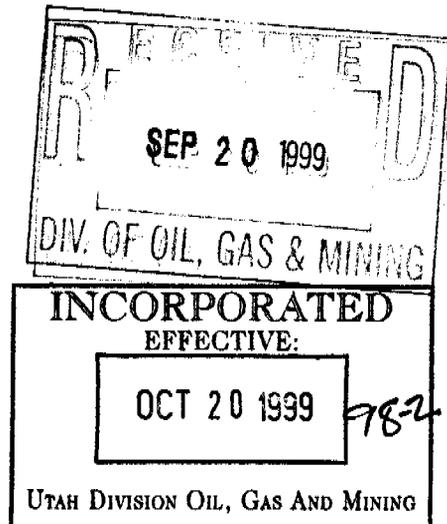




Canyon Fuel Company, LLC
 SUFCO Mine
 397 South 800 West
 Salina, UT 84654
 (435) 637-4880 Fax: (435) 636-4499

September 14, 1999

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



Re: Fourth Submittal, Deficiencies Response #3, August 23, 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 for modification of the Revision Amendment to the MRP.

These pages have been revised to address the deficiencies in the Division letter and need to replace the pages in the original submittal.

The deficiencies and responses to the 150-Acre IBC are:

1. **R645-301-411.140**

The application needs to discuss archaeological site 42SV 2492 in relation to the requirements of R645-301-411.104.

Response:

A meeting was held onsite at this archaeological site on September 13, 1999 with the Forest Supervisor and staff of the Manti-LaSal National Forest and Pete Hess of DOGM. The Forest Service will be working on getting the clearances from the State Historic Preservation Office. The Forest Service indicated that they could approve mining of the gate-roads and stipulate that an acceptable solution to mitigate adverse impacts will need to be approved before subsidence occurs in the area of this archaeological site 42SV 2492.

2. **R645-301-330**

The application needs to include a plan to locate and photograph representative samples of vegetation growing in bedding planes and fractures on the walls of Box Canyon. This plan has been included in a draft submittal, but this needs to be incorporated in the application.

Response:

The draft submittal pages 3-18 and 3-35 have been incorporated into this submittal to be included into the MRP.

3. **R645-301-731**

Provide an updated Plate 7-3 showing monitoring point Pines 218, and monitoring of points Pines-407 and Pines-408 for at least five years.

Response:

Plate 7-3 has been revised to include the new monitoring point Pines 218. Text on page 7-45 has been updated to reflect the monitoring changes requested for Pines-407 and Pines-408 in the MRP.

Your timely review and approval of the 150-Acre lease modification request as an incidental boundary change will be greatly appreciated. Approval is respectfully requested by October 1, 1999. This action will allow continued operations of all mining sections at the SUFCO Mine and recovery of the reserves in the lease modification area.

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

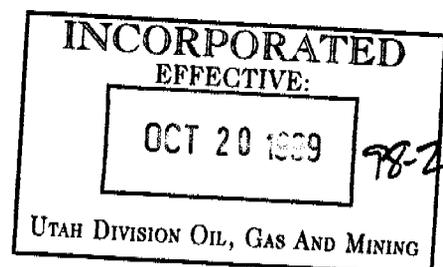
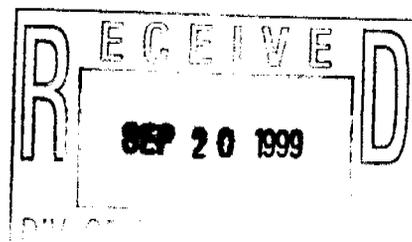
Sincerely,
CANYON FUEL COMPANY, LLC
SUFCO Mine


Kenneth E. May
General Manager

Encl.

KEM/MLD:kb

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APPLICATION FOR PERMIT PROCESSING

| | | | | | | |
|--|-------------------------------------|----------------------------------|-----------------------------------|--------------------------------------|---------------------------------------|----------------------------|
| Permit Change <input checked="" type="checkbox"/> X | New Permit <input type="checkbox"/> | Renewal <input type="checkbox"/> | Transfer <input type="checkbox"/> | Exploration <input type="checkbox"/> | Bond Release <input type="checkbox"/> | Permit Number: ACT/041/002 |
| Title of Proposal: 150-Acre Lease Modification to Lease U-63214. | | | | | Mine: SUFCO MINE | |
| Fourth submittal | | | | | 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. This permit amendment is respectfully requested by October 1, 1999 to meet planned mine development.

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"/> X Yes | <input type="checkbox"/> No | 1. Change in the size of the Permit Area? 150 acres Disturbed Area? _____ acres <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 2. Is the application submitted as a result of a Division Order? DO # _____ |
| <input checked="" type="checkbox"/> X 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"/> X No | 4. Does application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 5. Does application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 6. Does the application require or include public notice/publication? |
| <input checked="" type="checkbox"/> X 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"/> X 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"/> X No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X 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"/> X No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input checked="" type="checkbox"/> X 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"/> X 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"/> X 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"/> X No | 15. Does application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> X Yes | <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> X Yes | <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps, or calculations? |
| <input checked="" type="checkbox"/> X Yes | <input type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 21. Have reclamation costs for bonding been provided for? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> X No | 22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input checked="" type="checkbox"/> X Yes | <input type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

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OCT 20 1999 98-2

DIVISION OIL, GAS AND MINING

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. (R645-301-125)

Kenneth E. May 9/15/99
Signed - Kenneth E. May, General Manager - Date

Subscribed and sworn to before me this 15th day of Sept., 1999.

Ella Ruth Wayman
Notary Public

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

NOTARY PUBLIC
ELLA RUTH WAYMAN
30 North 500 West
Aurora, Utah 84620
My Commission Expires
March 19, 2003
STATE OF UTAH

Received by Oil, Gas, & Mining
RECEIVED
SEP 20 1999
DIV. OF OIL, GAS & MINING
ASSIGNED TRACKING NUMBER

Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application: 150-Acre Lease Modification to Lease U-63214

Permit Number: ACT/041/002

Complete List of Changes for Original Submittal (12-1-98), Second Submittal (5-13-99),
Third Submittal (7-13-99), and Fourth Submittal (9-14-99).

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, and 4-6 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 type="checkbox"/> REPLACE | <input checked="" type="checkbox"/> REMOVE | Remove the new page 4-15 (R 5/99) that was submitted with the Second Submittal. |
| <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 | Coal Lease UTU-63214 Modification at the back of Appendix 1-2 in Volume 4 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 | |
| <input type="checkbox"/> ADD | <input type="checkbox"/> REPLACE | <input type="checkbox"/> REMOVE | |
| <input type="checkbox"/> ADD | <input type="checkbox"/> REPLACE | <input type="checkbox"/> REMOVE | |
| <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 for the three deficiency responses submitted. This form when approved will combine and supersede the Original form submitted on December 1, 1998, Second submittal form submitted on May 13, 1999, Third submittal form submitted on July 13, 1999, and Fourth submittal form submitted on September 14, 1999.

**INCORPORATED
EFFECTIVE:**

OCT 20 1999

FR-2