

BHP Billiton Mine Management Company



BHP Billiton Limited  
BHP Billiton Mine Management Company  
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16 Miles South of Fruitland on CR 6675  
Fruitland, New Mexico 87416 USA  
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bhpbilliton.com

January 16, 2014

14-01-21-07

Mr. Mychal Yellowman  
Navajo Mine Team Leader  
Indian Programs Branch  
Office of Surface Mining/Western Regional Coordinating Center  
1999 Broadway, Suite 3320  
Denver, Colorado 80202-3050

**Re: Navajo Mine Permit Number NM-0003F; Update 1305 – Transfer Application in Conjunction with Merger (Attachment D)**

Dear Mr. Yellowman,

BHP Navajo Coal Company (BNCC) has previously submitted for your review and approval an application for the transfer of Permit No. NM-0003F. Consistent with SMCRA's regulatory requirements, BNCC is now submitting seven (7) copies of Update 1305 – Transfer Application in Conjunction with Entity Merger, which updates information previously provided in the Transfer Application Package. Apart from the noted updates, the Transfer Application permit application package is not affected.

Included below in the instructions is clarification on appendix placement in the permit that supersedes guidance in the original cover letter. Clarification instructions are in underlined text.

Revisions

Comments/Instructions

Ch. 1 Vol. 1, *Appendix*

**Replace** Appendix 1-B-B Navajo Mine Violations with the enclosed revised Appendix 1-B-B BHP Billiton New Mexico Coal, Inc., BHP Billiton Mine Management Company, Navajo Mine, Violation History.

**Add** Appendix 1-B-D BHP Billiton New Mexico Coal, Inc., San Juan Coal Company Violations, San Juan Mine, Violation History with the enclosed revised Appendix 1-B-D BHP Billiton New Mexico Coal, Inc., San Juan Coal Company, San Juan Mine, Violation History.

Instructions for the replacement of updated permit application content follows:

Revisions

Comments/Instructions

Permit Transfer Application:  
Update 1305

**Remove and replace** the Statement of Verification form signed by Shawn Goeckner in Update 1305 – Transfer Application in Conjunction with Merger (Attachment D) with the revised form.

If you have any questions regarding this update, please contact Vivie Melendez at 505-598-3284.

Sincerely,



**Steven Perkins**

Superintendent Environmental Permitting and Technical Services

Cc: John Grubb, NTEC Management Committee Executive  
Samuel Woods, NTEC Interim General Manager  
William Greg Kelly, Counsel to NTEC  
Charles Roybal, Manager Coal Legal, BHP Billiton New Mexico Coal, Inc.



*BHP Billiton New Mexico Coal, Inc.  
BHP Billiton Mine Management Company  
Navajo Mine - Violation History*

<b>Date of Violation</b>	<b>Violation Number</b>	<b>Description of Violation</b>	<b>Date of Termination</b>	<b>Appeal Status</b>	<b>Mine Permit Number</b>	<b>MSHA Number</b>	<b>Mine or Person Served</b>	<b>Issuing Regulatory Authority</b>
5/14/10	CO10-020-190-01	Failure to prevent flyrock from traveling beyond the permit boundary	5/21/10	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
11/4/10	N10-020-82-001	The permittee failed to conduct all surface coal mining and reclamation operations only as described in the approved application (Blasting in Area 4 North)	11/04/10	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
11/18/10	N10-020-190-04	Failure to conduct all surface coal mining and reclamation operations only as described in the approved permit (Blasting in Dixon Pit). The violation referred to Job: 63DX6B-7, detonated 10/18/10; and Job: 63DX8A-8, detonated 9/14/10.	Not Applicable	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
6/14/11	N11-020-157-003	The permittee failed to conduct all surface coal mining and reclamation operations only as described in the approved application by failing to rip coal in accordance with procedures outline in Appendix 11-C.	6/16/11	N/A	NM0003F	29-00097	Pat Risner	OSM
12/15/11	CO11-020-190-01	Failure to prevent fly rock form traveling beyond the permit boundary (Shot 64LW3B-3)	12/19/11	N/A	NM0003-F	29-00097	Pat Risner	OSM
4/30/12	N12-020-537-001	Failure to certify the A4N West Perimeter primary road prior to usage as a primary road for coal haulage. 30CFR 816.151(a)	6/19/12	NA	NM0003F	29-00097	Tim Ramsey	OSM
9/30/2013		Payment of the AML late fee	1/16/14	N/A	NM003F	29-00097	Navajo Mine	OSM

*BHP Billiton New Mexico Coal, Inc.  
San Juan Coal Company  
San Juan Mine - Violation History*

<b>Date of Violation</b>	<b>Violation Number</b>	<b>Description of Violation</b>	<b>Date of Termination</b>	<b>Appeal Status</b>	<b>Mine Permit Number</b>	<b>MSHA Number</b>	<b>Mine or Person Served</b>	<b>Issuing Regulatory Authority</b>
9/30/13	717	Failure to conduct all surface coal mining and reclamation operations described in the approved permit (Historic property inadvertently disturbed by road construction prior to mitigation). The violation referred to as: Green Frame Boulevard Impact to LA 119301. BNCC has complied with the remedial action required by the State of New Mexico, Energy, Minerals and Natural Resources Department, Mining and Minerals Division, which includes construction of permanent fencing to protect the site from future disturbances.		N/A	2009-01	29-02170	San Juan Mine	MMD
9/30/13		Payment of the AML late fee	1/16/14	N/A	2009-01	29-02170	San Juan Mine	OSM

VERIFICATION OF PERMIT UPDATE

BHP Billiton Mine Management Company  
NAVAJO MINE PERMIT UPDATE  
SAN JUAN COUNTY, NEW MEXICO

*1/16/2014*

I swear and affirm, under oath and in writing that the information regarding this submittal contained in the Navajo Mine PAP is accurate and complete in accordance with Federal regulations under 30 CFR 778.

The following changes have occurred to the PAP:

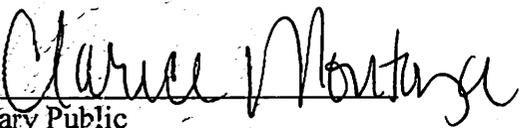
- Owner and Operator;
- Officers and Directors; and,
- Violation History.

Signature:   
**Shawn Goeckner**  
 BHP Billiton Mine Management Company

STATE OF NEW MEXICO §

COUNTY OF SAN JUAN §

SUBSCRIBED AND SWORN to before me, in my presence, this 16 day of Jan., 2014, a Notary Public in and for the State of New Mexico.

  
 Notary Public

My Commission Expires: 7/17/17

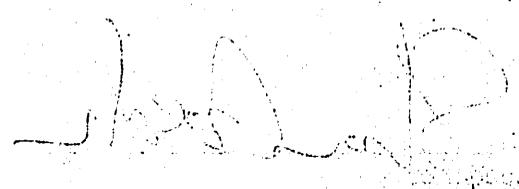
INSTITUTO FEDERAL DE DEFENSA Y PROTECCIÓN CIVIL  
SECRETARÍA DE DEFENSA Y PROTECCIÓN CIVIL  
ESTADO DE GUERRERO

El presente documento es una copia de un expediente de denuncia de un delito de robo de vehículos, el cual se encuentra en el expediente de denuncia de un delito de robo de vehículos, el cual se encuentra en el expediente de denuncia de un delito de robo de vehículos.

Se le informa que el presente documento es una copia de un expediente de denuncia de un delito de robo de vehículos, el cual se encuentra en el expediente de denuncia de un delito de robo de vehículos.

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