



Garrick Jauregui
Area Manager
Chevron Environmental Management Company

November 05, 2020

Mr. James Smith
Coal Program Manager
Mining and Minerals Division
1220 South St. Francis Drive
Santa Fe, NM 87505

**Re: McKinley Mine Permit No. NM-2016-02
Permit Renewal Application**

Dear Mr. Smith,

Pursuant to 19.8.13.1302 NMAC, Chevron Mining Inc. (CMI) hereby submits an application to renew the McKinley Mine's mining and reclamation Permit No. 2016-02 (2016-02), which expires on March 7, 2021.

The new permit number will be 2021-02. The permit term would be for the five-year period that extends from March 7, 2021 through March 7, 2026.

There will be no change to the permit boundaries contained in 2016-02. The 2021-02 application contains general, legal, financial, and compliance updates, which includes the minimum information needed for a complete renewal-application in accordance with 19.8.13.1303 NMAC:

- A statement of the name and address of the permittee, the term of the renewal requested, the permit number, and a description of any changes to the prior permit renewal (see updated permit materials);
- A copy of the proposed newspaper notice; and
- A copy of the current liability insurance policy

The renewal application will consist of the existing approved 2016-02 application updated with the enclosed permit materials. Three copies of permit materials are provided with a list of contents and insertion instructions for MMD distribution. These same materials will be incorporated into the McKinley Mine's copy of 2016-02 and the copy that will be placed in the McKinley County courthouse.

Please contact me with any questions at (925) 842-1218 or Mary Siemsglusz at (314) 984-8800.

Sincerely,

Garrick Jauregui
Environmental Compliance Officer
Chevron Environmental Management Company

Mary Siemsglusz, P.E.
Associate & Practice Leader
Golder Associates, Inc.

W/enclosures

Re: McKinley Mine Permit No. NM-2016-02
Permit Renewal Application
List of Materials and Insertion Instructions

Covers	All Binders	Replace all front cover and spine inserts that currently say MMD Permit No. 2016-02 with the new inserts that say MMD Permit No. 2021-02
<u>Volume</u>	<u>Location</u>	<u>Description</u>
I thru XIV	Table of Contents	Replace the entire table of contents at the front of Volume I with the new table of contents. Insert or replace the table of contents at the start of each volume with the enclosed table of contents that corresponds to that volume.
I	1.0	Replace the existing pages 1.1-1 through 1.5-2 with the enclosed revised pages 1.1-1 through 1.5-2 (dated 11/5/2020)
	Appendix 1.3-A	Replace the existing Verification of Application with the enclosed Verification of Application dated 11/5/2020.
	2.0	Replace existing pages 2.0-1 through 2.9-1 with the enclosed revised pages 2.0-1 through 2.9-1 (dated 11/5/20). Maintain any figures in their existing locations.
	Appendix 2.2-A	Replace all the contents of Appendix 2.2-A Directors & Officers with the enclosed revised list of directors and officers.
	Appendix 2.2-B	Replace all the contents of Appendix 2.2-B Pending, Present, and Prior Permits with the enclosed updated list of permits.
	Appendix 2.2-C	Replace Appendix 2.2-C Other Licenses and Permits with the enclosed updated page of Other Licenses and Permits dated 11/5/20.
	Appendix 2.3-A	Replace all the contents of Appendix 2.3-A Notices of Violation Three Year History with the enclosed three-year history dated 11/5/20.
	Appendix 2.6-A	Remove all other certificates of liability insurance in Appendix 2.6-A Certificate of Insurance (and file into a permanent record), and insert the enclosed current 2020 Certificate of Liability Insurance
	Appendix 2.7-A	Replace the existing Appendix 2.7-A Proof of Publication, with the enclosed proposed public notice and Figure 1 showing the permit area.

