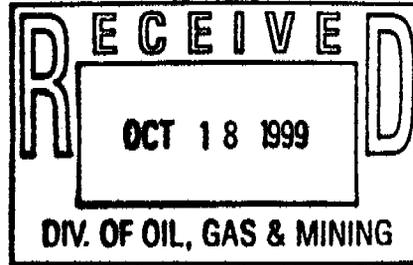


0073



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

ACT/041/002 #2
Copy Daron



October 13, 1999

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

Re: Second Submittal, Incomplete Application deficiencies for Pines Tract Revision dated September 17, 1999, Canyon Fuel Company LLC, SUFCO Mine M&RP ACT/041/002-SR99D

Dear Permit Supervisor:

The enclosed eight copies of materials are being submitted to update the Pines Tract Revision submitted on July 14, 1999. Attached are DOGM forms C-1 and C-2 and appropriate pages for modification of the Revision Amendment to the MRP.

These pages and Plate have been revised to address the deficiencies in the Division letter dated September 17, 1999 and need to replace the pages in the original submittal.

The deficiencies and responses to the Pines Tract Revision:

1. **R645-301-114 Right of Entry**

Right of entry information is adequate to begin review, but Canyon Fuel will need to supply additional information. It is not clear whether the lease has actually been issued.

Response:

The lease was issued effective October 1, 1999. A copy of the lease has been included to be added to the back of Appendix 1-2 in Volume 4 of the MRP and is to be inserted in the Pines Tract Lease Submittal Binder, Volume 1.

2. **R645-301-211 Description of Premining Soil Resources**

Incomplete as stated by the Permittee in the application and below.

Response:

A revised Soils Report of the Pines Tract Project has been included to replace the incomplete report in Appendix 2-7 in the Pines Tract Lease Submittal Binder, Volume 1.

3. **R645-301-221 Prime Farmland Investigation**

Please contact the NRCS to obtain a prime farmland determination for the Pines Tract permit area.

Response:

A copy of the NRCS Determination has been included to be added to the back of Appendix 2-1 in the MRP and is to be inserted in the Pines Tract Lease Submittal Binder, Volume 1.

4. **R645-301-220 Soil Survey**

Incomplete: requires field notes and laboratory analysis. An Order One soils map is not necessary as the disturbance is so small (20' x 20') and only one soil type was found.

Response:

Text has been revised on page 2-8 in the MRP and a revised Soils Report of the Pines Tract Project has been included to replace the incomplete report in Appendix 2-7 in the Pines Tract Lease Submittal Binder, Volume 1.

5. **R645-301-224 Substitute Topsoil Info (When Proposed)**

Pending further information as requested above.

Response:

A revised Soils Report of the Pines Tract Project has been included to replace the incomplete report in Appendix 2-7 in the Pines Tract Lease Submittal Binder, Volume 1.

6. **R645-301-230 Operation Plan: Topsoil Handling/Removal/Storage**

Description of salvage operation (231.100) and storage (234.200) are very vague. More information is necessary to clarify handling of the soils resources (231.400).

Response:

Text has been revised on pages 2-11 and 2-14 in the MRP and needs to be

inserted in the Pines Tract Lease Submittal Binder, Volume 1.

7. **R645-301-240 Reclamation Plan: Soil Redistribution/Stabilization**

The logistics of the application of stored soil from within the portal to the exterior of the reclaimed site after portal closure requires further discussion (242) as well as stabilization of the soil (244).

Response:

Text has been revised on pages 2-18 and 2-19 in the MRP and needs to be inserted in the Pines Tract Lease Submittal Binder, Volume 1.

8. **R645-301-330 Operation Plan: Vegetation-Fish-Wildlife Protection**

Plate 3-3 shows a falcon scrape within a mile of the proposed breakout. The application needs to discuss whether protection is needed and what protection would be done.

Response:

Text has been revised on page 3-35 to address this issue in the MRP and needs to be inserted in the Pines Tract Lease Submittal Binder, Volume 1.

9. **R645-301-526 Mine Facilities Description**

The Permittee must show the Muddy Creek portal on the maps.

Response:

The proposed Muddy Canyon Portal is shown on Plate 5-2C "Detail of Portal Surface Facilities" and needs to replace the Plate 5-2C in the Pines Tract Lease Submittal Binder, Volume 2.

10. **R645-301-700 Hydrology**

The applicant states on the cover page that the PHC was submitted with the 160-Acre right-of-way amendment.

Response:

The Pines Tract PHC was incorporated into the MRP with the 160-Acre ROW on September 2, 1999.

11. **R645-301-723 Sampling and Analysis**

Sampling frequency and sampling data not provided in this submittal.

Response:

The proposed water monitoring program sites and sampling protocol for the Pines Tract were provided on Table 7-2, page 7-39 in the original submittal. The Sampling frequency and sampling data is included on Tables 7-3, 7-4, and 7-5 in the MRP.

12. R645-301-724 Baseline Information:

Water monitoring data not provided in this submittal.

Response:

This information is in the Pines Tract PHC which was incorporated into the MRP with the 160-Acre ROW on September 2, 1999.

13. R645-301-728 PHC Determination

PHC Determination for the Pines Track Lease was not provided in this submittal.

Response:

The Pines Tract PHC was incorporated into the MRP with the 160-Acre ROW on September 2, 1999.

14. R645-301-740 Plans and Designs: Coal Mine Waste

Not discussed in this submittal.

