evaluation of the results of topsoil handling and reclamation procedures related to revegetation. 11 AAC 90.083(b)(5)(H)	<i>Section 13.0</i>
D11) REVEGETATION PLAN	
a) Provide a plan for revegetation, including a revegetation schedule, species and amounts per acre of seeds and seedlings, methods of planting, seeding and mulching and any planned irrigation or pest control measures. 11 AAC 90.083(b)(5)	<i>Section 13.0</i>
b) Specify measures proposed to be used to determine the success of revegetation. 11 AAC 90.083(b)(5)	<i>Section 13.0</i>
D12) PROTECTION OF THE HYDROLOGIC BALANCE	
a) Provide a detailed description, with appropriate maps and cross section drawings, of measures to be taken during and after the proposed operations to ensure the protection of the quality and quantity of surface and ground water, and the rights of present users. 11 AAC 90.085(b)	<i>Sections 11.0 & 13.0</i>
b) Provide a plan for the control of surface and ground water drainage into; through and out of the proposed permit area. 11 AAC 90.085(c)(1)	<i>Section 11.0</i>
c) Provide a description with maps and plan views and cross sections where appropriate of each water diversion, collection, conveyance, 11 AAC 90.071(2)(F), 11 AAC 90.077(b)(6)	<i>Section 11.0</i>
d) Provide a description, including maps and cross-sections of the design, construction and removal of stream channel diversions. 11 AAC 90.083 (b)(11)	<i>Section 11.0</i>
e) Provide a plan for treatment of surface and ground water drainage from the area to be disturbed. Include proposed quantitative limits on pollutants in discharges. 11 AAC 90.085(c)(2)	<i>Section 11.0</i>
f) Provide general design information, maps, plan views, descriptions, cross sections and other information for each proposed sedimentation pond, dam embankment or impoundment. Describe construction, modification, use, maintenance and removal. Include a schedule for submission of any detailed design plans. 11 AAC 90.071(2)(A); 11 AAC 90.077(b)(11); 11 AAC 90.089(a).	<i>Section 11.0</i>

g) Provide detailed design information for all ponds, dams, embankments or impoundments for which specific approval is requested. 11 AAC 90.089(b)	<i>Section 11.0</i>
h) For each structure 20 feet or higher or impounding more than 20-acre feet of water, include a stability analysis. 11 AAC 90.089(d)	<i>Section 11.0</i>
i) Provide a plan for the collection, recording and reporting of ground and surface water quality and quantity data. 11 AAC 90.085(c)(5)	<i>Section 15.0</i>
j) Provide a plan for the restoration of the approximate recharge capacity of the permit area and adjacent area. 11 AAC 90.085(c)(3)	<i>Section 15.0</i>
k) Provide a description including appropriate cross sections and maps, of measures to be used to plug, case or manage exploration holes, other bore holes, wells and other openings within the proposed permit area. 11 AAC 90.083(b)(8)	<i>Section 15.0</i>
l) Provide a determination of the probable hydrologic consequences of the operation on the proposed permit area and adjacent area with respect to the hydrologic regime and the quantity and quality of water in surface and ground water systems under all seasonal conditions. 11 AAC 90.085(a)	<i>Section 15.0</i>
m) Describe steps to be taken to comply with the Clean Water Act and other applicable water quality laws and regulations. 11 AAC 90.083(b)(9)	<i>Section 15.0</i>
D13) POST MINING LAND USE	
a) Provide a detailed description of the proposed use, following reclamation of the land to be affected. Include a discussion of how this use is to be achieved and the utility and capacity of the reclaimed land to support a variety of alternative uses. 11 AAC 90.087(a)	<i>Section 13.0</i>
b) If the proposed post mining land use differs from the pre-mining land use, attached all documentation needed to satisfy applicable criteria contained in 11 AAC 90.481, 11 AAC 90.087(a)	<i>N/A</i>
c) Describe the relationship of the proposed land use to applicable state and local land use policies and plans, and to surface owner plans. Include comments concerning the proposed use by the legal or equitable surface owner and the appropriate state and local government agencies. 11 AAC 90.087(b)	<i>Section 13.0</i>
D14) PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES	
a) Describe measures to be used to prevent or minimize impacts to any public park or historic place that may be adversely affected by the proposed operations. 11 AAC 90.091	<i>Section 17.0</i>