V	<p>Appendix 2.9-A</p> <p>3.0</p> <p>Exhibit 6.1-1</p>	<p>Insert the Appendix 2.9-A Addendum in front of the existing cover page entitled Appendix 2.9-A Performance Bond (for MMD Jurisdictional Lands)</p> <p>Replace existing page 3.0-1 with the revised page 3.0-1 (dated 11/05/2020)</p> <p>Replace existing Exhibit 6.1-1 Environmental Monitoring Map with the enclosed revised version (Last Revision Date: 11/5/2020).</p>
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1.0 OVERVIEW

Section 1.0 contains an overview and general information about this renewal application. The section is divided into the following:

1.1 INTRODUCTION

1.2 GENERAL INFORMATION

1.3 VERIFICATION OF APPLICATION

1.4 LIFE-OF-MINE PLAN

1.5 TECHNICAL CONSULTANTS

1.1 INTRODUCTION

1.1.1 PURPOSE OF APPLICATION

Chevron Mining Inc. (CMI) hereby submits an application for renewal of McKinley Mine's current Permanent Program Permit No. 2016-02 under New Mexico Administrative Code 19 NMAC 8.2. The application addresses the requirements for a permit renewal as set forth in NMAC 8.2, Part 13. Upon MMD approval of this renewal application, the new permit number will be 2021-02. The term for Permit No. 2021-02 will be from March 7, 2021 through March 7, 2026.

The renewal application contains updated legal, financial, and compliance information, and includes the most current reclamation and monitoring information. Although mining has ceased, the application still contains (as documentation), the most recent mining information up to cessation of those operations.

1.1.2 INFORMATION PROVIDED

This renewal application included changes to those sections of the currently approved permit application that required updating to reflect the current conditions. Each of the primary permanent program regulatory sections concerning permit applications has been addressed.

This renewal application also includes relevant information for Indian Lands affiliated with the Navajo Nation and under the jurisdiction of the Office of Surface Mining Reclamation and Enforcement (OSMRE). This additional information is being provided as a convenience and because MMD and OSMRE jurisdictional lands are all part of the McKinley Mine. This additional information will give a better overview of activities mine-wide and their influence on operations within MMD jurisdictional lands.

1.2 GENERAL INFORMATION

This section provides information showing that the minimum permit renewal application requirements have been addressed in accordance with 19 NMAC 8.13. This information is provided in Table 1.2-1. Table 1.2-1 has been formatted and ordered according to the applicable sections of 19 NMAC 8.13 and 8.14, followed by the information addressing that requirement.

TABLE 1.2-1: PERMIT RENEWAL LIST

CITATION	INFORMATION REQUIRED*
13.1302	CMI has a valid permit for the McKinley Mine: Permit No. 2016-02. Renewal is requested within the approved boundaries of this permit.
13.1302 & 1304	The new permit identification number is 2021-02. The name and address of the permittee is provided in Section 2.2. The specific term of the renewal requested is provided in Section 1.1.1 and 2.1.
13.1302	A copy of the proposed newspaper public notice is provided in Section 2.7.
13.1302	Evidence of liability insurance is provided in Section 2.6.
14.1401	Performance bonding is addressed in Section 2.9
* Note: "Sections" referenced in this table mean section in this renewal application	

1.3 VERIFICATION OF APPLICATION

A notarized statement has been prepared by the responsible official of CMI verifying that the information in this permit renewal application is true and correct to the best of his knowledge and belief. This statement is located in Appendix 1.3-A.

1.4 LIFE-OF-MINE PLAN

An overview of the areas previously mined during the life of the McKinley Mine is provided on Exhibit 1.4-1. With mining now complete, the exhibit no longer shows proposed mining areas.

Exhibit 1.4-2 depicts the relative position of the 1"=400' map sheets. In summary it shows how the mine was broken out by sheet-number where more detailed mapping was needed to show mining and reclamation information.

All exhibits in this renewal application show the MMD permit boundary. The lease boundary embodies those lands on which CMI has surface and/or mineral rights. Land control rights are discussed in more detail in Section 2.4 and on Exhibits 2.4-1 and 2.4-2 of this renewal application. The permit boundary is inclusive of those lands within the lease boundary that are permitted for mining. OSMRE jurisdictional lands have been identified with the notation "OSM," or a similar identifier.

The permit boundary has been updated over time as areas that have had full liability release were removed from the permit area.

1.5 TECHNICAL CONSULTANTS

The consulting firms listed in Table 1.5-1 have made specific contributions to various sections of this renewal application.

