

PRELIMINARY FINDINGS OF FACT AND DECISION

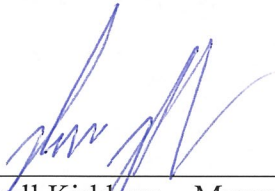
Renewal of Surface Coal Mining Permits 02-83-796 and S-0602-A

The Alaska Department of Natural Resources, Division of Mining, Land and Water, Mining Section (DMLW-Mining) has reviewed the Gold Run Pass Mine Renewal Application, submitted by Usibelli Coal Mine, Inc. (UCM), PO Box 1000, Healy, AK 99743. The DMLW-Mining has 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 from UCM to renew the Surface Coal Mining Permit numbers 02-83-796 & S-0602-A was filed with the DMLW-Mining on April 2, 2014. Renewal of the permits has been requested in accordance with AS 27.21.080(d) and 11 AAC 90.129(b). Under AS 27.21.080, Surface Coal Mining Permits 02-83-796 and S-0602-A have the right of successive renewal for areas within the permit boundary.
2. The Gold Run Pass Mine permitted area consists of a 519 acre mine site and is located approximately twelve miles northwest of Healy, Alaska. The proposed mining activities are within Sections 34-35, Township 11 South, Range 6 West, of the Fairbanks Meridian.
3. The application has been evaluated by DMLW-Mining and has been found to be complete and contain all information necessary for the division to make a preliminary decision. The application is currently being evaluated to determine if the submitted materials and the approved operation and reclamation plan meet the technical requirements of the Alaska Surface Coal Mining Control and Reclamation Act (ASCMCRA).
4. DMLW-Mining's initial technical review found that portions of the operations and reclamation plan needed to be revised to be consistent with ASCMCRA. This review was sent to UCM on June 24, 2015.
5. This renewal request is for an additional five-year term and includes the permit areas previously approved in the existing permits. No additional mining areas or revisions to the existing boundaries are proposed. No changes or modifications to the operation or reclamation plan are being proposed.
6. Public notice of this permit renewal application was given for the period starting on July 8, 2015, and ending on August 28, 2015. Legal ads will be placed in the Fairbanks Daily News-Miner starting on July 8, 2015 and will run once a week for four consecutive weeks. Notice will also be mailed directly to the Division's mailing list affected persons and agencies.
7. Pursuant to 11 AAC 90.205(d) DMLW-Mining has determined the current reclamation bond in the amount of \$999,025.00 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.
8. This renewal does not change the scope or the environmental impacts of the project. The activities proposed in the renewal do not differ from the originally approved permits and meet the requirements of AS 27.21 and 11 AAC 90 subject to the stipulations of the original permits, which ensure that the surface coal mining reclamation and operation plan comply with these requirements.

9. The proposed surface coal mining reclamation and operation plan will not affect known threatened or endangered species or their critical habitat.

Copies of the existing Permit, Renewal Application and Preliminary Findings of Fact and Decision documents are available for review at the Department of Natural Resources, Division of Mining, Land and Water offices at 550 W. 7th Ave., Suite 920, Anchorage, AK 99501-3577, and at the Department's Fairbanks office at 3700 Airport Way, Fairbanks, Alaska 99709. A person who is or may be adversely affected by the issuance of this permit may file written comments or objections and may include with an objection, a request for an informal conference (AS 27.21.140). Written comments should be addressed to Russell Kirkham, 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, "Gold Run Pass Renewal". **The deadline for written comments is 5:00 PM on August 28, 2015.**



Russell Kirkham – Manager, Coal Regulatory Program
Division of Mining, Land and Water

July 8, 2015

Date