

FINDINGS FOR PERMIT RENEWAL

Company: Decker Coal Company – West Pits

Current Permit Number: C1987001

IMAGED

Date Application Received: July 14, 2010

Renewal Due Date: 3/27/2011

A.R.M. 17.24.416

- (1) Was proper form submitted? Yes X No. _____
 - (a) Is form complete and correct? Yes X No. _____
 - (b) Is a copy of the newspaper notice X and proof of publication X provided? Yes _____ No. _____
 - (c) Is evidence provided that insurance is adequate? Yes X No. _____
- (2) (a) Was an informal conference requested? Yes _____ No. X
If yes, provide narrative demonstrating compliance with ARM 17.24.403 through 17.24.407.
- (b) Are there areas excepted from the standards of 82-4-227(3)(b) Yes _____ No. X
If yes, provide narrative explanation.
- (c) Is adequate bond provided? Yes X No. _____
- (3) What is the permit term of the new permit? 5 years
This permit term shall not exceed 5 years.
- (4) Is permit renewal being denied? Yes _____ No. X
 - (a) If yes, provide department findings for one or more of the following:
 - (i) The terms and conditions of the existing permit are not being satisfactorily met;
 - (ii) The present strip or underground mining operations are not in compliance with the environmental protection standards of the act or subchapters 5 through 9;
 - (iii) The requested renewal substantially jeopardizes the operator's continuing responsibility to comply with the act, the rules adopted pursuant thereto, and the reclamation plan on existing permit areas;
 - (iv) the operator has not provided evidence that any performance bond required to be in effect for the operations will continue in full force and effect for the proposed period of renewal, as well as any additional bond the department might require;
 - (v) any additional revised or updated information required by the department has not been provided by the applicant;
 - (vi) the applicant has not agreed to comply with all applicable laws and rules in effect at the time of renewal; or
 - (vii) the renewal is subject to the denial provisions of 82-4-277, 82-4-234, and 82-4-251.
- (b)(c)(d) If permit renewal is denied, all documentation must be provided showing reason(s) for denial. Decision documents have been sent to:
 - 1) the applicant _____
 - 2) objectors _____
 - 3) commentors _____

Are there new stipulations to be attached to the renewal? Yes _____ No. X

[Signature]
3/2/2011
Reviewer's Signature

FC: 620.2003 (2011 Renewal)



D-000041
REVISED 5/2000