

**From:** "Carl Johnston" <CJOHNSTO@osmre.gov>  
**To:** <DARONHADDOCK@utah.gov>  
**Date:** 8/14/03 7:20AM  
**Subject:** Genwal Resources, Inc. - Blasting Plan Revision

Attached is OSM's preliminary decision regarding the need for a Mine Plan Determination for the above subject. A signed copy 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.

**CC:** <George\_Tetreault@blm.gov>, <James\_Kohler@blm.gov>, <creed01@fs.fed.us>, <laura\_romin@fws.gov>, "Mitchell Rollings" <MROLLING@osmre.gov>, "Ranvir Singh" <RSINGH@osmre.gov>, <PAMGRUBAUGHLITTIG@utah.gov>, <SHEILAMORRISON@utah.gov>

UT-0067

August 14, 2003

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: Genwal Resources, Inc. - "Crandall Canyon Mine" - Revised Blasting Plan

Dear Sir or Madam:

This in response to the Utah Division of Oil, Gas, & Mining's (UT-DOGM) August 13, 2003, request for a decision, under 30 CFR 947.30, 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 Revised Blasting Plan has determined that it proposes to replace two pages of text in Chapter 5 and to add Appendix 5-24 to the approved permit application package in order to abate a Notice-of-Violation issued to the Crandall Canyon Mine, Utah State permit C/015/032.

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 ' 746.11(a) and 746.18(d)(6). Therefore, since no changes in the recovery of Federal coal is involved, or a change in the post mining land use of Federally owned surface lands, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

Please notify the applicant of our decision on this matter.

OSM's decision does not, however, relieve UT-DOGM from coordinating the review and approval of the Revised Blasting Plan with other Federal agencies for compliance with other Federal regulations.

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: Denver Field Division