

0076



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

INCOMING
C0070005

September 19, 2003

Pam Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

RE: Response to the Technical Analysis of the Reclamation Plan for the South Fork Portals UDOGM Task #1663, Canyon Fuel Company, LLC, Skyline Mine, C/007/005

Dear Ms Grubaugh-Littig:

Please find enclosed with this letter four redline/strikethrough copies of modified text, and seven clean copies of text addressing the deficiencies contained in the Technical Analysis dated September 17, 2003. For convenience in tracking new pages, I have once again included clean copies of pages 4-39(a) and 4-40 though there have been no additional changes to the text on these pages in this submittal. These pages did have modifications made to them in the August 28, 2003 submittal.

I have also attached to this letter a list of responses to each of the deficiencies, when modifications were made and submitted, and where in the text the modifications are located. I hope by doing this we can avoid confusion as to when the modifications were made and submitted.

I would like to correct one misconception that is addressed in the Technical Analysis. The sealing of the Mine #1 South Fork Portals is being done by Canyon Fuel Company as part of normal operations and not as a result of idling the mine, these two events are coincidental. The coal resources that could be extracted from Mine #1 are depleted. Mine #1 is being sealed to save money on operating costs, reduce the risk of spontaneous combustion in abandoned portions of the mine, and reduce bonding costs. Mine management believes that sealing and reclaiming the portals in the South Fork of Eccles Creek at this time makes good business and land management sense. Though Skyline Mine may be idled in 2004, it will not be abandoned or go into final reclamation.

RECEIVED

SEP 19 2003

DIV. OF OIL, GAS & MINING

SUFCO Mine

Soldier Canyon Mine
Mines

Skyline

I have sent a copy of the modifications to Steven Demczak of the PFO. If you have any questions, please call me at (435) 448-2669. We appreciate your help in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Chris D. Hansen".

Chris D. Hansen
Environmental Coordinator
Canyon Fuel Company, LLC

Enclosures

xc: Stephen Demczak, PFO

Deficiencies

R645-301-121.100, R645-301-511.100, Please provide the Division with a copy of Plate 3.2.11-1 Mine #1 Portal Breakout Map showing the disturbed area and a reclamation treatment map showing areas of ripping and/or gouging, other sediment control, topsoil placement depths, seeding treatments, and area of transplanting.

As per a telephone conversation with Priscilla Burton on September 18, 2003, I will supply a copy of Plate 3.2.11-1 with areas where ripping and/or deep gouging, raking, sediment control, topsoil placement depths, seeding treatments, and transplants will occur to the field inspector as well as the construction management team. The original Plate 3.2.11-1 is not in electronic format and the Mylar is in questionable shape to allow changes and reprinting. A Xerox copy of the map was supplied to the Division in the September 26, 2003 submittal.

R645-301-231.100, (1) The application must include a description of topsoil salvage from the Dry Fork flat area. (2) Soil handling between the knob and the portals should be addressed in the narrative.

(1) The salvage and handling of the soils in the Dry Fork area are discussed on page 4-41(c). This modification was initially submitted on September 16, 2003. (2) Subsoil is present at the upper end of the access road between the knob and the portals. The plan is to leave the subsoils in place until they are needed during portal reclamation. The remainder of the soil in the road is not topsoil but subsoil that was exposed during road construction that took place several years before Skyline was constructed. As part of the effort to open the access road, the water bars and upper few inches of soil in the road will be removed by the contractor and stored near the land bridge. The contractor will be instructed to follow the reclamation plan and control runoff from the soils and road.

R645-301-244, Please provide a description of the rate of application of straw mulch and the extent of gouging versus ripping at the site and any other deviation from the approved planting methods described in Section 4.7, Table 4.7-4, Table 4.7-5 and Table 4.7-6.

The rate of mulch application is described on page 4-50. The extent of deep gouging and ripping is discussed on pages 41(a) through 41(d). It was intended that raking will only occur in corners that cannot be easily reached by equipment or other areas that would require additional disturbance to adequately deep gouge with the track hoe.

