

C/007005 Incoming  
C/007/039  
C/041/002



## United States Department of the Interior



OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
Western Region Office  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

January 6, 2016

RECEIVED

JAN 12 2016

DIV. OF OIL, GAS & MINING

Daron Haddock  
Coal Program Manager  
Utah Division of Oil Gas and Mining  
P.O. Box 145801  
Salt Lake City, UT 84114-5801

Dear Mr. Haddock,

I have enclosed copies of the OSMRE's Ten Day Notice's (TDN) issued to the Utah Division of Oil, Gas and Mining on January 6, 2016. TDN X16-140-545-001, TDN X16-140-545-002, and TDN X16-140-545-003 were issued as a result of citizen complaints received in our office on December 28, 2015 from WildEarth Guardians.

If you have any questions regarding the letters, please contact Spencer Shumate, Natural Resources Specialist, Denver Field Division, at (303) 293-5046 or [jshumate@OSMRE.gov](mailto:jshumate@OSMRE.gov).

Sincerely,

Alan Boehms, Manager  
Denver Field Branch

Attachments: Dugout Canyon Mine TDN  
Skyline Mine TDN  
SUFCO Mine TDN

UNITED STATES DEPARTMENT OF THE INTERIOR  
Office of Surface Mining  
Reclamation and Enforcement

TEN-DAY NOTICE

Number X16-140-545-001 TV 2

Originating Office: Denver Regional Office  
US DOI, Office of Surface Mining  
1999 Broadway, Suite 3320  
Denver, CO 80202

Telephone Number: (303) 293-5000

Ten-Day Notice to the State of Utah

You are notified that, as a result of Citizen Information (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your actino to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: CANYON FUEL COMPANY LLC County: CARBON  
*(Or Operator if No Permit)*

Mailing Address: 6100 DUTCHMANS LANE, 9TH FLOOR, , LOUISVILLE, KY 40205

Permit Number: C0070039 Mine Name: DUGOUT CANYON

- Surface  
 Underground  
 Other

01 NATURE OF VIOLATION AND LOCATION:

Upon review of WildEarth Guardians letter, dated December 21, 2015, OSMRE has reason to believe that the UT DOGM has not assured sufficient bonding for completion of the approved reclamation plan.

Section of State Law, Regulation or Permit R645-301-830.200  
Condition believed to have been violated:

02 NATURE OF VIOLATION AND LOCATION:

Upon review of WildEarth Guardians letter, OSMRE has reason to believe that UT DOGM has inaccurately calculated the cost of reclamation by using an inflation factor from an outdated Cost Index.

Section of State Law, Regulation or Permit R645-301-830.300  
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION:

Section of State Law, Regulation or Permit  
Condition believed to have been violated:

Remarks or Recommendations:

OSMRE received a written citizen complaint from WildEarth Guardians, dated, December 21, 2015. Upon review of the aforementioned, OSMRE has reason to believe that DOGM is in violation of SMCRA. More specifically, WEGs letter provides details that allege UT DOGM has not assured that there is sufficient bonding for the completion of the approved reclamation plan. Additionally, OSMRE has reason to believe that DOGM has inaccurately calculated the cost of reclamation by using an inflation factor from an outdated Cost Index.

Date of Notice: 01/06/2016

Signature of Authorized Rep.: 

Print Name and ID: John Shumate ID# 545

UNITED STATES DEPARTMENT OF THE INTERIOR  
Office of Surface Mining  
Reclamation and Enforcement

TEN-DAY NOTICE

Number X16-140-545-002 TV 2

Originating Office: Denver Regional Office  
US DOI, Office of Surface Mining  
1999 Broadway, Suite 3320  
Denver, CO 80202  
Telephone Number: (303) 293-5000

Ten-Day Notice to the State of **Utah**

You are notified that, as a result of Citizen Information (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your actino to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: CANYON FUEL COMPANY LLC County: \_\_\_\_\_  
*(Or Operator if No Permit)*  
Mailing Address: 6100 DUTCHMANS LANE, 9TH FLOOR, , LOUISVILLE, KY 40205  
Permit Number: C0070005 Mine Name: SKYLINE

Surface  
 Underground  
 Other

01 NATURE OF VIOLATION AND LOCATION:

Upon review of WildEarth Guardians letter, dated December 21, 2015, OSMRE has reason to believe that the UT DOGM has not assured sufficient bonding for completion of the approved reclamation plan.

Section of State Law, Regulation or Permit **R645-301-830.200**  
Condition believed to have been violated:

02 NATURE OF VIOLATION AND LOCATION:

Upon review of WildEarth Guardians letter, OSMRE has reason to believe that UT DOGM has inaccurately calculated the cost of reclamation by using an inflation factor from an outdated Cost Index.

Section of State Law, Regulation or Permit **R645-301-830.300**  
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION:

Section of State Law, Regulation or Permit  
Condition believed to have been violated:

Remarks or Recommendations:

OSMRE received a written citizen complaint from WildEarth Guardians, dated, December 21, 2015. Upon review of the aforementioned, OSMRE has reason to believe that DOGM is in violation of SMCRA. More specifically, WEGs letter provides details that allege UT DOGM has not assured that there is sufficient bonding for the completion of the approved reclamation plan. Additionally, OSMRE has reason to believe that DOGM has inaccurately calculated the cost of reclamation by using an inflation factor from an outdated Cost Index.

Date of Notice: **01/06/2016**

Signature of Authorized Rep.: 

Print Name and ID: **John Shumate ID# 545**

UNITED STATES DEPARTMENT OF THE INTERIOR  
Office of Surface Mining  
Reclamation and Enforcement

TEN-DAY NOTICE

Number X16-140-545-003 TV 2

Originating Office: Denver Regional Office  
US DOI, Office of Surface Mining  
1999 Broadway, Suite 3320  
Denver, CO 80202  
Telephone Number: (303) 293-5000

Ten-Day Notice to the State of **Utah**

You are notified that, as a result of Citizen Information (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your actino to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: CANYON FUEL COMPANY LLC County: \_\_\_\_\_  
*(Or Operator if No Permit)*  
Mailing Address: 6100 DUTCHMANS LANE, 9TH FLOOR, , LOUISVILLE, KY 40205  
Permit Number: C0410002 Mine Name: SUFCO

- Surface  
 Underground  
 Other

01 NATURE OF VIOLATION AND LOCATION:

Upon review of WildEarth Guardians letter, dated December 21, 2015, OSMRE has reason to believe that the UT DOGM has not assured sufficient bonding for completion of the approved reclamation plan.

Section of State Law, Regulation or Permit **R645-301-830.200**  
Condition believed to have been violated:

02 NATURE OF VIOLATION AND LOCATION:

Upon review of WildEarth Guardians letter, OSMRE has reason to believe that UT DOGM has inaccurately calculated the cost of reclamation by using an inflation factor from an outdated Cost Index

Section of State Law, Regulation or Permit **R645-301-830.300**  
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION:

Section of State Law, Regulation or Permit  
Condition believed to have been violated:

Remarks or Recommendations:

OSMRE received a written citizen complaint from WildEarth Guardians, dated, December 21, 2015. Upon review of the aforementioned, OSMRE has reason to believe that DOGM is in violation of SMCRA. More specifically, WEGs letter provides details that allege UT DOGM has not assured that there is sufficient bonding for the completion of the approved reclamation plan. Additionally, OSMRE has reason to believe that DOGM has inaccurately calculated the cost of reclamation by using an inflation factor from an outdated Cost Index.

Date of Notice: **01/06/2016**

Signature of Authorized Rep.: 

Print Name and ID: **John Shumate ID# 545**