



Canyon Fuel Company, LLC
Skyline Mines
 HC 35 Box 380
 Helper, Utah 84526
 (435) 448-6463 Fax: (435) 448-2632

OK

November 4, 2002

Coal Regulatory Program
 Attn.: Pam Grubaugh-Littig
 Division of Oil, Gas and Mining
 1594 West North Temple, Suite 1210
 Box 145801
 Salt Lake City, Utah 84114-5801

Response
Mining
C/007/005

RE: Response to the Division's Technical Analysis, North Lease Extension, Skyline Mine, Canyon Fuel Company, LLC, Permit # C/007/005-SR021, Outgoing File.

Dear Ms. Grubaugh-Littig:

Canyon Fuel Company, LLC Skyline Mine respectfully submits enclosed with this letter response to the Division's Technical Analysis (TA) of the North Lease Extension. We have attempted to address all most all of the issues raised in the in the time afforded us. A few items, such as another modified geologic map and a few text changes as outlined in the Forest Service letter will need to be made and submitted as soon as possible. We felt it was important to get the bulk of the information to you as soon as possible.

Attached to this letter are completed C1 and C2 forms describing the information and permit modification actions associated with this submittal, four copies of text in redline/strikethrough format, seven clean copies of the text and drawings, and a list of the responses to the deficiencies. Please place Drawings 2.2.7-1 and 2.2.7-2 in the permit confidential file folder. We appreciate your help in this accelerated permitting action. If you have any questions, please give me call at (435) 448-2669.

Sincerely,

Chris D. Hansen
 Environmental Coordinator
 Canyon Fuel Company, LLC.

attachments

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Skyline Mine

Permit Number: C/007/005

Title: Response to Deficiencies for North Lease TA, C/007/005-SR02I

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

DOUGLAS E. JOHNSON
Print Name

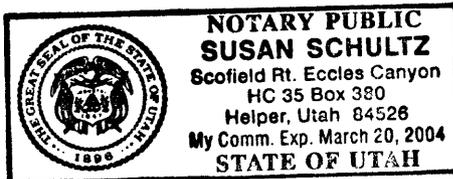
Douglas Johnson, TECH MGR, 11-4-02
Sign Name, Position, Date

Subscribed and sworn to before me this 4 day of Nov, 2002

Susan Schultz
Notary Public

My commission Expires: 3-20, 2004

Attest: State of UT ; ss: County of Carbon



For Office Use Only:

Assigned Tracking Number:

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Canyon Fuel Company, LLC

Mine: Skyline Mine

Permit Number: C/007/005

Title: Response to the deficiencies for the North Lease Modification, C/007/005-SR021

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 1, Replace pages 1-6, 1-19 thru 1-21, 1-26 thru 1-29, 1-33 thru 1-42, 1-42(a) & 1-46
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 1, Part 1 Legal & Financial, Affidavit of Publication for Sun Advocate. Emery County Progress Affidavit not yet received, will be included once it is received
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.1 Replace pages 2-1 thru 2-4(c)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.2 Replace Pages 2-10, 2-11, 2-20
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.2 Add Pages 2-10a, 2-20a
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.3 Replace Pages 2-22 thru 2-25(c), 2-27 thru 2-29(d), 2-31 thru 2-35 (c) & 2-36 thru 2-39
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.5 Replace pages 2-48 thru 2-51(e)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.7 Replace pages 2-63 thru 2-63(f), 2-64
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 2, Section 2.8 Replace pages 2-71
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<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 3, Section 3.2 Replace page 3-57
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter 4, Section 4.17 Replace pages 4-91, 4-92, & 4-101
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 4, Binder 2, EarthFax Engineering, Inc - Work Plan for Eccles and Mud Creeks
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 5, Section 23 - Environmental Assessment Winter Quarters Lease
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Appendix Volume A-1, Volume 2, Burnout Canyon Subsidence Study
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Appendix Volume A-1, UPDES Permit
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Appendix Volume A-3, Archeological Reports
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace Drawings 2.3.5.1-1, 2.3.5.2-1, 1.6-2, 1.6-3, 2.2.1-1, 2.2.7-7, 2.3.4-2, & 2.3.6-1
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Add Drawings 14.17.3-1a, 2.3.4-1a, 2.3.4-1b, 2.3.4-1c, & 2.3.6-2
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace Confidential Drawings 2.2.7-1 and 2.2.7-2
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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DIV. OF OIL, GAS & MINING

SUMMARY OF DEFICIENCIES, October 21, 2002
C/007/005-SR02I

R645-301-117.200, The permittee must supply the Division a copy of a newspaper advertisement of the application for significant revision of a permit. This information must be added to the submittal.

