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Incoming

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OK

**From:** "Carl Johnston" <CJohnston@osmre.gov>  
**To:** <betsy\_herrmann@fws.gov>, "Harber, Dale" <dharber@fs.fed.us>, "Hedberg, Wayne" <waynehedberg@utah.gov>, "Kohler, Jim" <James\_Kohler@blm.gov>, <pamgrubaughlittig@utah.gov>, "Ranvir Singh" <RSingh@osmre.gov>, "Romin, Laura" <laura\_romin@fws.gov>, <sheilamorrison@utah.gov>, "Stan\_Perkes@ut.blm.gov" <Stan\_Perkes@blm.gov>  
**Date:** 12/12/2006 9:38:18 AM  
**Subject:** Mine Plan Determinations - Centennial 2698, Dugout 2700, Dugout 2705, Savage 2706 & Wellington 2702

Attached are OSM's final decisions regarding the need for Mining Plan Modifications for the above subject. Signed copies will be sent to you in today's mail.

In accordance with the Federal regulations under 30 CFR 740.13(d), other Federal agencies that may have an interest in, or jurisdiction over, the above subject operation have also been notified of OSM's decision electronically.

No responses to this transmittal are necessary.

Carl R. Johnston  
Natural Resource Specialist  
OSMRE / WR / PSD / NWB  
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UT-0065

December 12, 2006

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Savage Services Corporation "Savage Coal Terminal" - Application for a Permit Revision, Plant Overflow Pond, Task ID No. 2706

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) December 7, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Plant Overflow Pond, has determined that it proposes to add revise the text and plates to the approved permit application package to discuss the construction and operation of a pond to handle overflow water from the preparation plant at the Savage Coal Terminal, Utah State permit C/007/022.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Plant Overflow Pond, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the December 7, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated December 7, 2006, the U.S. Forest service stated in had no comments or concerns with the application for a permit revision.

In an electronic transmittal dated December 11, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

The Bureau of Land Management did not provide any comments in the thirty day time frame established by the Federal regulations under 30 CFR 944.30, Article VI. D.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh  
Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NF  
Denver Field Division

UT-0022

December 12, 2006

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Andalex Resources, Inc. "Centennial Mine" - Application for a Permit Revision,  
Emergency GVH Application, Task ID No. 2698

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) December 5, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Emergency GVH Application, has determined that it proposes to install three additional Gob Ventilation Holes required by the Mine Safety and Health Administration (MSHA) in order to maintain current levels of production and to not prematurely stop mining and abandon longwall Panel #7 at the Centennial Mine, Utah State permit C/007/019.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Emergency GVH Application, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the December 5, 2006, request to the Bureau of Land

Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated December 7, 2006, the U.S. Forest service stated in had no comments or concerns with the application for a permit revision.

In an electronic transmittal dated December 12, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh  
Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NF  
Denver Field Division

UT-0055

December 12, 2006

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Nevada Electric Investment Corporation - "Wellington Preparation Plant" - Application  
for a Permit Revision, Diversion Maintenance Plan, Task ID No. 2702

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) December 5, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Diversion Maintenance Plan, has determined that it proposes to add revised text discussing the maintenance of surface water diversions to the approved permit application package for the Wellington Preparation Plant, Utah State permit C/007/012.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Diversion Maintenance Plan, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the December 5, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated December 7, 2006, the U.S. Forest service stated in had no comments or concerns with the application for a permit revision.

In an electronic transmittal dated December 12, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh  
Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NF  
Denver Field Division

UT-0041

December 11, 2006

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Canyon Fuel Company, LLC. - "Dugout Canyon" Mine - Application for a Permit  
Revision, Pace Canyon Fan Portal As-Built, Task ID No. 2700

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) December 5, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Pace Canyon Fan Portal As-Built, has determined that it proposes to add revised as-built drawings, text and bond calculations associated with the completion of the Pace Canyon Fan Portal to the approved permit application package for the Dugout Canyon mine, Utah State permit C/007/039.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Pace Canyon Fan Portal As-Built, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the December 5, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated December 7, 2006, the U.S. Forest service stated in had no comments or concerns with the application for a permit revision.

In an electronic transmittal dated December 11, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh  
Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NF  
Denver Field Division

UT-0041

December 12, 2006

Utah Division of Oil, Gas, & Mining  
Coal Regulatory Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Canyon Fuel Company, LLC. - "Dugout Canyon" Mine - Application for a Permit  
Revision, Disturbed Area Expansion, Task ID No. 2705

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) December 7, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Disturbed Area Expansion, has determined that it proposes to add revised text and plates to address a 0.5 acre expansion of the disturbed area at the Dugout Canyon Facilities to the approved permit application package for the Dugout Canyon mine, Utah State permit C/007/039.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.18(d). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Disturbed Area Expansion, with other Federal agencies for compliance with other Federal regulations.

OSM also electronically transmitted the December 7, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

In an electronic submittal dated December 7, 2006, the U.S. Forest service stated in had no comments or concerns with the application for a permit revision.

In an electronic transmittal dated December 11, 2006, the Bureau of Land Management stated in its opinion the permit revision did not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh  
Manager, Northwest Branch

cc: BLM - Utah State Office  
BLM - Price Field Office  
USFS - Manti-La Sal NF  
Denver Field Division