



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

RECEIVED

AUG 30 2005

DIV. OF OIL, GAS & MINING

*Incoming  
C/007/0005  
#2224*

August 30, 2005

Mr. D. Wayne Hedberg  
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 Division's TA Regarding North Lease Subsidence Mining,  
Canyon Fuel Company, LLC, Skyline Mine, C/007/005, Task ID #2246

Dear Mr. Hedberg:

Please find enclosed with this letter Skyline Mine's response to the Division's TA Regarding the Submittal of the North Lease Subsidence Mining. This submittal includes completed C1 and C2 forms and both seven redline/strikethrough and seven (7) copies of modified text. Please note on the C2 form the last item requests a report that was submitted in February 2005 be *moved* from Appendix A-3 to Appendix A-3, Volume 2. Also included is a Summary of Deficiency Response indicating how the deficiencies were answered. When reviewing the redline/strikethrough copies, keep in mind that pagination will not match the current M&RP. Pagination is correct in the clean copies.

Information requested in the TA concerning maximum economic coal recovery (MER) will be forwarded to the Division as soon as approval is received from the Bureau of Land Management (BLM). At that point, the MRP will be updated to reflect the information.

If you have any questions, please call me at (435) 448-2636.

Sincerely

*Gregg A. Galecki*

Gregg A. Galecki  
Environmental Coordinator, Skyline Mine  
Canyon Fuel Company, LLC

enclosures

In C *0070005 Incoming*  
Date: *08302005* Refer to:

- Confidential
- Shelf
- Expandable

For additional information

# 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:** North Lease Subsidence Submittal

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

**Modification to the M&RP to include subsidence mining on the North Lease - Response to TA letter #2246**

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

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

Wesley K Sorensen  
Print Name

Wesley K Sorensen 8/30/05  
Sign Name, Position, Date  
(General Manager)

Subscribed and sworn to before me this 30 day of August, 2005

Kathleen Aswood  
Notary Public

My commission Expires: 8/30, 2005

Attest: State of Utah } ss:  
County of Carbon



<b>For Office Use Only:</b>   	<b>Assigned Tracking Number:</b>  	<b>Received by Oil, Gas &amp; Mining</b>  <div style="font-size: 24px; font-weight: bold; margin: 10px 0;">RECEIVED</div> <div style="font-size: 24px; font-weight: bold; margin: 10px 0;">AUG 30 2005</div> <div style="font-weight: bold; margin: 10px 0;">DIV. OF OIL, GAS &amp; MINING</div>
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# 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:** North Lease Subsidence Submittal - Response to TA letter #2246

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	Replace M&RP Table of Contents pages 1-xxii, and 1-xxvii through 1-xxxi
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace M&RP Table of Contents - Volume A-2
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace M&RP Table of Contents - Volume A-3
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.3, pages 2-24 through 2-25c, 2-29a,
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.4, pages 2-40 through 2-47
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.5 pages 2-48 through 2-51i
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.7 pages 2-61c through 2-63
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.8 pages 2-65 through 2-68, and 2-70 through 2-71d
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.9 pages 2-98, 2-98a, 2-104i
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.10, pages 2-111a and 2-111b
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 2.12 pages 2-125, and 2-131 through 2-133f
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 3.1 page 3-2, 3-6, 3-7
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Replace in Section 4.17 pages 4-92, 4-93, 4-100
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Drawing Nos. 2.2.7-7, 2.3.6-2, 3.1.8-2, 3.3-2, 4.17.1-1, <del>4.17.1-2</del> , and 4.17.3-1A
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Appendix Volume A-3, Volume 2 - Biological Studies in Winter Quarters Canyon Creek and Woods Canyon Creek - A Study Plan, May 9, 2005
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Appendix Volume A-3, Volume 2 - An Electrofishing Survey of Woods & Winter Quarters Canyon, October 2002
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Appendix Volume A-3, Volume 2 - Baseline Monitoring of the Benthos in Winter Quarters Canyon and Woods Canyon Creeks, October 2003 and June 2004
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	MOVE Appendix Volume A-3, Mt. Nebo Scientific, Baseline Monitoring of Benthos in Winter Quarters Canyon Creek & Woods Canyon Creek, October 2003 and June 2003 TO Appendix Volume A-3, Volume 2
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
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**Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.**

