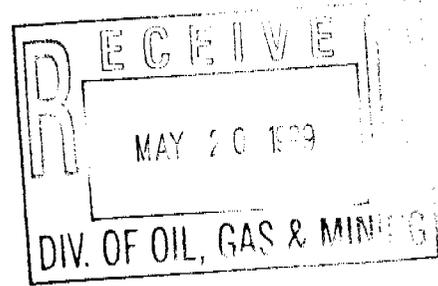


0036



Canyon Fuel Company, LLC
SUFCO Mine
397 South 800 West
Salina, UT 84654
(435) 637-4880 Fax: (435) 636-4499



May 13, 1999

ACT/041/082 #2

Permit Supervisor
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Re: Deficiencies Response, February 19, 1999, 150 Acre Incidental Boundary Change,
Canyon Fuel Company LLC, SUFCO Mine M&RP ACT/041/002-IBC98-2

Dear Permit Supervisor:

The enclosed eight copies of materials are being submitted to update the 150 Acre Incidental Boundary Change amendment submitted on December 1, 1998. Attached are DOGM forms C-1 and C-2 and appropriate pages and Plates for modification of the Revision Amendment to the MRP.

These pages and Plates have been revised to address the deficiencies in the Division letter.

The deficiencies and responses to the 150 Acre IBC are:

1. **R645-301-121.200, R645-301-525.130 and R645-301-525.542**
The Permittee must clearly state the angle-of-draw that was used to calculate the area of potential subsidence for longwall and continuous miner sections.

Response:

Text on page 5-19 has been updated to include data on longwall sections in the MRP.

2. **R645-301-521.140 to R645-301-521.142**
The Permittee must update all mine and subsidence maps to show the changes to not

longwall mining under Box Canyon.

Response:

Plates 5-7 and 5-10 have been revised to reflect no undermining of Box Canyon in the perennial stream zones.

3. **R645-301-114**

The application indicates the applicant has received the right to enter and begin mining and reclamation operations in the proposed addition to the permit area. This contradicts verbal information received from the Bureau of Land Management. The applicant needs to show its basis for claiming right of entry and discuss the rights claimed.

Response:

The right of entry from the Bureau of Land Management will be provided for the 150 Acre area as soon as SUFCO receives it from the BLM. The lease modification date will be updated on page 1-34 at the same time.

4. **R645-301-411.140**

The application needs to contain historic and archaeological resource information about the area proposed to be added to the permit area.

Response:

Text has been added to pages 4-6 and 4-6A in the MRP to reflect this information. Cultural resource information and maps identifying cultural and historical study areas are located in the Appendix 4-2 addition.

5. **R645-301-322.200**

The application needs to contain baseline information about species and habitats of special concern, including a discussion or maps showing where these species occur in relation to the proposed mining operations.

Response:

Revised Tables 3-1 and 3-2 and new Table 3-3 and text has been added to page 3-18 in the MRP to reflect this information.

6. **R645-301-411.140**

The applicant needs to supply cultural resources information before the Division can make a recommendation to the State Historic Preservation Office whether there will be adverse effects.

Response:

Text has been added to pages 4-6 and 4-6A in the MRP to reflect this information. Cultural resource information and maps identifying cultural and historical study areas are located in the Appendix 4-2 addition.

7. **R645-301-330**

The application needs to discuss potential effects of the proposed mining operation on threatened and endangered species and other species of special concern, such as sensitive species. The Division is particularly concerned about those that could be affected by disruption of the hydrologic balance.

Response:

Revised Tables 3-1 and 3-2 and new Table 3-3 and text has been added to page 3-18 in the MRP to reflect this information.

8. **R645-301-332**

The applicant needs to propose a plan for quantitatively monitoring the effects of subsidence on the riparian vegetation in Box Canyon.

Response:

Text has been added to page 3-35 in the MRP to reflect this information.

