



**Canyon Fuel Company, LLC**  
 Soldier / Dugout Canyon Mines  
 P.O. Box 1029  
 Wellington, Utah 84542  
 435/637-6360 Fax: 435/636-2897

March 23, 2001

Coal Regulatory Program  
 Attn.: Daron Haddock  
 Utah Division of Oil, Gas and Mining  
 1594 West North Temple, Suite 1210  
 P.O. Box 145801  
 Salt Lake City, Utah 84114

Re: Banning Loadout, ACT/007/034  
 Permit Modification – Silt Fence Removal

*Amendment*  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

Dear Mr. Haddock:

The Banning Loadout facility was completed and brought into full operation in 1978. It was later determined that this facility would be required to comply with the Utah Coal Mining Rules. Permitting efforts began in 1987 and ultimately resulted in the construction of numerous runoff and sediment control structures, including a sedimentation pond, diversion ditches, berms, etc. Several silt fences and straw bales were also installed adjacent to the paved haul road that provides access to the facility. This level of sediment control is not normally required for haul roads under Utah Coal Mining Rules, however, grading of the road shoulder / drainage ditch had left this area nearly void of vegetation. The installation of the haul road sediment control, coupled with reseeding, certainly was appropriate at the time of initial permitting. Now, some fourteen years later, the haul road shoulder is well vegetated and stable. Since additional sediment control structures are no longer necessary, Canyon Fuel Company hereby requests authorization to remove said structures.

To support this modification, I have removed all references to the haul road sediment control structures from Chapter 7 of the approved M&RP. Exhibits 7 and 7a have been appropriately modified as well. Five copies of the redline / strikeout pages, replacement pages and exhibits are enclosed for your review and approval. Please be aware that while making the aforementioned changes to our electronic file, I also made the conversion from Word Perfect to Microsoft Word. This resulted in some significant page number changes. For that reason, I have enclosed the entire chapter for replacement.

Should you have any questions or comments concerning this information, please contact me at (435) 636-2872. I would certainly welcome an on-site visit by you and/or members of your staff to review this proposed permit modification.

Sincerely,  
 SOLDIER / DUGOUT CANYON MINES

*David G. Spillman*

David G. Spillman, P.E.  
 Technical Services Manager

enclosures

cc: Chris Hansen, Skyline  
 DOGM, Price Field Office  
 Central Files

**RECEIVED**

MAR 27 2001

DIVISION OF  
 OIL, GAS AND MINING

# APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/007/034
Title of Proposal: Modification to the sediment control measures along the haul road associated with Banning Loadout.						Mine: BANNING LOADOUT
						Permittee: CANYON FUEL CO., LLC

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

CFC is requesting authorization to remove sediment control structures adjacent to the haul road due to improved runoff conditions.

**Instructions:** If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres x 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 application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does 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? Explain: _____
<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 type="checkbox"/> Yes	<input checked="" 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 application require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" 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 calculations?
<input type="checkbox"/> Yes	<input checked="" 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 for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does 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?

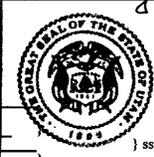
**X Attach 5 complete copies of the application.**

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. (R645-301-123)

*R. W. Olsen*  
 Signed - Name - Position - Date  
 R. W. Olsen Gen Mgr. 3/23/01

Subscribed and sworn to before me this 23 day of March, 2001

*Dionne M. Oman*  
 Notary Public



**DIONNE M. OMAN**  
 NOTARY PUBLIC - STATE OF UTAH  
 891 NORTH 300 EAST  
 PRICE, UTAH 84501  
 COMM. EXP. 12-15-2002

My Commission Expires: 12-15-02  
 Attest: STATE OF Utah  
 COUNTY OF Carbon

Received by Oil, Gas & Mining

ASSIGNED TRACKING NUMBER