D15) EXCESS SPOIL AND UNDERGROUND DEVELOPMENT WASTE	
a) Describe the design, construction, operation, maintenance and removal if appropriate of all excess spoil or mine development waste disposal areas and structures. 11 AAC 90.071(2)(D); 11 AAC 90.095(a)	N/A
b) Provide appropriate maps, plan views and cross sections drawings illustrating the proposed disposal site and the design of the spoil disposal structures. 11 AAC 90.077(b)(11); 11 AAC 90.095(a)	N/A
c) Provide the results of a geotechnical investigation of the proposed disposal site. Include bedrock characteristics, a survey of springs and seeps, an analysis of potential effects of underground mine subsidence, a geotechnical description of rock materials to be used in any rock chimney cores or drainage blankets and a stability analysis of the fill. 11 AAC 90.095(b)	N/A
d) Provide engineering specifications utilized to design any rock-toe buttress or key-way cuts. Include the number, location and depth of borings or test pits. 11 AAC 90.095(c)	N/A
D16) HAZARDOUS COAL PROCESSING WASTE	
a) Describe the design, construction, modification, use, maintenance and removal of any hazardous coal processing waste disposal areas and structures. Explain how the structure complies with 11 AAC 90.391; 11 AAC 90.409; 11 AAC 90.071(2)(D)	N/A
b) Provide maps and plan views, and cross sections where appropriate of each hazardous coal processing waste storage area, disposal area, dam or embankment. 11 AAC 90.077(b)(11)	N/A
c) Provide maps, plan views and cross sections as appropriate to illustrate the sources of the coal processing waste. 11 AAC 90.077(b)(8)	N/A
d) For each hazardous coal processing waste dam or embankment, provide the results of a geotechnical investigation of the foundation area to determine structural competence of the foundation to support the dam or embankment and the impounded material. 11 AAC 90.089(c)	N/A
e) Describe the design, operation, and maintenance of any proposed facility to return hazardous coal processing waste to underground workings, including flow diagrams and appropriate drawings and maps. 11 AAC 90.099	N/A
D17) NON-COAL WASTE	
a) Describe and illustrate using appropriate maps, plan views and cross sections, the	Section 10.0

removal handling, storage and disposal of non-coal wastes. 11 AAC 90.071(2)(D) 11 AAC 90.077(b)(5)	
D18) UNDERGROUND MINING: SUBSIDENCE CONTROL PLAN	
a) Provide the results of a survey, which shows whether structures of renewable resource lands exist within the proposed permit and adjacent area, and a determination as to whether subsidence may cause material damage or affect the use of the structures or resources. 11 AAC 90.101(a)	N/A
b) If the subsidence may cause material damage or affect the use of structures or renewable resources, describe methods of operation which may affect subsidence, measures to be taken to prevent or reduce damage due to subsidence, a subsidence monitoring plan (including the location of subsidence monitoring points), and measures to determine the degree of damage or diminution of value or use. 11 AAC 90.077(c)(2); 11 AAC 90.101(c)	N/A
D19) UNDERGROUND MINING: RECLAMATION	
a) Provide a description, including appropriate cross sections, drawings and maps of measures to be used to seal or manage mine openings. Include a detailed description of permanent entry seals and down-slope barriers designed to ensure stability under anticipated hydraulic heads developed while promoting mine inundation after mine closure. 11 AAC 90.083(b)(8); 11 AAC 90.085(d)	N/A
b) Provide maps, plan views and cross sections illustrating the anticipated final surface configurations and profile to be achieved for the affected area, including the locations of each permanent facility. 11 AAC 90.077(c)	N/A
c) If operations are planned closer than 500 feet to an active or abandoned underground mine, describe measures to be used to comply with 11 AAC 90.393, 11 AAC 90.083(b)(10)	N/A
PART E: SPECIAL CATEGORIES OF MINING	
1) Does the proposed operation include:	
Mountaintop removal?	Yes__ No X
Steep Slope Mining?	Yes__ No X
Alluvial Valley Floors?	Yes__ No X
In Situ Processing?	Yes__ No X
Experimental Practices?	Yes__ No X