9. **R645-301-731**

Enhancements to the surface and groundwater monitoring program as detailed below, commitments to specific measures to mitigate possible damage due to subsidence cracking, and revised maps reflecting no undermining of Box Canyon Creek.

Response:

Commitments to mitigate possible damage due to subsidence cracking references in the present plan would also refer to and include the area of this 150-acre lease modification amendment. Some of these commitments to mitigate possible damage can be found on pages 5-11, 5-21 5-33, and in Section 5.2.5.2 in Chapter 5 of the MRP. Plates 5-7 and 5-10 have been revised to reflect no undermining of Box Canyon in the perennial stream zones.

The applicant needs to make the following additions to the monitoring plan:

- ◆ Include FEIS spring monitoring points number 212, and either 209 or 210, whichever has

the greater flow. These are in addition to the already proposed monitoring point Pines-206. Submit all information previously gathered at all these points.

Response:

Spring monitoring points Pines-209 and Pines-212 have been added to Table 7-2 Water Monitoring Program on page 7-39 in the MRP. Plate 7-3 has been revised to reflect these additions.

- ◆ Include FEIS stream monitoring points numbered 407 and 408 and submit all information previously gathered at these points.

Response:

Stream monitoring points Pines-407 and Pines-408 have been added to Table 7-2 Water Monitoring Program on page 7-39 and text has been added to page 7-45 in the MRP to reflect this information. Plate 7-3 has been revised to reflect these additions.

- ◆ Perform a gain/loss flow rate survey (similar to that in MAYO, Figure 8) along the length of Box Canyon and along East Fork of Box Canyon. In Box Canyon, flow would be measured at the north lease boundary, existing stream monitoring point 090, in the stream at FEIS springs 203 and 204, and stream monitoring point 407 (a total of five points). In the East Fork, flow would be measured at FEIS stream monitoring points 106 and 408, and three equally spaced points between them (a total of five points). Conduct the survey on both streams during the last two weeks of July, August and September and not less than five days after the last precipitation/storm event. Begin the survey in 1999 and make it an ongoing part of the monitoring plan.

Response:

This item has been deleted as per discussions with Mike Suflita of the Division of Oil, Gas and Mining. The addition of stream monitoring points 407 and 408 and the associated monitoring program as described in the previous response satisfy this deficiency.

- ◆ Monitor the stock watering pond that is on the northeast corner of the 150-acre addition. Parameters to be measured will be determined in conjunction with the Forest Service which administers that facility and who have experience with similar situations.

Response:

West Pine stock watering pond that is on the northeast corner of the 150-acre addition does not hold water at the present time. The east end of the dam has been washed out prior to any mining operation in the area and will not allow water to be collected in the pond.

- ◆ There is confusion regarding the parameters being reported for stream monitoring point 089 on the upper reach of Box Canyon Creek. The MRP indicates this is a spring with discharge measurements and the reported readings are understood to be reported in meters. This indicates depth, not flow. This needs to be cleared up.

Response:

SUFCA monitoring point 089 is a spring feed pool that does not discharge a measurable flow at the surface but discharges through the sediments at the base of the pool. Pages 7-39 and 7-40 in the MRP have been modified to help clear this up.

- ◆ Age date test the underground water intercepted by mining operations to determine if it is of older or of meteoric origin. Take one sample as soon as possible after mining begins and another when mining is about half way through the 150-acre area. Indicate on a map the location of each sample taken.

Response:

SUFCA agrees to obtaining at least two samples for isotopic (age-dating) analysis within the longwall panel underlying the 150 acre IBC. The permit has been revised accordingly on page 7-43 in the MRP.

- ◆ Meter water volumes pumped from the section of the mine in the 150-acre addition. This should be relatively simple since the water would be pumped up-dip from that area as a discreet and separate part of the mine. Units would be reported in average number of gallons per day being pumped.