Seven (7) redline/strikethrough and seven (7) clean copies submitted

**Received by Oil, Gas & Mining**

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## Summary of Deficiency Responses

**TA: August 5, 2005, North Lease Full Extraction Mining, C/007/005, Task #2246**

**R645-301-121.200**, The Permittee must use correct citations for the locations of supporting documents. 1) There are citations for the newly submitted documents that refers the reader to App. Vol. A-2, but this volume is filled and more likely the documents will go into App. 2<sup>nd</sup> Vol. A-2 or a new volume. There is one citation that refers the reader to App. Vol. A-3 (p. 2.71a, #1976). Although the Permittee may want to incorporate this new submittal to that volume it may be more appropriately located in App. 2<sup>nd</sup> Vol. A-2 or a new volume. Also, there is at least one citation (p. 2-71d (#2248)) that refers the reader to App. Vol. A-3. This citation is actually correct, but the referenced document may be more appropriately located in App. Vol. A-2. If the Permittee decides to leave this document in App. Vol. A-3 the table of contents for that volume needs to be updated.

- 2) The Permittee must correct the identical sentences on p. 2-67 (#2248) that pertains to “similar conditions” in the 2002/2003 survey results. The Division has no record of fish surveys conducted in 2002/2003. If the Permittee provided the documents, then the sentences are correct as written.
- 3) The Permittee must include the USFS to the list of consulting agencies, e.g., one on p. 2-71a (#1976) and two on p. 2-71b (#1976).
- 4) The Permittee must clarify the duration of macroinvertebrate monitoring. Page 2-71a (#1976) states that monitoring will occur every three years for an undetermined time. While page 2-71b (#1976) states that monitoring will occur for two years...unless there are negative impacts caused by subsidence. [JAE]

**Response:** *1) Volume A-2 contains Soil & veg, Terrestrial Wildlife, and Avifauna information but the volume is full. Volume A-2, Volume 2 has been added for additional information, and the MR&P has been modified to cite the correct location of information. Volume A-3, Volume 2 containing Archeology, Aquatic, Geotechnical, and Geological information has been added for the same reason – correct locations of information have been correctly cited in the MRP. A second copy of the Winter Quarters / Wood Canyon – A biological study has been added to Volume A-3, Volume 2 since information in the study refers to both appendices.*

*2) The sentences have been modified and the report is submitted in Appendix Volume A-3, Volume 2.*

*3) The USFS has been added to the list of consulting agencies*

*4) The macroinvertebrate monitoring has been clarified to indicate when sampling will end in James and Burnout Canyon. For Winter Quarters and Woods Canyons the sampling has been clarified.*

**R645-301-322.100**, The Permittee must provide the missing fish survey report. [JAE]

**Response:** *The report is has been submitted in Appendix A-3, Volume 2.*

**R645-301-522**, The plan for maximum economic coal recovery must be updated to include information on the North Lease. [WHW]

*Response: Information requested in the TA concerning maximum economic coal recovery (MER) will be forwarded to the Division as soon as approval is received from the Bureau of Land Management (BLM). At that point, the MRP will be updated to reflect the information.*

**R645-301-512.110**, The Permittee must have Map 3.3-2, Lower O'Conner "A"/Flat Canyon Five Year Projected Mine Plan, certified. [WHW]

*Response: Map 3.3-2 has been PE-certified.*

### **U.S. Forest Service Concerns**

*USFS concerns were addressed with the following:*

- 1) Concerns with on-the-ground subsidence surveys were addressed by notifying the USFS that the area is walked numerous times due to the subsidence flow monitoring, and adding the comment that 'subsidence is monitored on an annual basis and included in the annual report'.*
- 2) Questions concerning why subsidence cracks were potentially predicted only on the hillsides were answered with references to the geology section describing the conditions outlining the lack of confining pressure.*
- 3) Questions on the potentiometric surface on page 2-29a were clarified.*