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**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

JON M. HUNTSMAN, JR.  
*Governor*

MICHAEL R. STYLER  
*Executive Director*

JOHN R. BAZA  
*Division Director*

GARY R. HERBERT  
*Lieutenant Governor*

May 18, 2010

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

Subject: Waste Analysis Lab Data, Canyon Fuel Company, Dugout Canyon Mine, C/007/0039, Task ID #3542

Dear Mr. Sass:

The Division has reviewed your recently submitted Waste Analysis Lab Data and determined that there are deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met. The deficiencies are listed as an attachment to this letter.

In order to facilitate an expedient response to the deficiencies, the initials of each deficiencies author are provided so that your staff can communicate directly with that individual should questions arise.

The plans as submitted are denied. Please resubmit the entire application.

Please call me (801) 538-5262 or Steve Christensen (801) 538-5350 with any questions or concerns that you may have.

Sincerely,

James D. Smith  
Permit Supervisor

JDS/SKC/sqs  
cc: Price Field Office  
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**Deficiency List**  
**Task No. #3542**  
**Waste Analysis Lab Data**

Priscilla Burton (PB) was the sole reviewer of the submitted information:

**R645-300-142 and R645-301-731.311-** Please determine the volume of waste transported to the waste rock site in 2009 based upon the average bulk density of the waste. Please calculate the required number of samples for the volume of waste transported and ensure that the Division is provided with one sample/5,000 yd<sup>3</sup>, in accordance with the MRP Section 536.200. (PB)