



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

November 20th, 2019

Karin Madsen, Resident Agent
Genwal Resources, Inc.
P.O. Box 910
East Carbon, Utah 84520-0910

Subject: Final Reclamation Plan, DO-19B, Genwal Resources, Inc., Crandall Canyon Mine, Task ID #5968, C/015/0032

Dear Ms. Madsen:

I received an email from PJ Jensen (Genwal Resources, Inc.) on November 14th requesting an extension to respond to the deficiencies identified during the most recent review of the proposed final reclamation plan revisions to the Crandall Canyon Mine's Mining and Reclamation Plan (MRP). The deficiency letter (dated August 21st, 2019) established a due date of November 22nd, 2019 which provided over 90 days to respond to the deficiencies (Task #5968).

After my telephone conversation with Mr. Jensen on November 18th, I have better understanding of your situation and the issues that have arisen as a result of the recent bankruptcy filing by Murray Energy Corp. The Division of Oil, Gas and Mining (the Division) fully recognizes and sympathizes with your current situation. As always, my staff and I will continue to work with you in any way we can to help facilitate the requisite final reclamation plan revisions to the Crandall Canyon Mine's permit. The Division hereby grants a 30 day extension to provide a response to the aforementioned deficiencies. The extension establishes a new due date of December 20th, 2019.

As you may recall, extensive leg work was conducted by Division staff in soliciting comments from affected stakeholders (e.g. Bureau of Land Management, Emery County, and USDA Forest Service) regarding the array of reclamation options initially identified as well as arranging and conducting a meeting with said stakeholders. Additionally, written direction from both the USDA Forest Service (the Forest) and the Utah Division of Water Quality (DWQ) as to how to proceed with the proposed pipeline construction was also obtained by Division staff with the letters from each agency forwarded to you approximately a year ago (DWQ letter emailed to



Page 2

November 20, 2019

Subject: Crandall Canyon Final Reclamation Plan

you on 11/15/2018, Forest letter emailed to you 12/10/2018). The Division initiated this legwork in a sincere and earnest effort to help you and provide direction on the regulatory landscape for the proposed pipeline.

Upon recent discussions with DWQ and Forest staff, it's the Division's understanding that the UPDES revision process has yet to be initiated by Genwal Resources. Additionally, it appears that Genwal Resources has met with the Forest one time (June 25th, 2019) regarding the acquisition of a special use permit and that their work will not be completed until spring 2020. Additionally, on numerous occasions I have personally reached out to you to set up a meeting to discuss the deficiencies the Division has identified with the proposed reclamation plan. To my knowledge, no one from the Division has been contacted to facilitate such a meeting. The Division fully recognizes the limitations you now face as a result of the bankruptcy; however, the issues with the proposed changes to the Crandall Canyon Mine's final reclamation plan were identified long before the bankruptcy was announced.

The Division will, as always, continue to make ourselves available to you and your staff and are more than willing to go beyond our required regulatory obligations to help. We merely ask that you extend a greater measure of good faith in resolving the final reclamation plan issues.

Sincerely,



Steve Christensen

Coal Program Manager