Response:

Due to technical and costs difficulties, SUFCA is reluctant to agree to this stipulation. The volume of water anticipated to be pumped from the north end of the panel is in excess of 1000 gpm. Additionally, this water is typically heavily laden with coal fines. The cost of a totalizing meter large enough to be installed in a 10-inch line would be significant (Several tens of thousands of dollars) and

realistically would be worn out after a relatively short period of pumping.

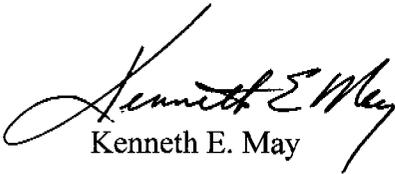
Water from other parts of the mine updip of the 150 acre IBC will also drain to low end of the IBC, the only practical location to place a sump to measure mine in-flows within the 150 acre IBC. The additional inflows from other locations within the mine would invalidate the data intended to provide information regarding the volume of inflow to the mine from the 150 acre IBC.

If you have any questions or need additional information, please contact Mike Davis at (435) 637-4880 or Chris Hansen at (435) 448-2669.

Sincerely,

CANYON FUEL COMPANY, LLC

SUFCO Mine



Kenneth E. May
General Manager

Encl.

KEM/MLD:kb

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APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change X	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/041/002
Title of Proposal: Deficiencies Response, February 19, 1999, 150-Acre Lease Modification to Lease U-63214						Mine: SUFCO MINE
						Permittee: CANYON FUEL CO., LLC

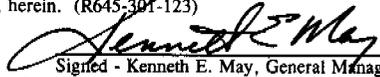
Description, include reason for application and timing required to implement: Lease Modification for 150 acres of reserves that are isolated by Lease U-63214, the Pines Tract and Box Canyon.

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1. Change in the size of the Permit Area? <u>150</u> acres Disturbed Area? _____ acres <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO # _____
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

X Attach 8 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)


5/17/99
 Signed - Kenneth E. May, General Manager - Date

Subscribed and sworn to before me this 17th day of May, 19 99.


 Notary Public



NOTARY PUBLIC
ELLA RUTH WAYMAN
 30 North 500 West
 Aurora, Utah 84602
 My Commission Expires
 March 19, 2003
STATE OF UTAH

My Commission Expires: _____ 19____
 Attest: STATE OF _____ COUNTY OF _____

Received by Oil, Gas & Mining

ASSIGNED TRACKING NUMBER

Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application: Deficiencies Response, February 19, 1999, 150-Acre Lease
Modification to Lease U-63214

Permit Number: ACT/041/002

Mine: SUFCO MINE

Permittee: CANYON FUEL CO., LLC

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit application. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 1-34, and 1-37 in Chapter 1, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 3-iv, 3-12 to 3-15, 3-18 to 3-27, and 3-35 in Chapter 3, Volume 1 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 3-27A to 3-27F, and 3-35A in Chapter 3, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 4-5, 4-6, and 4-15 in Chapter 4, Volume 1 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Page 4-6A in Chapter 4, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 5-19 to 5-21 in Chapter 5, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Page 7-39, 7-40, and 7-43 to 7-45 in Chapter 7, Volume 2 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Page 7-45A in Chapter 7, Volume 2 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plates 3-1, 3-2, and 3-3 in Chapter 3, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 4-1 in Chapter 4, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plates 5-1, 5-2C, 5-5, 5-6, 5-7, 5-8, and 5-10 in Chapter 5, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 6-1 in Chapter 6, Volume 2 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plates 7-2, 7-3, and 7-8 in Chapter 7, Volume 2 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 9-1 in Chapter 9, Volume 2 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Addition to Appendix 4-2 AERC Report at the back of Appendix 4-2 in Volume 6 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Addition to Appendix 7-17 PHC at the back of Appendix 7-17 in Volume 10 of MRP.
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
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<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

This form includes all revised pages for the 150-Acre Lease Modification originally submitted on December 1, 1998 and the revised pages submitted with this deficiency response. This form supersedes the original form submitted on December 1, 1998.