A copy of the affidavit for the Sun Advocate is included in the submittal (Part 1, Legal and Financial), however the permittee has not yet received the affidavit for the Emery County Progress. The Emery affidavit will be include once it is received.

R645-301-121.200 and -121.300,

(1) Section 2.3 of the MRP (pg. 2-22) references Figure 2.12A, which could not be located in the MRP; please clarify location of figure.

Refer to Section 2.12 Land Use for Figure 2.12A.

(2) Section 2.3.2 (pg 2-27) indicates the Burnout Creek study area is an ongoing study. This needs to be updated since the study was apparently completed April 17, 1998.

Refer to Section 2.3.2.

(3) Page 2-29(a) references Plate 7 of Appendix Volume A-1. This Plate is not available in the Division MRP and needs to be provided.

A copy of Plate 7 will be provided to the Salt Lake UDOGM office.

(4) Section 2.5.2-Hydrologic Impacts of Mining Activities in paragraph 2, page 2-48 clearly identify the volume and location of 'Exhibit A', and all other references.

Section 2.5 has been revised.

(5) Within the July 2002 Addendum to the PHC, Appendix A needs to include a table of contents.

A table of contents for Appendix A of the PHC was submitted on 10/28/02 with the James Canyon submittal.

(6) Page PHC A-18 briefly refers to age-dating analysis being conducted by the Mine Operator, but does not cite

where the information is located. Please provide a reference for the detailed age-dating analysis study.

The PHC was revised and was submitted on 10/28/02 with the James Canyon submittal.

(7) Section 2.3.7 - Groundwater Monitoring Program, page 2-34 indicates 'water quality samples are collected from 17 selected springs'. This needs to be updated to include the North Lease springs.

Section 2.3.7 page 2-34 was corrected to indicate 24 springs are monitored.

(8) Correct the following errors in the tables:
Table 2.3.7-1, Station S26-13 is mislabeled as S24-13;
Tables 2.3.7-1 and 2.3.7-2 indicate wells 79-14-2B and 79-22-2-2 are being monitored when text indicates they are not functioning; Table 2.3.7-3 indicates 24springs exist, however spring S26-13 is listed twice; Table 2.3.7-3 lists well W13-1 as a culinary well while the text indicates it is abandoned; and Page 6 the culinary wells (Table 2.3.7.3) are apparently referenced, but are not on the map.

*The tables were corrected and the map updated.**

(9)Section 2.3.7, page 2-35 needs to be updated to reflect current UPDES permit.

Page 2-35 was updated and a new copy of the UPDES permit has been included with this submittal to replace the old permit.

(10) On page 2-32 a discussion indicates wells W13-1 and W17-1 are on Plate 2.3.6-1 and the locations could not be found. Text indicates that well W13-1 has been abandoned.

This information was updated as requested on page 2-32 and Drawing 2.3.6-1.

(11) Page 2-33 indicates Mancos Shale outcrops in Eccles Creek and is located on Plate 2.2.1-1, but the surface geology does not extend to that location.

The current geology map does not include the Star Point formation but the text was revised to indicate the Mancos is only present in the mine area as it intertongues with the Star Point.

R645-301-121.200, for clarity reference a map showing the locations of mines #2 and #3, or indicate which mine is south of the dike area.

The mine plan map for Mines 2 and 3 was referenced in the text.

R645-301-131, Section 2.1 of the application must include Avocet Consulting Inc. as the firm that conducted the July 9, 1993 Ground Surveys for Nesting Raptors.

Section 2.1 has been revised.

R645-301-322.200, Survey protocol must be established for macro invertebrate and fish sampling. The survey must be conducted for two years prior to mining and two years after mining in the area.

Refer to Section 2.8. The permittee has provided a protocol but is awaiting updates from Pricilla Burton, UDOGM. Once the updates are received the section will be revised.

R645-301-322.200, The application must address the potential occurrence of Forest Service listed threatened, endangered, and sensitive species within the proposed North Lease permit Area.

Revisions have been made to Sections 2.1 and 2.7 per a personal communication with Bob Thompson, Botanist USFS.

R645-301-332,

(1) The application must provide the results of the baseline data collected by aerial photogrammetric and color infrared aerial photography (CIR) monitoring for the North Lease as planned in the MRP Section 4.17.5 for the permit area.

(2) The application should indicate a photogrammetric and color infrared monitoring schedule for the North Lease permit area and indicate that the photographs and associated interpretations will be submitted with the Annual Reports.

