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State of Utah
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil Gas and Mining

JOHN R. BAZA
Division Director

JK

May 9, 2007

Erwin Sass, General Manager
Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542

Subject: Deficiencies for 2006 Midterm Permit Review, Task ID #2760, Canyon Fuel Company, LLC, Banning Loadout, C/007/0034

Dear Mr. Sass:

The Division reviewed the mining and reclamation plan for the Banning Loadout as part of the midterm review. The Division has determined that there are some deficiencies that must be addressed before the midterm can be approved. Those deficiencies are listed as an attachment to this letter.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of Canyon Fuel Company's response to that particular deficiency.

Please respond to these deficiencies as soon as possible, but by no later than June 15, 2007, such that we may efficiently process your application.

Sincerely

D. Wayne Hedberg
Permit Supervisor

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Attachment
O:\007034.BAN\FINAL\WG2760\Deficienciesletter2760.doc



Deficiency List
Task ID #2760
2006 Midterm Permit Review

The members of the review team include the following individuals:

Steve Fluke [smf]

R645-301-731.520, -751, The current UPDES permit needs to replace the expired UPDES permit in Appendix 7-4 of the MRP. [smf]

R645-301-742.332, -742.310, The 24-inch culvert that replaces a 100-foot length of diversion channel needs design criteria and calculations presented in the MRP. Or, if the culvert was not constructed, Exhibit 7-1 should be updated. [smf]

R645-301-742.330, The watershed map on page 4 of Appendix 5-3 should be updated to show the extent of watersheds 1, 2 and 3. [smf]

R645-301-742.100, The text in Section R645-301-742.100 and/or Plate 7-1 should be updated to accurately describe the area contained within ASCA 1. Runoff calculations for ASCA 1 should be presented in Appendix 7-9, as they are for the other four ASCAs. [smf]

R645-301-742.240, Small Area Exemption #1 associated with runoff from the substation area should be removed from the MRP and Exhibit 7-1 should be updated to show the current site layout that includes the removal of the substation area from the permit area. [smf]