



IN REPLY REFER TO:

# United States Department of the Interior

OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
P.O. Box 46667  
Denver, Colorado 80201-6667

UT-0081

August 13, 2007

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

*J. Scamling*  
c/025/0005

RE: Alton Coal Development - "Coal Hollow" Mine - Application for a New Permit,  
Task ID No. 2814

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas & Mining's (UT-DOGM) July 10, 2007, 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 New Permit, has determined that it requests a new surface mining and reclamation permit for approximately 636 privately owned surface acres and containing both fee and unleased Federal coal. The proposed coal mining operations at the proposed Coal Hollow Mine, Utah State permit C/025/0005 will be limited to only fee coal.

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 PART 746. Therefore, the proposed application for a new permit does not constitute a mining plan action requiring Secretarial approval. UT-DOGM should work closely with the Bureau of Land Management regarding the impact of the proposed new permit on unleased Federal coal.

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, Application for a New Permit, with other Federal agencies for compliance with other Federal regulations.

TAKE PRIDE  
IN AMERICA 

RECEIVED

AUG 16 2007

DIV. OF OIL, GAS &amp; MINING

OSM also electronically transmitted the July 10, 2007, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

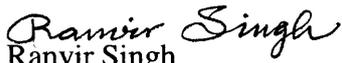
In an electronic submittal dated July 10, 2007, the U.S. Forest Service stated it had no comments.

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