R645-301-244, The plan must indicate that topsoil stored at the mouth of the small canyon will all be used in reclamation of the disturbed area.

There was some apparent confusion regarding the knob at the mouth of the portal canyon and whether or not it would be used for final reclamation. The "knob" referred to in the permit is a portion of undisturbed soils and bedrock that was left behind after the roads in the area were constructed. The original planned called for possibly removing this

knob and using it at the portal site. The current plan is to leave this knob of undisturbed material where it is and use the waste rock instead for backfilling the portal cut. The subsoils and topsoils that are stored in that area will be used for reclamation as indicated in the plan.

R645-301-542.200, The permittee must submit a plan for compaction of material used for reclaiming the highwall.

The text has been changed to state that the waste rock and subsoils will be placed in maximum of 2-foot lifts and compacted with tracked and rubber tired heavy equipment. This can be found on page 4-41(a).

R645-301-542.600, The road will be reclaimed immediately after it is no longer needed for mining and reclamation operations.

A commitment to rip and seed the access road below the truck turnout has been made on page (c). This was initially submitted in the September 16, 2003 submittal.

R645-301-542.710, The application needs to indicate that there will be 450 cu yds of Electric Lake sediments that will be hauled to the site for backfill inside the portals.

The text has been modified to indicate lake sediments will be used for the non-combustible fill between the portal mouth and concrete blocks in the mine. This can be found on page 4-41.

R645-301-542-300, R645-301-512, Contour maps and cross-section must be certified by a P.E.

Certified copies of cross-sections and contour map were delivered to the Division with C1 and C2 forms on September 2, 2003.

R645-301-731.311, The results of the chemical analysis of the waste used as fill must be provided with the application.

The chemical analysis of the waste rock has been provided as an addition to Appendix Volume A-2.

R645-301-742.120, The application must include a commitment to armor or construct the restored stream banks with material of increased durability as a form of sediment control.

A commitment to armor the restored stream banks has been made on page 4-41(b) of this submittal and had been partially addressed in the September 16, 2003 submittal on the same and following page.

R645-301-742.120, The application must include a commitment to deep-gouge any reclaimed roads to eliminate any concentrated runoff from those areas until vegetation

is established, or commit to maintain adequate sediment control structures within the permit area.

This commitment was made on page 4-41(b) of the September 16, 2003 submittal and is again included with this submittal.

R645-301-742.124, The application must include a commitment to control sediment runoff from the existing access road with the use of silt fences and/or straw bales prior to entering the creek during active reclamation activities.

This commitment has been made on page 4-41(b) and (c) of the September 16 submittal and is included and slightly revised in this submittal.

R645-301-742.211, The application must include a commitment to when the culvert is removed, the existing streambed sediments will be roughened (using existing materials) to match natural roughness existing upstream and downstream of the disturbance.

This commitment was made in the September 16 submittal on pages 4-41 (b) and (c).

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: Modification to Reclamation Plan for the South Fork Portals Fourth Submittal

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

Address deficiencies presented in September 17, 2003 Division TA

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.

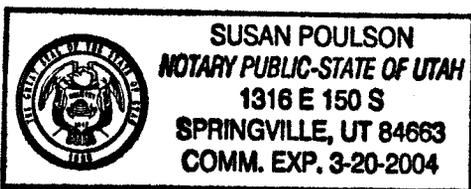
Dan Meadors
Print Name

[Signature] 9-19-05
Sign Name, Position, Date

Subscribed and sworn to before me this 19 day of Sept, 2003

Susan Poulson
Notary Public

My commission Expires: 3-20, 2004;
Attest: State of Ut County of Carbon



For Office Use Only: 	Assigned Tracking Number: 	Received by Oil, Gas & Mining <div style="font-size: 24px; font-weight: bold; margin: 10px 0;">RECEIVED</div> <div style="font-size: 24px; font-weight: bold; margin: 10px 0;">SEP 19 2003</div> DIV. OF OIL, GAS & MINING
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