



United States Department of the Interior  
OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
BROOKS TOWERS  
1020 15TH STREET  
DENVER, COLORADO 80202

*orig*  
*cc* L. Brantley  
J. Whitehead  
K. Key  
JRW

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RECEIVED

Dr. Dianne Nielson, Director  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

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DIVISION OF OIL  
GAS & MINING

Dear Dr. Nielson:

The Office of Surface Mining (OSM) has reviewed the portion of the final technical analysis for the Bear Canyon mine relating to the proposed incidental boundary changes resulting from mining activities in Federal coal outside the permit area. The approach is sound; however, stipulation 2 should be revised to reflect that further mining activities in the leased Federal coal will require a new permit and will require approval of a mining plan (rather than a mining plan modification as there is no mining plan) by the Secretary of the Interior.

If you have any questions, please contact Richard Holbrook at (303) 844-2896.

Sincerely,

*Richard E. Dawls*

*fa* Allen D. Klein  
*fa* Administrator  
Western Technical Center

cc: Robert Hagen, OSM - Albuquerque