



United States Department of the Interior



OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Western Region Office
1999 Broadway, Suite 3320
Denver, CO 80202-3050

December 4, 2013

Dana Dean, Associate Director
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Dear Ms. Dean,

The Office of Surface Mining Reclamation and Enforcement (OSM) Western Region is reversing its position on the Skyline Mine's lease modification for the Winter Quarters Federal Coal Lease UTU-67939. OSM has determined that, based on the criteria found in 30 CFR 746.18, the lease modification does not constitute a mining plan modification and approval of the mining plan by the Assistant Secretary for Land and Minerals Management is not required. This decision is based on review of new and existing information, including:

- The Mud Creek Basin and Upper Huntington Creek Basin October 7, 2013, Cumulative Hydrologic Impact Assessment
- Utah Division of Oil, Gas, and Mining (DOG M) October 22, 2013 Permitting Packet
- The Bureau of Land Management's Resource Recovery and Protection Plan
- Previously submitted documentation, including the November 2011, Environmental Assessment for the Modification of Winter Quarters Federal Coal Lease UTU-67939 (Skyline North)

Therefore, DOGM can remove special condition number three from the state permit C/007/0005, and Canyon Fuel Company, LLC can begin mining within the Winter Quarters Federal Coal Lease UTU-67939, as stipulated by permit C/007/0005.

If you have any questions regarding this decision please contact Elaine Ramsey at 303-293-5041 or Nicole Caveny at 303-293-5078.

Sincerely,

Robert C. Postle, Manager
Program Support Division

cc: Wes Sorensen, Canyon Fuel Company, LLC