

MOUNTAIN COAL COMPANY, LLC
West Elk Mine
P.O. Box 591
5174 Highway 133
Somerset, CO 81434

October 24, 2002

Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Response

*Incl. in
ep07/016*

Re: Phase I Bond Release Gordon Creek No. 2/7/8 Mines, ACT/007/016 - BR01B-1
Carbon County, Utah

Dear Pam:

Enclosed are 3 copies of the Mountain Coal Company response to the deficiencies in the Phase I Bond Release T/A dated October 16, 2002. The information herein submitted is intended for inclusion in the M.R.P.; however, it will address those deficiencies noted in the Bond Release Application. In an effort to expedite the review, I have attached a checklist for each of the listed deficiencies along with an explanation of where and how they were addressed. A C₁/C₂ Form is also enclosed.

It is our hope this submittal will meet with your approval.

Sincerely,



Chris D. Hansen
Project Representative

cc: Phil Schmidt
Dan Guy
File

RECEIVED

OCT 31 2002

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Mountain Coal Company

Mine: Gordon Creek 2/7/8

Permit Number: C/007/016

Title: Response to Technical Analysis/Phase I Bond Release

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

Updated Information for the M&RP

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.

Chris D. Hansen
Print Name

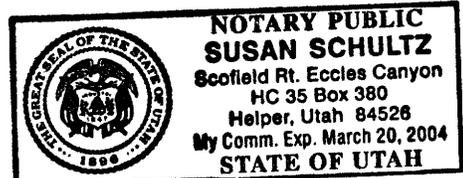
Chris D. Hansen Project Representative
Sign Name, Position, Date 10-30-02

Subscribed and sworn to before me this 30 day of Oct, 2002

Susan Schultz
Notary Public

My commission Expires: 3-20, 2004

Attest: State of UT } ss:
County of Carbon



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="font-size: 24pt; font-weight: bold;">RECEIVED</p> <p style="font-size: 18pt; font-weight: bold;">OCT 31 2002</p> <p style="font-weight: bold;">DIV. OF OIL, GAS & MINING</p>
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Deficiencies Checklist

R645-301-142 - Soil Testing results were submitted to the Division on Oct. 29, 1996 as a new Appendix 8-3.

R645-301-242 - Soil placement location and thickness are described on Table 8-5A (Page 8-59) of the M.R.P., also submitted to the Division on Oct. 29, 1996.

R645-301-412.200 - Letters have been previously sent to Robert Jewkes, with no reply. Included is a copy of a new letter, sent certified, to Robert and Linda Jewkes. This should be added to the M.R.P. in Appendix 4-1.

R645-301-542.300 and R645-301-121.200 - A new Plate 3-7 (designated "As-Built") is included. The Nov. 4, 1999 Plate 3-7 was the as-built as indicated in the Amendment AM99A. The maps were noted incorporated into the M.R.P. on March 19, 2000.

R645-301-542.320 - The new Plate 3-7, included with this submittal, shows the location where unsuitable material (coal) was buried under 4' of suitable material. No other acid/toxic or unsuitable material was buried on site.

R645-301-764 - The reclamation time table has been updated on Page 3-64.

R645-301-830.140 - A detailed reclamation cost estimate for reclaiming the sediment ponds, Sweet's Pond and vegetation costs is included as a new Appendix 3-12.

R645-301-880.120 - The public notice has been revised and will be published as required upon approval by the Division. This is a new Appendix 2-7 for the M.R.P.

R645-301-880.130 - A notarized statement, as required, is provided for the bond release application. This is a new Appendix 2-8 for the M.R.P.

R645-301-880.210 - Water quality data has been summarized for the entire site, including the disturbed area, in Appendix 7-8. This appendix was part of Amendment AM99C-4, approved August 22, 2001.