



United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement
1999 Broadway, Suite 3320
Denver, Colorado 80202-5733

IN REPLY REFER TO:

UT-0026

February 4, 2003

Ms. Mary Ann Wright
Utah Division of Oil, Gas, & Minerals
1594 West Temple, Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

RE: Canyon Fuel Company, LLC - "SUFCO Mine, Link Canyon Breakout Revision" *FAY*

Dear Ms. Wright:

Mary Ann

Incoming OK
2/04/03
Copy Done
Carte Reed (FS)
Mike Davis (SUFCO)

This letter is written in response to recent conversations and the materials sent to the Office of Surface Mining Reclamation and Enforcement (OSM) concerning the above subject.

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 and the Utah Division of Oil, Gas, and Minerals (UT-DOG M) have both received an application for this permit revision from Canyon Fuel Company, LLC. The permit revision proposes the construction of a ventilation air intake, emergency escape way, and electrical power supply in the vicinity of the old Link Canyon mine on federal surface lands within the existing permit area.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposed permit revision does not meet the requirements of 30 CFR § 748.18(d) and the proposed permit revision does not constitute a mining plan action requiring Secretarial approval. Please notify the applicant of our decision on this matter.

If you have any questions, please call Carl R. Johnston, Utah Federal Lands Coordinator, at (303) 844-1400, extension 1500.

Sincerely,

Ranvir Singh
Ranvir Singh, P.E.
Branch Chief

cc: Denver Field Division

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