

March 21, 2003

Mark Wayment, General Manager  
Lodestar Energy, Inc. / Mountain Division  
HC 35 Box 370  
Helper, Utah 84526

RE: Extension Requests for Abatement of N02-46-3-1, Lodestar Energy, Inc., White Oak/Whiskey Creek Mine, C/007/001

Dear Mr. Wayment:

As you are aware, your letter dated March 18, 2002 requesting an extension of 120 days in order to comply with the requirements of N02-46-3-1 was denied, but an extension of 90 days (the second 90 day period) was granted on March 20, 2003 in order to allow climatic conditions in Boarding House Canyon to improve.

As stated within the remedial action section of N02-46-3-1, the permittee must receive all consents necessary from the Manti-LaSal National Forest prior to re-entering the Canyon to complete the mitigation of Surface Impact #23 in accordance with the plan approved by the Division on October 1, 2002. As you are aware, a goshawk survey, and perhaps several other surveys relative to wildlife may be necessary in order to receive the clearances necessary.

The Division has spoken with the Manti-LaSal National Forest, Price Office, in order to hopefully have the necessary surveys completed by that agency sometime in June 2003. If it becomes necessary for the Forest Service to have additional time beyond June 18 to complete the survey(s) and/or allow time to complete the approved work, it will be necessary for you to request another extension. Unfortunately, it is not possible for the Division to grant extensions beyond the ninety-day maximum for different reasons. Thus, the second ninety-day extension was granted due to the prevailing climatic conditions; any time extension granted beyond that second ninety day period would have to be based on obtaining the necessary wildlife clearances in order for the work to proceed.

The Division and the Forest Service are anxious to complete this work as quickly as possible and are aware that Lodestar is similarly anxious.

If you have any questions, please call me at (801) 538-5268 or Pete Hess at (435) 613-5622. Thank you.

Sincerely,

Pamela Grubaugh-Littig  
Permit Supervisor

PHH/sed  
cc: Price Field Office  
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