TABLE 1.5-1: CONSULTANTS & CONTRIBUTIONS

CONTRIBUTION	CONSULTANT AND/OR LABORATORY
Geology	Amuedo and Ivey 155 South Madison Street, Suite 230 Denver, Colorado 80209
Geology	Sergeant, Hauskins & Beckworth 4700 Lincoln Road N.E. Albuquerque, New Mexico 87109
Lithologic Sample Analysis, Soil Analysis, Drilling Water Analysis	Core Laboratories, Inc. 3428 Stanford N.E. Albuquerque, New Mexico 87107
Soil	Harner White Ecological Consultants, Inc. 4509 Radio Road Gillette, Wyoming 82716
Soil	James P. Walsh & Associates, Inc. 1002 Walnut Street P.O. Box 2003 Boulder, Colorado
Soil	Lewis Munk and Paul Boden, Soil and Water West, Inc. 1700 Southern Boulevard Rio Rancho, New Mexico 87124
Soil & Vegetation	Golder Associates Inc. 5200 Pasadena Avenue, NE, Suite C Albuquerque, NM 87113
Vegetation	Harner White Ecological Consultants, Inc. 4901 E. Dry Creek Road Littleton Colorado 80122
Vegetation	Metric Corporation 2025 San Pedro, N.E. Albuquerque, New Mexico 87110
Vegetation	Western Resource Development Corporation 711 Walnut Street P.O. Box 467 Boulder, Colorado 80306
Vegetation	Horizon Resource Management (Richard Bonine) 1206 East Aztec Gallup, NM 87301 (505) 863-1950

TABLE 1.5-1: CONSULTANTS & CONTRIBUTIONS (Cont.)

CONTRIBUTION	CONSULTANT AND/OR LABORATORY
Hydrology, Alluvial Valley Floor Investigation	Geohydrology Associates, Inc. 3225 Candelaria Road, N.E., Suite B Albuquerque, New Mexico 87107
Hydrology	Water and Earth Technologies, Inc. 1225 Red Cedar Circle, Unit A Fort Collins, CO 80524
Hydrology	Golder Associates Inc. 13515 Barrett Parkway Dr. Suite 260 Ballwin, MO 63021
Water Analysis	Albuquerque Analytical, Inc. 4115 Silver Avenue, S.E. Albuquerque, New Mexico 87108
Water Analysis	Green Analytical Laboratories 75 Suttle Street Durango, CO 81303
Hydrologic Monitoring and NPDES Permit	Trihydro Corporation 1252 Commerce Drive Laramie, WY 82070
NPDES Permit (Original)	Habitat Management Inc. 14 Inverness Drive East, Suite A-100 Englewood, CO 80112
Fish and Wildlife	Bio-Resources, Inc. P.O. Box 3447 Logan, Utah 84321
Raptors	Hawks Aloft 6715 Eagle Rock Road, NE, Suite A Albuquerque, NM 87113
Archaeology	University of New Mexico Office of Contract Archaeology Department of Anthropology Albuquerque, New Mexico 87131
Archaeology	Environmental Consultants, Inc. 4951 Airport Pkwy, Suite 500 Dallas, Texas 75248
Archaeology	New Mexico State University Department of Sociology & Anthropology Cultural Resources Management Division P.O. Box 5700 Las Cruces, New Mexico 88033
Cultural Resources	Southwest Archaeological Consultants 1200 Don Diego Ave Santa Fe, NM 87505
Cultural Resources	SWCA Environmental Consultants 114 North San Francisco St., Suite 100 Flagstaff, AZ 86001

2.0 LEGAL, FINANCIAL, COMPLIANCE INFORMATION

Section 2.0 contains legal, financial, compliance and performance bonding information. The section is divided into the following:

2.1 PERMIT TERM

2.2 IDENTIFICATION OF INTERESTS

2.3 VIOLATION INFORMATION

2.4 RIGHT-OF-ENTRY

2.5 AREAS DESIGNATED UNSUITABLE FOR MINING

2.6 INSURANCE INFORMATION

2.7 PROOF OF PUBLICATION

2.8 WATER RIGHTS

2.9 PERFORMANCE BONDING

2.1 PERMIT TERM

Information in this renewal application covers the new permit term, which is the time period between March 7, 2021 and March 7, 2026. Because the mine is now closed and most of it is reclaimed, no new disturbance of land is anticipated.

