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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

November 20, 1998

Dave Ariotti, District Engineer
Southeastern Utah Health Department
28 South 100 East
Price, Utah 84501

Re: Air Quality Order, Canyon Fuel Company, LLC, SUFCO Mine, ACT/041/002-98F, Folder #2, Sevier County, Utah

Dear Mr. Ariotti:

The referenced amendment has been reviewed by Pete Hess Senior Reclamation Specialist for the Division. His recommendation is provided.

TECHNICAL ANALYSIS:

OPERATION PLAN

AIR QUALITY

Regulatory Reference: R645-301-420, et al. Air Quality

Analysis:

Air Quality

As noted above, it is the permittee's desire to increase the annual maximum allowable production level from 5,000,000 TPY to 8,000,000 TPY. The current maximum production level was applied for and approved through proper permitting actions with the State of Utah, Department of Environmental Quality, Bureau of Air Quality (DAQE-154-98) and the Utah Division of Oil, Gas, and Mining (ACT/041/002-98C).

The permittee has applied for and received an increase in throughput for the additional 3,000,000 TPY from the Utah Bureau of Air Quality (DAQE-714-98), as of October 28, 1998.
The approval of ACT/041/002-98F by the Division will finalize the approval actions necessary and allow incorporation of this document into the SUFCO mining and reclamation plan.

Amendment 98F includes the new AO document, as well as a revised Page 4-14, Section 4.2.3, Monitoring Program, with both the lined strikeout/highlighted changes and a clean copy. The changes which have been made merely reflect the addition of the new AO approval number, and the date which

that document became effective.

Findings:

Air quality issues and compliance requirements are permitted through the State of Utah, Department of Environmental Quality, Bureau of Air Quality and as such are theoretically outside the realm of Utah Division of Oil, Gas and Mining jurisdiction. The Clean Air Act, (42 U.S.C. Sec.7401 et seq.) and R645-301-421 give the Division the authority, in cooperation with the Utah BAQ to regulate and enforce air quality issues at coal mining operations within the State of Utah.

Revised page 4-14 merely updates the SUFCO mining and reclamation plan, reflecting the new AO number and its associated effective date.

CONCLUSIONS AND RECOMMENDATIONS

ACT/041/002-98F should be approved as submitted.

If you have any questions please call Pete Hess at (435) 637-5806. Thank you for the opportunity to provide comments.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

tam
cc: Ranvir Singh, OSM
Richard Manus, BLM
Janette S. Kaiser, US Forest Service
Rob Mrowka, US Forest Service
Mark Page, Water Rights
Dave Ariotti, DEQ
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