

FINDINGS FOR PERMIT RENEWAL

Company: Signal Peak Energy

Current Permit Number: C1993017

Date Application Received: July 17, 2012

Renewal Due Date: May 9, 2013

A.R.M. 17.24.416

- (1) Was proper form submitted? Yes No.
- (a) Is form complete and correct? Yes No.
- (b) Is a copy of the newspaper notice and proof of publication provided?
Yes Yes No.
- (c) Is evidence provided that insurance is adequate? Yes No.
- (2) (a) Was an informal conference requested? Yes No.

ARM 17.24.416 (2) continued

- (b) Are there areas excepted from the standards of 82-4-227(3)(b) Yes No.
If yes, provide narrative explanation.
- (c) Is adequate bond provided? Yes 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.



- (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 a) 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; and b) adequate liability insurance will be provided;
 - (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;
 At this time Westmoreland Coal under a separate subsidiary Island Creek Coal located in Kentucky is currently under the appeal process for failure to collect water samples. At this time the violation does not affect their ability to operate Area C Mine permit within the conditions of the approved permit.
 - (vii) the renewal is prohibited by the denial provisions of 82-4-227, 82-4-234, and 82-4-251; or
 - (i) the operation has been in a state of temporary cessation for six or more years.

(b)(c)(d) If permit renewal is denied, all documentation must be provided showing reason(s) for denial.

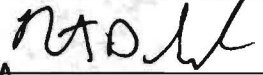
Decision documents have been sent to:

D-000117

- 1) the applicant
- 2) objectors
- 3) commentors

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

A check of OSM's Applicant Violator System (AVS) was completed on January 17, 2013; no problems were identified that would preclude issuance of the permit.



Preparer's Signature



Reviewer's Signature

FC: 2013 Renewal