2.2 IDENTIFICATION OF INTERESTS

2.2.1 APPLICANT & OPERATOR

Chevron Mining Inc. (CMI) is the applicant and operator. CMI headquarters are located at:

6001 Bollinger Canyon Road
San Ramon, CA 94583-2324

Correspondence concerning this application should be addressed to the following:

Chevron Environmental Management and Real Estate Company
McKinley Mine
Attn: Jeff Schoenbacher
P.O. Box 469
354 State Road 38
Questa, NM 87556
Telephone: (575) 586-7639

2.2.2 STATEMENT OF OWNERSHIP

CMI is a corporation, incorporated under the laws of the State of Missouri and is a wholly-owned subsidiary of Chevron Corporation. (See Appendix 2.2-D)

2.2.3 SERVICES OF PROCESS

Service of Process is received by the following:

CSC of Lea County, Inc
Mc-Csc1
726 E. Michigan Drive, Ste 101
Hobbs, NM 88240-3465
Telephone: (888) 702-0997

2.2.4 DIRECTORS AND OFFICERS

Lists of directors and officers for both CMI and Chevron Corporation are contained in Appendix 2.2-A.

2.2.5 OPERATIONS UNDER OTHER NAMES

In the past five years from the date of this permit-renewal application, CMI has not had coal-mining operations under other names.

2.2.6 PENDING, PRESENT, AND PRIOR PERMITS

CMI has coal mines permitted in New Mexico and Texas; these mines no longer produce coal and are in various phases of closure and reclamation.. Appendix 2.2-B contains a list with the status of all coal-mining permits issued to CMI in the past five years from the date of this application renewal.

2.2.7 MINE SAFETY AND HEALTH ADMINISTRATION NUMBERS

The McKinley Mine was assigned MSHA identification number: 2900096; McKinley Mine, however, is no longer under the MSHA regulatory program. The MSHA Mine Data Retrieval System webpage reflects this status as of 9/30/2013.

2.2.8 OTHER LICENSES AND PERMITS

A listing of other licenses and permits required to operate the McKinley Mine during this permit term is provided in Appendix 2.2-C.

2.2.9 ABANDONED MINE LAND RECLAMATION FEES

Coal production and sales at McKinley Mine have ceased; therefore, CMI no longer submits fees on behalf of McKinley Mine for the Abandoned Mine Reclamation Fund.

2.2.10 CONTIGUOUS LAND INTERESTS

Exhibit 2.4-1 shows CMI ownership of lands contiguous to the permit boundary. Currently, there are no pending options or bids on any other lands.

2.3 VIOLATION INFORMATION

2.3.1 BOND OR PERMIT REVOCATION INFORMATION

Neither the applicant nor any subsidiary, affiliate, or persons controlled by or under common control with the applicant has:

- 1) Had a Federal or State mining permit suspended or revoked in the last five years; nor
- 2) Forfeited a mining bond or similar security deposit in lieu of bond.

2.3.2 NOTICES OF VIOLATION

A list of Notices of Violation (NOV) received by CMI and affiliated companies during the last three years is contained in Appendix 2.3-A. That appendix includes the following: company name, permit affected, violation number and brief description; date; status of proceedings, current status of the violation; and any actions taken to abate the violation.

2.4 RIGHT-OF-ENTRY

2.4.1 OVERVIEW

This section provides information documenting CMI's right-to-enter to mine and reclaim the lands within the McKinley Mine permit area. A detailed description of CMI's surface and mineral control is depicted on Exhibits 2.4-1 and 2.4-2, respectively. Appendix 2.4-A lists the file numbers associated with right-to-entry at the McKinley Mine.

2.4.2 SURFACE AND MINERAL CONTROL

ODD NUMBERED SECTIONS - MINERALS

Minerals beneath all odd-numbered sections are owned by the Peabody Natural Resources Company (PNRC). CMI has the right to the coal beneath these sections through a coal lease from Santa Fe Railroad (File # 601-001-AA), which was assigned to PNRC on June 25, 1993.

ODD-NUMBERED SECTIONS - SURFACE

The majority of the surface of the odd-numbered sections is owned by CMI under various file numbers. A listing of these file numbers is contained in Appendix 2.4-A.

The surface lands within odd-numbered sections not owned by CMI are as follows:

- One parcel within Section 15, T16N-R20W is leased to CMI from Paula Westbrook (File # 601-022-AA). CMI has been granted the right to disturb the surface to mine the coal via the lease agreement. A copy of this written consent is provided in Appendix 2.4-B.
- Section 13, T16N, R20W was transferred to the Navajo Tribal Utility Authority by Chevron. Chevron retained rights to the 12.39 acres (more or less) under permit in the northwest quarter through a provision in the transfer document.