Important Farmlands?	Yes ___ No X
2) Are you requesting a variance:	
From contour restoration requirements for steep slopes?	Yes ___ No X
For combined surface and underground mining?	Yes ___ No X
3) If any part of Part E 1 or 2 was answered "yes" provide documentation addressing relevant requirements of 11 AAC 90.141 -- 11 AAC 90.157	N/A
4) Will facilities such as roads, transportation, support facilities, and utility installations be constructed outside the permit area?	Yes
5) If number four above, was answered "yes" either attach a finding by the Commissioner that a permit is not required or provide information addressing the requirements of 11 AAC 90.155.	<i>Part E Section 1.0</i>

The applicant, being first duly sworn, states to the best of his knowledge and belief that all statements and representations made in this application are true and correct.

Applicant's Name _____ Title _____.

Address _____.

Applicant's Signature _____ Date _____.

Subscribed and sworn before me by _____ this the _____ day of _____, 20____.

Notary Public _____ My commission expires _____.

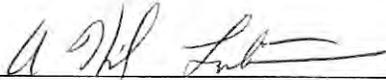
Note: Attach a copy of power of attorney, or resolution of Board of Directors that grants signature authority)

CORPORATE RESOLUTION OF USIBELLI COAL MINE, INC

CERTIFICATE OF RESOLUTION

IT IS HEREBY RESOLVED: That the Board of Directors for USIBELLI COAL MINE, INC. authorizes Alan E. Renshaw, V.P. Operations, and Frederick W. Wallis, V.P. Engineering, authority to sign all documents relating to the Alaska Surface Mining Control and Reclamation Act (ASMCRA) on behalf of Usibelli Coal Mine, Inc.

I, A. Kirk Lanterman as secretary of USIBELLI COAL MINE, INC. hereby certify that the Board adopted this Resolution on the 3rd of May, 2010.



A. Kirk Lanterman, SECRETARY
USIBELLI COAL MINE, INC.

**EXHIBIT B
OWNERS AND LEASEHOLDERS OF RECORD
FOR PERMIT NUMBER 02-89-796**

SURFACE ESTATE WITHIN THE PERMIT AREA

Owners of Record

Matanuska Susitna Borough
350 East Dahlia Ave.
Palmer, Alaska 99645-6488

Usibelli Coal Mine, Inc.
P.O. Box 1000
Healy, Alaska 99743-1000

Leaseholders

Usibelli Coal Mine, Inc.
P.O. Box 1000
Healy, Alaska 99743-1000

SUBSURFACE (MINERAL) ESTATE WITHIN THE PERMIT AREA

Owners of Record

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
550 West 7th Avenue, Suite 1050A
Anchorage, Alaska 99501-3579

U.S. Department of Interior
Bureau of Land Management
% Anchorage Field Office
6881 Abbot Loop Road
Anchorage, Alaska 99507

