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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
P.O. Box 45155
Salt Lake City, UT 84145-0155

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MAR 7 2002

DIVISION OF
OIL, COAL AND GEOTHERMAL ENERGY

In Reply Refer To:
3452
SL-029093-046653
U-058184
(UT-924)

MAR 5 2002

CERTIFIED MAIL—Return Receipt Requested

DECISION

Lessee:	:	
Blackhawk Coal Company	:	
555 Office Center Place	:	Coal Lease
Gahanna, OH 432305315	:	SL-029093-046653
	:	U-058184
Sublessee:	:	
Plateau Mining Corporation	:	
847 NW Hwy 191	:	
Helper, UT 84526	:	

c/007/038

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Notice of Noncompliance For
Violation of Continued Operation Requirement

By decision of November 13, 2001, this office accepted the withdrawal of the Meadowlark Logical Mining Unit (LMU) application, which was filed November 7, 1990. As a consequence, the Federal coal leases within the LMU application reverted to individual lease terms and conditions. Four of the leases terminated, pursuant to authority of law, for failure to achieve diligent development.

Before being included in the LMU application, Federal coal lease SL-029093-046653 had achieved diligent development and was under the continued operation provision of the lease. This provision requires either actual production in commercial quantities from the lease or payment of advance royalty in lieu thereof. In accordance with 43 CFR § 3483.4 (a), "Advance royalty may only be accepted in lieu of continued operation upon application to and approval by the authorized officer."

cc: WO-320
Resource Development Coordinating Committee
MMS, Solid Minerals Staff (Attn: Patrick Mulcahy)
Price Coal Office (Attn: Steve Falk)
Office of the Field Solicitor, Attn: Emily Roosevelt
Ms. Mary Ann Wright, UDOGM, P.O. Box 145801, SLC, UT 84114-5801
SITLA, (Attn: John Blake), 675 E. 500 So., Suite 500, SLC, UT 84102
Plateau Mining Corp., (Attn: C. Corwin Bromley), 94 Inverness Terrace E., Suite 120,
Englewood, CO 80112-5300
RAG American Coal Holding, Inc., (Attn: Greg A. Walker), 999 Corporate Blvd.,
Linthicum Heights, MD 21090
Jackson & Kelly, Attorneys-at-Law, Attn: Brian McGee, 1099 18th St., Ste. 2150,
Denver, CO 80202