

Dugout Canyon Mine  
Waste Rock Amendment  
C/007/039

RA Attachment 3-2  
RA Attachment 3-3

Moved to Confidential Binder - January 2005

Per Letter December 8, 2004, Mark Mesch, Acting Associate Director, Mining  
Utah Division of Oil, Gas and Mining

**RECEIVED**

**JAN 13 2005**

DIV. OF OIL, GAS & MINING



State of Utah  
Department of  
Natural Resources

ROBERT L. MORGAN  
Executive Director

Division of  
Oil, Gas & Mining

MARY ANN WRIGHT  
Acting Division Director

OLENE S. WALKER  
Governor  
GAYLE F. McKEACHNIE  
Lieutenant Governor

December 8, 2004

DEC 13 2004

Rick Olsen, General Manager  
Canyon Fuel Company, LLC  
P.O. Box 1029  
Wellington, Utah 84542

Re: Confidential and Protected Information in MRP, Outgoing File

Dear Mr. Olsen:

The requirements for Confidentiality in the Utah Coal Program are outlined in R645-301-124.300. Confidential information is limited to:

- 124.310. Information that pertains only to the analysis of the chemical and physical properties of the coal to be mined, except information on components of such coal which are potentially toxic in the environment.
- 124.320. Information required under section 40-10-10 of the Act that is authorized by that section to be held confidential and is not on public file pursuant to Utah law and that the applicant has request in writing to be held confidential; and
- 124.330. Information on the nature and location of archeological resources on public land and Indian land as required under the Archeological Resources Protection Act of 1979 (P.L. 96-95, 93 Stat. 721, 16 U.S. C. 470).

Additionally, according to the Government Records Access Management Act (GRAMA), the location of "historic, cultural or biological resources" must be "protected". The locations of raptors and threatened and endangered species must be "protected". Personal information is identified as a "private record" according to GRAMA (i.e. ownership information that contains social security numbers).

Therefore, we are requesting that confidential, protected and private information as identified above be removed from the currently approved MRP. A page clearly identifying what information was removed would be inserted into the MRP noting that the archeological information, for example, is in the Confidential MRP for that mine.

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801  
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • [www.ogm.utah.gov](http://www.ogm.utah.gov)

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Page 2  
Confidential Information in MRP  
December 8, 2004

All of the confidential, protected and private information should be organized in the "Confidential" MRP volume (binder) by pages where it would be found in the approved MRP.

Please handle this administrative action by February 1, 2005. If you have any questions, please call Pamela Grubaugh-Littig (801) 538-5268 or Wayne Hedberg (801) 538-5286.

Sincerely,

Mark Mesch  
Acting Associate Director, Mining

Dugout Canyon Mine  
Waste Rock Amendment  
C/007/039

RA Attachment 4-1

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Per Letter December 8, 2004, Mark Mesch, Acting Associate Director, Mining  
Utah Division of Oil, Gas and Mining



State of Utah

Department of  
Natural Resources

ROBERT L. MORGAN  
*Executive Director*

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