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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
Robert L. Morgan
Executive Director
Lowell P. Braxton
Division Director

DIVISION OF OIL, GAS AND MINING
FACSIMILE COVER SHEET

DATE: February 10, 2003
FAX #: 435-286-4499
ATTN: Mike Davis
COMPANY: Canyon Fuel Company, LLC
DEPARTMENT: Sulco Mine
NUMBER OF PAGES: (INCLUDING THIS ONE) 2
FROM: A. Nance

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MESSAGE:

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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

Incoming
2/04/002
Copy Done
FAY
Janet Reed (FS)
Debi [unclear]

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

Dear Ms. ~~Wright~~ *Mary Ann*:

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-DOGGM) 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

RECEIVED
FEB 07 2003 *2/7/03*
MAN
DIV. OF SURFACE MINING

***** P. 01 *****
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