Leaseholders

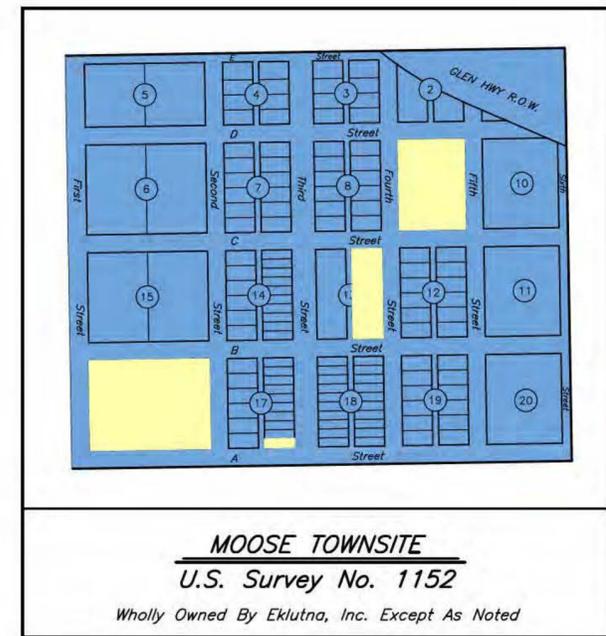
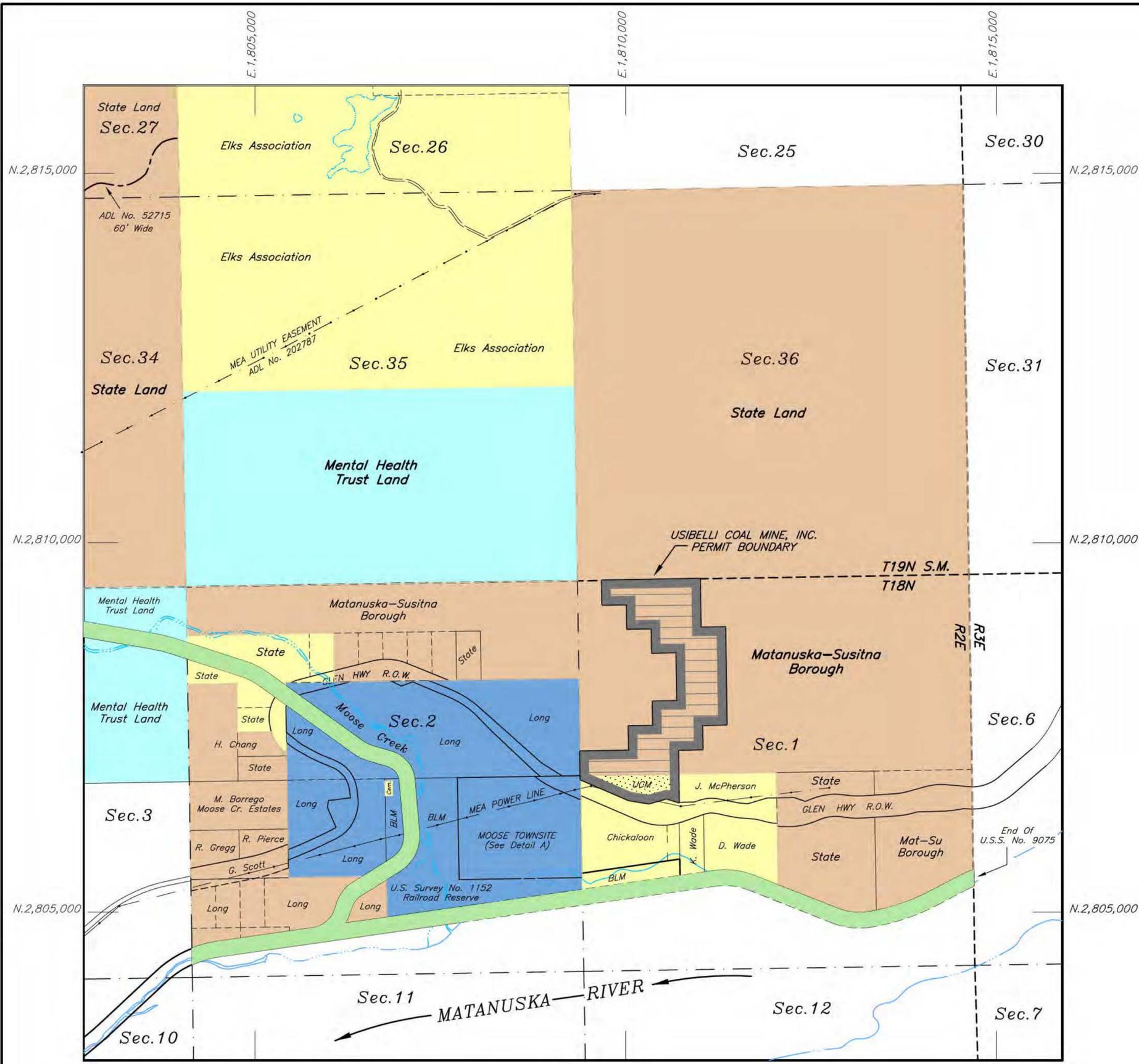
None