Revisions have been made to Sections 2.7 and 4.17.8.

R645-301-333,

(1) The applicant needs to commit to develop and implement a mitigation and protection plan in cooperation with Wildlife Resources and the Division. The consumption rate of water, (acre/feet), from mining activities needs to be provided.

(2) The application must describe specific areas where habitat loss might occur from subsidence and then describe specific protection measures that will be provided

Water consumption from mining activities is discussed in Section 2.5.2. Protection measures are discussed in Section 2.8.

R645-301-411.143, The application must address the potential for subsidence to effect cultural resources in the area. The discussion should include areas or geologic formations where archeological sites have been found and the potential of historic/archeological sites to occur in areas where surface expression of subsidence is expected. The need for an additional survey should be addressed.

To the best of the permittee's knowledge there are no historic/archeological sites in the area where the surface expression of subsidence is expected. Reference Section 2.1.1 and Volume A-3, Archeological Reports.

R645-301-512.110, The Permittee must submit a map certified by a professional registered engineer that shows the location of all known workings of active, inactive, or abandoned underground mines, including mine openings to the surface within the proposed permit and adjacent areas.

This was included in the original submittal and has been again.

R645-301-512.150, The Permittee must submit a map certified by a professional registered engineer that shows the geologic information described under R645-301-622.

All of the appropriate maps and cross-sections that need certification have been included.

R645-301-521.190, The Permittee must list in the text and on the permit area and ownership maps the acreages, when the property was acquired and who owns the surface and coal.

This information has been listed on Plate 1.6-3.

R645-301-522, The Permittee needs to provide the Division with additional information about coal recovery. Note: The information in the R2P2 is usually adequate for the Division to make a finding about maximum economic recovery. The Permittee might meet the requirements of this regulation by providing the Division with a copy or summary of the R2P2.

A single draft copy of the R2P2 has been included for the Division's use. A final R2P2 will be provided once it is approved by the BLM.

R645-301-525.110, The Permittee needs to conduct and show the results of a pre-subsidence survey on the North Lease Extension to highlight on a map those areas that may show surface expression of subsidence, i.e. cracks, caving, collapse. (Areas expected to subside will be surveyed for archaeological/historic significance and raptor nests.) At a minimum the presubsidence survey must include a map of the permit and adjacent area at a scale of 1:12,000 that shows the location and type of structures and renewable resource lands that subsidence may materially damage: in addition the location and type of State-appropriated water that could be contaminated, diminished, or interrupted by subsidence must be shown. The subsidence zone as defined by the angle-of-draw must also be shown.

A pre-subsidence survey was conducted of the area and the results are discussed in Section 4.17. All of the appropriate parameters were discussed.

R645-301-525.120, The Permittee must include a narrative of the pre-subsidence survey in the PAP. At a minimum the pre-subsidence survey must include the location and type of structures and renewable resource lands that subsidence may materially damage: in addition the location and type of State-appropriated water that could be contaminated, diminished, or interrupted by subsidence must be included. Note: if no structures exist then the survey should state so. The Permittee must also state if there are structures or areas within the North Lease Extension that need to be protected from subsidence, See R645-301-525.200 for details.

To the best of the permittee's knowledge there are no historic/archeological sites in the area where the surface expression of subsidence is expected. Reference Section 2.1.1 and Volume A-3, Archeological Reports.

R645-301-525.130, The Permittee must show that they provided copies of the survey of State appropriated water supplies to the property owners and water conservancy district. The report must contain detailed information about what type of subsidence related damage could occur to the State-appropriated water supplies.

The pre-subsidence survey has not yet been sent to the property owners or conservancy district as yet but will be sent via certified mail by November 8, 2002. Copies of the certification will be sent to the Division.

R645-301-525.480, The Permittee must modify the State-appropriated water supply replacement plan to exclude transfer of water rights and monetary compensation from method that could be used to replace water rights. The Permittee is required to replace all damaged water resources even if the Permittee owns the water rights or the affected owner would be willing to accept monetary compensation.

The plan has been modified as requested and discussed with Division personnel.

R645-301-536, The plan should provide some indication of the volume of waste currently buried at the Scofield Waste Rock site and discuss the available capacity left at the Waste Rock site. The plan should anticipate disposal requirements for mining the Lower O'Connor A seam.

This information has been provided for in Section 3.2.8

R645-301-622, -722, Make the requisite changes to Plate 2.2.1-1 as cited above.

Plate 2.2.1-1 has not been updated to illustrate requested information.