EVEN-NUMBERED SECTIONS - MINERALS

The majority of minerals beneath even-numbered sections are owned by the U.S. Government. CMI has the right to the coal in these sections through a Federal Government coal lease (File #s 601-043-AA, 601-047-AA, 601-064-AA, and 601-077-AA).

The minerals beneath even-numbered sections that are not owned by the Federal Government are owned by the State of New Mexico and are leased to CMI. These areas are as follows:

- Section 36, T17N-R21W (File # 601-039-AA).
- Lots 1 and 2, Section 36, T17N-R20-W (File # 601-094-AA).

EVEN NUMBERED SECTIONS - SURFACE

The majority of the surface of even-numbered sections is Indian Allotments administered by the BIA and leased to CMI under various files. CMI has the right to disturb the surface to mine the coal via each of the lease agreements. A copy of a letter from the BIA documenting this right is provided in Appendix 2.4-C.

The surface of the even-numbered sections that are not Indian Allotments are as follows:

- Section 6, T16N-R20W (File # 601-064-AA), NE $\frac{1}{4}$ of Section 22, T-16N-R20W (File # 601-047-AA), and S $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 36, T-17N-R20W (File # 601-043-AA). The surface is owned by the Federal Government and administered by the BLM. CMI has been granted the right to disturb the surface to mine the coal via the lease agreement. A copy of this document of conveyance is provided in Appendix 2.4-B.
- Lots 1 and 2, Section 36, T17N-R20W (File # 601-094-AA) Surface is owned by the State of New Mexico. CMI has been granted the right to disturb the surface to mine the coal via the lease agreement. A copy of this document of conveyance is provided in Appendix 2.4-B.

WATERLINE EASEMENTS

The United States Department of Interior Bureau of Reclamation (BOR) is securing easements to construct a waterline that would lie within the boundary of the McKinley Mine Permit No. NM 2021-02 as part of the federal project to construct a waterline to the Navajo Nation under the Navajo-Gallup Water Supply Project (NGWSP)-San Juan Lateral. More specifically, the easements for the waterline would cross portions of Sections 6, 7, 8, 10 and 11, T16N, R20W. The easements include a temporary construction easement that is 150-feet wide (approximately 75 feet each side of the centerline), and a perpetual easement 80-feet wide (40 feet either side of the centerline) after construction. Figure 2.4.2 shows the approximate route of the proposed waterline. Approximately 61.8 acres of the 150-feet wide construction easement falls within the current permit boundary of Permit NM-2021-02.

The proposed easements are located in both CMI-owned lands (Section 7 and 11) and leased lands (Sections 6, 8 and 10). BOR is securing easements with CMI on lands CMI owns, and BOR is securing easements with the appropriate land owner or representative for lands leased by CMI.

The lands within the easements include both reclaimed land still under CMI liability as well as undisturbed lands. Once the easements are executed by BOR, reclaimed or undisturbed lands within the 150 feet-wide construction easement will no longer be under SMCRA requirements or CMI liability. Executed easement documents for tracts within the permit boundary will be submitted for inclusion in the PAP as they are available

2.4-3 BOND RELEASE AREAS

Phase III bond-release areas will be documented in this permit after they are approved by MMD. Information regarding the bond-release application and associated approval documents will be placed in Appendix 2.4-A. Exhibits 2.4-1 and 2.4-2 will be updated to show any MMD-approved changes to the permit boundary in association with Phase III activities and related CMI-land ownership changes.

2.5 AREAS DESIGNATED UNSUITABLE FOR MINING

The permit area is not legally designated or pending under petition for designation as an area unsuitable for surface coal mining.

During active mining, CMI mined and disturbed selected areas within 100 feet of public road right-of-ways in accordance with its SMCRA permit. CMI claims that these lands are exempt from Areas Designated Unsuitable for Mining as outlined in Part 2-11(b). This claim for exemption is based on Valid Existing Rights as outlined in Part 3-13(a), (b) and (c). Coal mining operations were present and on-going at The McKinley Mine prior to August 3, 1977. Distinct financial and legal commitments were made to CMI's utility customers under long term contracts prior to January 4, 1977.

CMI protected the public interest by submitting mining and reclamation plans, with appropriate schedules and operating procedures, to the Director for approval prior to disturbance.

2.6 INSURANCE INFORMATION

Appendix 2.6-A contains the current Certificate of Insurance showing CMI is insured to limits of \$300,000.00 per occurrence and \$500,000.00 aggregate against personal injury and property damage claims, including those arising from the use of explosives at the McKinley Mine.