SURFACE OR SUBSURFACE (MINERAL) ESTATE ADJACENT TO THE PERMIT AREA

Owners of Record

AK DEPT OF CORRECTIONS	2200 E 42ND AVE		ANCHORAGE	AK	99508
AK DNR LAND	550 W 7TH AVE, STE 1050A		ANCHORAGE	AK	99501-3579
AK MHT – TRUST LAND OFFICE	718 L ST STE 202		ANCHORAGE	AK	99501-3336
BORREGO MICHAEL	175 MEADOWVIEW RD		FOREST GROVE	OR	97116
CHICKALOON VILLAGE TRADITIONAL COUNCIL	PO BOX 1105		CHICKALOON	AK	99674-1105
EKLUTNA INC	16515 CENTERFIELD DR, #201		EAGLE RIVER	AK	99577-7719
FOWLER JAMES W & PAULA J	PSC 2 BOX 10534		APO	AE	09012
GREGG RICHARD & VIVIAN	PO BOX 75		PALMER	AK	99645-0075
LONG WILLIAM E & KATHERINE M, FOWLER JAMES W & PAULA J	PO BOX 1831		PALMER	AK	99645-1831
LONG WM E& K M REV TR TRE	PO BOX 1831		PALMER	AK	99645-1831
MATANUSKA-SUSITNA BOROUGH	350 E DAHLIA AVE		PALMER	AK	99645-6488
PALMER LODGE #1842 BPOE	2600 N BARRYS RESORT DR		WASILLA	AK	99654
PIERCE RICHARD A LIVING TRUST	20940 BILL STEPHENS DR		CHUGIAK	AK	99567
SCOTT GLENDA I	PO BOX 8202		PORT ORCHARD	WA	98366-8202
SEIDL MARK & SUSAN	PO BOX 429		PALMER	AK	99645-0429
STOLTS ROBT & MELINDA	11030 ALBAVAR PATH		INVER GROVE	MN	55077
US BLM	6881 ABBOT LOOP RD	FIELD MGR/ANCH FLD OFFC	ANCHORAGE	AK	99507
USIBELLI COAL MINE INC	PO BOX 1000		HEALY	AK	99743-1000
WADE DOUGLAS G, GREEN CAROL A	PO BOX 2173		PALMER	AK	99645-2173
WADE LAWRENCE M, HOLBOOK TERESA L	8975 N GLENN HWY		PALMER	AK	99645
WADE LISA R, AGNEW GENE R	9510 N GLENN HWY		PALMER	AK	99645

EXHIBIT A-2
SURFACE AND MINERAL OWNERSHIP MAP
FOR PERMIT NUMBER 02-89-796



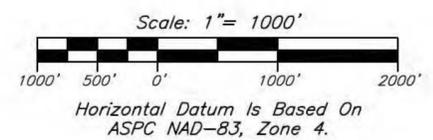
DETAIL A
Scale: 1" = 400'

**LEGEND
MINERAL ESTATE**

- STATE OF ALASKA, GENERAL SELECTION LAND.
- STATE OF ALASKA, RECONSTITUTED MENTAL HEALTH TRUST ESTATE.
- STATE OF ALASKA, ALASKA RAILROAD CORPORATION LAND.
- FEDERAL ESTATE.
- PRIVATE ESTATE.

**LEGEND
SURFACE & COAL LEASE STATUS**

- USIBELLI SURFACE LEASE.
- USIBELLI FEE TITLE.
- PERMIT BOUNDARY.



SUBJECT REVISIONS			
REV.	DATE	BY	DESCRIPTION
0	0/00	JEH	Original Submittal By Idemitsu Alaska, Inc.
1	4/01	AER	Submittal Update By Usibelli Coal Mine, Inc.

WISHBONE HILL MINE PERMIT No. 02-89-796

**PERMIT AREA & ADJACENT LAND
SURFACE & MINERAL ESTATE STATUS**

Research By:	J.E. Helling	EXHIBIT No. A-2
Compiled & Drafted By:	T.S. Venchuk PLS	
Date Of Plot:	July 18, 2008	

Sheet No. 1 Of 1

USIBELLI COAL MINE, INC.
P.O. BOX 1000, HEALY, ALASKA 99743
(907) 683-2226