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DEPARTMENT OF NATURAL RESOURCES

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Division of Oil, Gas and Mining

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Outgoing
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December 15, 2009

Ken May, General Manager
Canyon Fuel Company, LLC
597 South SR24
Salina, Utah 84654

Subject: SUFCO Midterm Review, Canyon Fuel Company, LLC. SUFCO Mine, C/041/002,
Task ID #3407

Dear Mr. May:

The Division has completed a midterm review of the SUFCO mine permit. The Division has determined there are some outstanding deficiencies remaining that must be addressed as part of the midterm review in order for the MRP to comply with the R645 Coal Mining Rules. Those deficiencies are listed as an attachment to this letter. Please respond to these deficiencies by no later than January 21, 2010.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of the mine response to that particular deficiency. If you have any questions, please call me at (801) 538-5325 or April Abate at (801) 538-5214.

Sincerely,

James D. Smith
Permit Supervisor

JDS/AAA/sqs
Attachment
cc: Price Field Office
O:\041002.SUF\FINAL\WG3407\3407 DEF_LTR.DOC



Deficiency List

Task No. 3407

Task Name: Midterm Review Deficiency Response

The members of the review team include the following individuals:

Angela Nance (AN)
April A. Abate (AAA)
Ingrid Wieser (IW)
Peter H. Hess (PHH)
Priscilla Burton (PWB)

[R645-301-240]: Section 2.2.4 (p. 2-10) should mention the available substitute topsoil located on interim seeded slopes above the parking lot and portals. This revision of Section 2.2.4 is not urgent and can be incorporated into the next soil permitting action (i.e. as-builts of the overflow pond or west portal development). [PWB]

[R645-301-322.220 & 301-322]: Color infrared photos were submitted to the Division in 2003 and 2008 annual reports. The 2003 photos do not have any associated georeferencing files (i.e. world files- .jgw) so that they can be compared to the 2008 photos. The permittee must submit an analysis of the two sets of photos to the Division that determines whether “substantiated mining-induced changes occurred in the vegetation within the affected areas of the East Fork of Box Canyon.” [IW]

[R645-301-333]: The Spring/seep and associated riparian vegetation loss in the East Fork of Box Canyon and the degradation of the Link Canyon Trail columbines in Pines Tract must be discussed with applicable agencies to determine if a mitigation plan should be developed and submitted to the Division for approval. (Mitigation could include fencing existing riparian areas to prevent overgrazing by cattle, see page 3-40 of the MRP). [IW]

[R645-301-542.200]: The Permittee must submit a plan describing how the **Quitcupah portals** and the **4th East fan portal pad** areas will be backfilled, re-shaped and sealed in order to meet the requirements of approximate original contour. The Division recommends that section 5.4.2.2 Plan for Backfilling, Soil Stabilization, Compacting and Grading of the SUFCO Mine MRP be updated to include this additional information. [PHH]

[R645-301-542.300-310]: Final Surface Configuration Maps and Cross Sections. Provide plans and drawings to show how the areas identified above will be reclaimed and to what configuration:

- 1) Post-reclamation “as-built” drawings for the Link Canyon Substation #1 location
- 2) “Anticipated” final surface configuration drawings with cross-sections for the Link Canyon #2 substation, Link Canyon Intake Portal, Quitcupah portals, 4th East Fan Portal and Pad [PHH]

Other Items:

Please provide updated language to the Reclamation Agreement to reflect the current disturbed acreage as 48.432 acres. [AN]