Response:

Coal Mine Waste for the SUFCO Mine which this new lease will become a part of is discussed in the current approved MRP.

15. R645-301-740 Plans and Designs: Disposal of Non-Coal Mine Waste

Not discussed in this submittal.

Response:

Disposal of Non-Coal Mine Waste for the SUFCO Mine which this new lease will become a part of is discussed in the current approved MRP.

16. R645-302-301 Prime Farmland

Please contact the NRCS to obtain a prime farmland determination for the Pines Tract permit area.

Response:

A copy of the NRCS Determination has been included to be added to the back of Appendix 2-1 in the MRP and is to be inserted in the Pines Tract Lease Submittal Binder, Volume 1.

17. R645-302-302 Alluvial Valley Floors

Appendix 7-18 referencing Alluvial Valley Floor determination for the Pines Tract Lease was not found in the submittal.

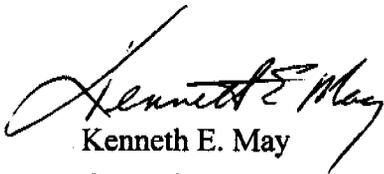
Response:

Text has been added to page 9-7 in the MRP and a copy of the NRCS Determination has been included to be added to the back of Appendix 2-1 in the MRP and is to be inserted in the Pines Tract Lease Submittal Binder, Volume 1.

Your timely review and approval of the Pines Tract Revision will be greatly appreciated. Approval is respectfully requested by December 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

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
Name of Proposal: Second Submittal, Pines Tract Lease UTU-76195 Modification to MRP.						Mine: SUFCO MINE
						Permittee: CANYON FUEL CO., LLC

Description, include reason for application and timing required to implement: **Lease Modification for the Pines Tract reserves that are located in Lease UTU-76195. This permit amendment is needed by December 1, 1999 to meet planned mine development. The R2P2 was submitted to BLM 7-99.**

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? <u>7,171.66</u> acres Disturbed Area? <u>0.017</u> 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 checked="" type="checkbox"/> X Yes	<input 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"/> 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 checked="" type="checkbox"/> X Yes	<input type="checkbox"/> 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?

RECEIVED

OCT 18 1999

DIV. OF OIL, GAS & MINING

Attach 8 complete copies of the application.

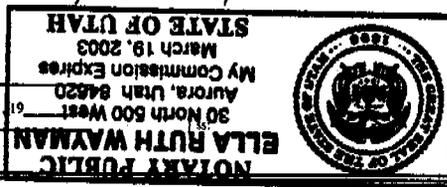
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)

Kenneth E. May 10/14/99
 Signed - Kenneth E. May, General Manager - Date

Subscribed and sworn to before me this 14th day of Oct., 1999.

Ella Ruth Wayman
 Notary Public

My Commission Expires: _____
 State: STATE OF _____
 County: COUNTY OF _____



Received by Oil, Gas & Mining

RECEIVED

DIV. OF OIL, GAS & MINING

ASSIGNED TRACKING NUMBER

Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application: Pines Tract Lease UTU-76195 Modification to MRP.

Permit Number: ACT/041/002

Complete List of Changes for Original Submittal (7-14-99), and Second Submittal (10-13-99).

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 1-24 to 1-28, 1-30 to 1-35, 1-37 in Chapter 1, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 2-iii, 2-2, 2-3, 2-8, 2-10, 2-11, 2-13 to 2-15, 2-16A, 2-18, 2-19 Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 3-iv, 3-1, 3-4A, 3-5 to 3-9, 3-11, 3-16, 3-18, and 3-35 in Chapter 3, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 4-1 to 4-6, 4-8, 4-9, 4-11, 4-12, 4-14, 4-16 to 4-18 in Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 5-vi, 5-16, 5-35, and 5-45 in Chapter 5, Volume 1 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 6-iii, 6-2, 6-4 to 6-10, 6-12 to 6-14 in Volume 2 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 7-vi, 7-2, 7-3, 7-7, 7-7A, 7-9, 7-13, 7-15, 7-16, 7-16A, 7-18, 7-21, 7-23, 7-28, 7-30, 7-34, 7-38, 7-39, 7-39A, 7-43, 7-44, 7-45, 7-58, 7-59 in Chapter 7, Volume 2 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Pages 9-4 to 9-7 in Chapter 9, Volume 2 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Add new Plate 2-2 in Chapter 2, Volume 1 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, and 5-10 in Chapter 5, Volume 1 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Add new Plate 5-11 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 checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Add new Plates 6-3 and 6-4 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	New Coal Lease UTU-76195 document 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	Prime Farmland Determination Document at the back of Appendix 2-1 in Volume 4 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	New Appendix 2-7 and Appendix 2-8 in Volume 4 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	New Appendix 3-9 in Volume 5 of MRP.
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Bond Calculations in Appendix 5-9 in Volume 6 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	New Pines Drill hole log sheets at the back of Appendix 6-1 in Volume 8 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	New Pines Coal analyses sheets at the back of Appendix 6-2 in Volume 8 of MRP.
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	New Pines Water Right Data Sheets at the back of Appendix 7-1 in Volume 9 of MRP.
<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 Pines Tract Lease UTU-76195 Modification originally submitted on July 14, 1999, and the revised pages for the deficiency responses submitted. This form when approved will combine and supersede the Original form submitted on July 14, 1999, and the Second submittal form submitted on October 13, 1999.