MMD will be notified in the event of substantive changes in the coverage, including termination or failure to renew. The insurance policy will be maintained in full force during the life of the permit or any renewal thereof, including completion of all reclamation operations.

2.7 PROOF OF PUBLICATION

2.7.1 NEWSPAPER ADVERTISEMENT

A copy of the proposed legal notice to be published for this permit renewal application has been provided in Appendix 2.7-A. After the last public notice has been published, a copy of the notice and an Affidavit of Publication will be filed with MMD and inserted into Appendix 2.7-A.

2.7.2 PUBLIC OFFICE LOCATION FOR FILING

A copy of this application will be filed with the following:

McKinley County Courthouse
201 W. Hill Street
Gallup, New Mexico 87301

New Mexico Mining and Minerals Division
1220 South St Francis Dr
Santa Fe, New Mexico 87505

2.8 WATER RIGHTS

2.8-1 SURFACE WATER RIGHTS

A search of the records of surface water rights maintained by the State Engineer's Office shows that within the McKinley Mine lease boundary, the only known existing surface water rights are owned by CMI. These rights, File 3294, approved December 14, 1972, have a diversion point on the Tse Bonita Wash at the northeast corner of the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 5, T16N, R20W, and are for 20 acre-feet per year. CMI is not aware of any other owners of surface water rights within five miles of the lease boundary.

Copies of CMI's application to "Appropriate the Natural Public Surface Waters of the State of New Mexico" have been placed in Appendix 2.8-A.

2.8-2 GROUNDWATER RIGHTS

Groundwater rights in the Gallup basin were not required prior to declaration of that basin on March 5, 1980. Since then, the declarations listed in Table 2.8-1 have been filed.

Table 2.8-1: Groundwater Declarations

DECLARER	LOCATION	AMOUNT (ac-ft/annum)	FILE NUMBER
Yah-Ta-Hey Trading Post, J. B. Tanner	Sec 7, T16N, R18W	169.73	G-13
	Sec 7, T16N, R18W	35	G-13-S
Carbon Coal Company	Sec 4, T15N, R19W	200	G-14
Chevron Mining Inc.- McKinley Mine (Last Update 4/27/11)	SE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec 17, T16N, R20W	1,005.2	G-87
	NE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec 29, T17N, R20W	634	G-88
	SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec 5, T16N, R20W	431	G-89
	SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec 5, T16N, R20W	431	G-89-S
	NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ Sect 17, T16N, R20W	6.5	G-90
	NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ Sec 26, T16N, R20W	29	G-91
	NE $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$ Sec 4 T16N, R20W	16.1	G-92
	108°56'40"; 35 41'38"	16.1	G-93
	108°54'35"; 35 40'52"	16.1	G-94
	SW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec 14, T16N, R20W	16.1	G-95
	NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec 14, T16N, R20W	3.0	G-258

2.9 PERFORMANCE BONDING

2.9.1 OVERVIEW

The bond amount for McKinley Mine permit area under MMD jurisdiction is calculated using the assumption that the mine ceases to exist during the permit term and that work is required to complete the reclamation of remaining liabilities. Costs are based upon a third party contractor, under the supervision of the Regulatory Authority, performing all work required.

2.9.2 BOND AMOUNT

The bonding calculations were originally developed based on the worst-case scenario for each mining area. Since then various Phase I, II and III bond releases have occurred throughout the mine reducing the original worst-case bond. Bonding calculations are located in Appendix 2.9-A of this volume, which includes any updates to the bond and any associated riders. CMI has a surety bond for Permit No. 2021-02 in the amount of \$24,645,642 (see Appendix 2.9-A). This bond amount will be adjusted during the permit term to reflect the Phase I, II, and III bond-release approvals; the adjusted remaining bond amount reflecting these releases will be documented in Appendix 2.9-A.

2.9.3

This section intentionally omitted.

2.9.4 PERMIT AREA LEGAL DESCRIPTION

Appendix 2.9-B contains a legal description of the permit area covered by this application. This description has been prepared by a Registered Professional Land Surveyor.