R645-301-623.100, Analysis (for acid- or toxic-forming components) of the stratum immediately above, below, and including the coal seam to be mined needs to be provided.

This area is an extension of the existing Mine #3 workings. While samples from recent core holes have been taken for acid and toxic forming components, the results are not yet available.

R645-301-722.100, Make the requisite changes to Plate 2.3.4-2 as cited above.

Requested changes to Drawing 2.3.4-2 have been made.

R645-301-724.100, 724.310, 724.320, Make the requisite modifications to Section 2.3.6 as cited above.

Requested changes to 2.3.6 have been made. The amended Addendum to the PHC also addresses several of these issues.

R645-301-724.100, In Section 2.3 of the MRP, the third paragraph (pg. 2-22) addressing specific yields and hydraulic conductivities needs to be modified (in a general

sense) to include conditions encountered in the southern portion of the mine.

Section 2.3 has been amended to address this request as well as the Addendum to the PHC. This information was provided to the Division on October 28, 2002.

R645-301-724.100, Modify Section 2.3.1 and Section 2.3.4 to be consistent with geologic information provided in Section 2.2.

The requested modifications have been made.

R645-301-724.100, Provide a brief discussion of wells JC-1 and JC-2 and the information provided by the production of those two wells.

This information is provided in the text and the Addendum to the PHC.

R645-301-724.100, Section 2.3.5.2 - Groundwater Rights, indicates only one spring has a filed water right and a limited number of wells are located in the area. Indicate whether this includes the North Lease area, the location and owner of the sole spring, and identify whether the wells have filed water rights, their location and owners.

Water Rights are provided in Volume 4 2nd Binder and shown on Drawings 2.3.5.2-1 and 2.3.5.1-1.

R645-301-724.100, The first few paragraphs of Section 2.3.4 need to be reworked to accurately reflect current conditions (generally).

The first few paragraphs of Section 2.3.4 have been generally reworked.

R645-301-724.200, 724.310, 724.320, As a portion of the Subsidence Monitoring Plan, identify stream-monitoring points on sections of perennial streams with less than 700-feet of overburden that will be flow monitored. These flow monitoring locations will be monitored beginning at least 6-months prior to the area being mined, and continued to be monitored for at least 6-months after the area has been mined. Frequency of monitoring will be on a monthly basis; weather permitting.

Refer to Dwg. 4.17.3-1A and Section 4.17.

R645-301-724.310, Additional sampling and analysis will be required prior to longwall mining commencing in areas undermining perennial streams.

The applicant realizes additional sampling will be required and has already committed to doing more. The final sampling requirements before longwall mining can begin will be greatly influenced by the Forests updated EA for the area.

R645-301-726, In Section 2.5.2 - Hydrologic Impacts of Mining Activities, provide a brief discussion of the modeling that is being conducted and outline how the study is addressing the hydrologic impacts to the surrounding area.

A brief discussion regarding the modeling has been provided in Section 2.5.2.

R645-301-728, Within the July 2002 Addendum to the PHC, Conclusion section, include a brief discussion of future plans if the high flows continue, and an additional statement addressing what information will be provided by the groundwater modeling in defining the source of the Water.

The Addendum to the PHC was modified to provide this information and submitted on October 28, 2002.

R645-301-728.200, In Section 2.5.2 - Hydrologic Impacts of Mining Activities, paragraph 1, identify the July 2002 submittal as an integral part of the probable hydrologic consequence (PHC). Also, briefly identify the contents/significance of the appendices of the addendum.

The requested modification was performed.

R645-301-728.310, In Section 2.5.2 - Mining Impact on Water Quality, paragraph 2, page 2-49, include a brief discussion of the following items as they relate to the waters identified: indicate theorized source of inflow; state whether it is fault-related; indicate why there is no impact; discuss the reason why the intercepted waters are not affecting the potential discharge area; and state anticipated future actions to address if high inflows continue.

These issues were addressed in Section 2.5.2 and in the Addendum to the PHC submitted on October 28, 2002.

R645-301-728.310, Section 2.5.2, page 2-50 indicates the increased flow has had a positive effect on the aquatic flow system'. Clarify and be more specific on how it has had a positive effect.

The positive effects of increased discharge from the mine were clarified and briefly discussed in Section 2.5.2.

R645-301-728.333, Briefly discuss what is involved in the Eccles Creek/Mud Creek study and indicate that it has been recently modified and includes continued monitoring.

A copy of the EarthFax work plan has been added to the permit and a brief description has been added to the M&RP text.