3.0 BASELINE AND BACKGROUND INFORMATION

Section 3.0 contains baseline and background information for the McKinley Mine as listed below. As stated in other parts of this permit, mining ended, and the mining areas and accesses were reclaimed and now in the monitoring, maintenance, and bond-release phase. Previous monitoring activities that were reiterated in 3.0 from other permit sections are retained here for historical purposes only, but have been superseded; please see Section 5.0 and 6.0 for current information that includes maintenance and monitoring up and through bond release. Water-rights information in Section 3.4.2 has been superseded by information contained in Section 2.8.

3.1 GEOLOGIC INFORMATION

3.2 SOIL RESOURCES INFORMATION

3.3 VEGETATION INFORMATION

3.4 HYDROLOGY INFORMATION

3.5 CLIMATOLOGY INFORMATION

3.6 WILDLIFE INFORMATION

3.7 CULTURAL RESOURCE INFORMATION

3.8 LAND USE INFORMATION

3.9 PRIME FARMLAND INVESTIGATION

3.10 PREVIOUS MINING

3.11 LOCATION OF EXISTING OIL AND GAS WELLS

3.12 ALLUVIAL FLOOR INVESTIGATION

3.13 BUILDINGS WITHIN 1000' OF PERMIT BOUNDARY



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New Mexico Mining & Minerals Division
Coal Mining Reclamation Bureau
1220 South St. Francis Drive
Santa Fe, NM 87505

February 24, 2021

Subject: Certificates of Insurance- Chevron Mining Inc
March 1, 2021 - March 1, 2022

To Whom It May Concern:

We are pleased to enclose the Certificates of Insurance for Chevron Mining, Inc. for the March 1, 2021 to March 1, 2022 policy term. Please note that the General Liability and Auto Liability policies are effective for a 3-year period and will not expire until March 1, 2022. The policy number will remain unchanged for this period of time.

We trust that you will find everything in order. However, should you have any questions please feel free to contact our office.

Regards,

Jillian Rossow
Vice President



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/04/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MARSH RISK & INSURANCE SERVICES 345 CALIFORNIA STREET, SUITE 1300 CALIFORNIA LICENSE NO. 0437153 SAN FRANCISCO, CA 94104 CN101765725-0001-GAWX-21-22 SPEC 010C	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL: ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE INSURER A: Old Republic Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** HOU-003481008-61 **REVISION NUMBER:** 14

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			MWZZ 314586	03/01/2019	03/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			MWZX 314587-21	03/01/2021	03/01/2022	EACH OCCURRENCE \$ 3,500,000 AGGREGATE \$ 6,500,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

This Certificate shall provide for personal injury and property damage as a result of surface coal mining and reclamation operations including arising from the use of explosives at the Insured's McKinley Mine in Gallup, New Mexico. The issuing Company shall notify the named Certificate Holder whenever substantive changes are made in the above described policies including any termination or failure to renew, within 30 days.

Allie Poremba 2/24/21
Allie Poremba
Old Republic Insurance Company

CERTIFICATE HOLDER New Mexico Mining & Minerals Division Coal Mine Reclamation Bureau 1220 South St. Francis Drive Santa Fe, NM 87505	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE of Marsh Risk & Insurance Services Mike Kelly <i>W J Kelly</i>
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Jonathan P. Wallace
Vice president, Chevron Mining Inc.

January 9, 2020

To Whom it May Concern:

Marsh Risk & Insurance Services ("Marsh") has, at the request of Chevron Mining Inc. ("CMI") Enclosed a Certificate of Liability Insurance Summary. This summary information was provided to Marsh by CMI; Marsh is not responsible for any of the information contained therein. If there are questions concerning the information on this summary, please contact me at (575) 586-7671 or by email at wallacej@chevron.com.

Sincerely

A handwritten signature in black ink that reads "Jonathan P. Wallace". The signature is written in a cursive, flowing style.

Jonathan P. Wallace

Chevron Mining Inc.

Certificate of Liability Insurance Summary

Multi-State Primary Policy # MWZZ 314586	Minimum Liability Amount	
	Each Occurrence	Aggregate
Excess Policy # MWZX 314587		
Office of Surface Mining Reclamation & Enforcement McKinley Surface Mine Permit #NM-0001K	\$4,500,000	\$7,500,000
State of New Mexico McKinley Surface Mine Permit #2016-02	\$4,500,000	\$7,500,000
York Canyon Ancho Surface Mine Permit #2017-02	\$4,500,000	\$7,500,000
Total Required Multi-State Liability	\$13,500,000	\$22,500,000