R645-301-728.334, As continued high-volume flows are encountered, a regular frequency of age-dating analysis needs to be provided to determine whether mixing of various water sources is occurring.

A commitment has been made to perform age-dating monitoring of inflows as long as they are accessible. The monitoring will be performed on a quarterly basis and any significant changes in ages of the water will be reported to the Division.

R645-301-728.334, Provide a discussion of whether any springs or monitoring wells exist upgradient, within the Star Point formation, that are being affected by the lowering of the potentiometric surface.

Only a brief discussion is provided in the text regarding upgradient wells and springs. It is difficult to provide more information when there is a lack of functioning upgradient wells and data from function wells. Skyline has two wells in Eccles Canyon but both are pumped wells for mine use.

R645-301-728.350, In Section 2.5.1 - Potentially Affected Water Rights, include a brief discussion on Electric Lake water and inter-basin water transfer.

Section 2.5.1 was modified to include a brief discussion on Electric Lake water and inter-basin transfer of water. Electric Lake is discussed in detail in the Addendum to the PHC.

R645-301-731.211, 731.222, In the text, clearly state that both groundwater surface-water monitoring is being conducted three times per year.

The text was modified to indicate that most of the water monitoring occurs three times a year due to accessibility problems.

R645-301-731.221, 731.224, Section 2.4.2 - Flow Characteristics, include a brief discussion of the increased flow being discharged into Eccles and Mud Creek, the fact that flow is currently 44-times the normal daily flow in Eccles Creek, and the apparent affects of the flow.

Section 2.4.2 was modified as requested.

R645-301-731.221, -731.224.1, Make the requisite changes to Sections 2.4.3, and 2.4.4 as cited above.

Sections 2.4.3 and 2.4.4 were modified to discuss changes to sediment yield and the issues with the multiple PHCs.

R645-301-731.221, On Plate 2.3.6-1 the Applicant must to ground-truth the portions of Woods Canyon and Winter Quarters Canyon that are currently perennial in nature. Also, identify any beaver ponds impounding greater than ¼-acre-foot of water.

Skyline has committed to ground truthing the portions of Woods and Winter Quarters Canyon Creeks that are perennial. Such surveys have taken place but the results are not yet available. To satisfy the Forest, additional surveys will need to be accomplished in the summer of 2003.

R645-301-731.221, When discussing stream monitoring in Eccles Creek and Mud Creek, include a discussion of the bank stability and vegetation monitoring being conducted due to the increased mine discharge into the creeks since August 2001.

This discussion is included in Section 2.4 and 2.5.

R645-301-731.222.2, The mitigation efforts that are briefly discussed on page PHC A-20 need to be provided and expanded in the appropriate section of the MRP (Section 2.5.2 - Water Quality).

These items are briefly discussed in Section 2.5.2.

Several changes within the text were requested by the USFS in a letter to Pamela Grubaugh-Littig at UDOGM dated October 23, 2002.

1. A general total life of mine map has been prepared for the Forest at their request. However, it includes mining in coal that we do not have leased and under surface that we do not yet have agreements in place with the landowner. There is still some questions as to whether there is economically mineable coal in some of the areas shown on the map provided them. They have requested this information so that they can complete their updated EA and we gave them the most optimistic, but perhaps not most realistic, version of future mining. If we do plan to mine beyond the panels shown in the permit maps, a modification will be submitted to the Division.

2. A map illustrating the extent of subsidence for the current mine plan has been provided. A map of the potential subsidence if the entire EA area were mined will be provided to the Forest for their EA process.

3. Macroinvertebrate studies for Woods and Winter Quarters Canyon Creeks have been done this fall and will be repeated this spring/summer. This information will be provided to both the Forest and DOGM.

4. Stream Gradient surveys for the streams to be subsided have not yet been performed but will be in the summer of 2003.

5. Once surveys of the perennial stretches of the streams in the Winter Quarters are performed in the summer of 2003, the results will be forwarded to both the Division and Forest.

6. The monitoring plan has been updated. However, this request needs greater clarification since it does not entirely make sense to the operator. The monitoring plan is in place for two reasons: to monitor changes in quantity and quality and to satisfy the regulatory requirements of the coal regulations. No change in monitoring methods are anticipated for the current plan.

7. Again, more clarification is needed to comply with this request. We would like specific examples other than a statement of "There is a general lack of substantiation of statements made in the plan".

Several, though not all, of the modifications requested that are keyed to specific portions of the text were made. Those changes not made will be done before November 8, 2002. These will accompany the other changes that need to be made as a result of the deficiencies provided in the Division's TA.