

December 2, 2014

Permit Supervisor, Utah Coal Regulatory Program
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, UT 84114-5801

Re: Clean Copies of Revision Associated with the Shelters in South Fork, Sufco Mine, Canyon Fuel Company, LLC, Permit Number C/041/0002, Task ID#4713

Dear Sirs:

Please find enclosed with this letter two clean copies of revisions to the Sufco Mine Permit to address the shelters in South Fork Canyon.

The revised "determination of effect" documents and certified maps have been included in Appendix 4-2 (**Confidential**)

If you have questions or need addition information please contact Vicky Miller at (435)286-4481.

CANYON FUEL COMPANY, SUFCO Mine



Kenneth E. May
General Manager

Encl.

cc: DOGM Correspondence File

RECEIVED
DEC 03 2014

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Canyon Fuel Company, LLC

Mine: Sufco Mine

Permit Number: C/041/0002

Title: Clean Copies of Revision to Text Associated with Shelters in So. Fork Quitchupah, Task ID #4713

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach one (1) review copy 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.

KENNETH E. MAY
Print Name
Kenneth E. May 12/2/14
Sign Name, Position, Date

Subscribed and sworn to before me this _____ day of _____, 20_____

Notary Public
My commission Expires: _____, 20_____
Attest: State of _____ } ss:
County of _____ }

For Office Use Only:	Assigned Tracking Number:	<p style="text-align: center; color: blue; font-weight: bold;">RECEIVED</p> <p style="text-align: center; color: red; font-weight: bold;">DEC 03 2014</p> <p style="text-align: center; color: blue; font-weight: bold;">DIV. OF OIL, GAS & MINING</p>
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CHAPTER 4
LAND USE AND AIR QUALITY

INCORPORATED

DEC 03 2014

Div. of Oil, Gas & Mining

These sites include 42SV2690 which consists of a lithic scatter and 42SV3464 which consists of a lithic scatter associated with a small rock shelter. Both sites will be undermined under the present mine plan. This shelter is more of a terrace overhang that measures approximately 1.5 meters high and 4 meters wide at the opening and extends 1.5 meters beneath the rock to a tapered edge. The shelter shows signs of modern disturbance and it appears that some of the fill material has been disturbed by minor looting activities.

A cultural resource investigation plan for the 42SV3464 rock shelter was requested and approved between the U.S. Forest Service, Utah State Historic Preservation Office (SHPO), EnviroWest, LLC and Canyon Fuel Company, LLC since the shelter appeared to have been disturbed. Testing of the rock shelter for significance was conducted by EnviroWest and Fishlake National Forest Archaeologist in the fall of 2012. While the site was initially evaluated as being eligible for listing in the National Register of Historic Places, subsequent testing has found it to be ineligible for listing due to disturbance. A copy of the cultural resource investigation testing report and the Determination of Significance and Effect form are located in Appendix 4-2 in the Confidential folder of the M&RP. No further testing of the 42SV2690 lithic scatter was required.

South Fork of Quitcupah Canyon - 2013 Inventory (October 2014)

During July and August 2013 a file search of archeological/cultural resource records and a pedestrian inventory of the study area was performed by EnviroWest LLC. The report is located in Appendix 4-2, Confidential Folder (2013). During the pedestrian inventory five new cultural resource sites were documented, three consisted of lithic scatters located on the bench area and two rock shelters in the canyon. The lithic scatters were recommended by EnviroWest LLC as ineligible for listing in the National Register of Historic Places (NRHP), whereas the two rock shelters were recommended to be eligible for listing in the NRHP. Upon consideration of the EnviroWest LLC report recommendations and a mine plan prepared by Sufco showing several panels to be mined to the north of the 3R2S panel a "Determination of Significance and Effect" was prepared by Forest Service Archeologist Charmaine Thompson and signed by a SHPO representative in 2013 showing a finding of "adverse effect", Appendix 4-2, Confidential (2013).

Due to a change in Sufco's mine plan and further evaluations by an engineer and geologist it was determined the potential for impact to either shelter by subsidence associated with mining was unlikely. A drawing included in Appendix 4-2, Tension Cracks(2 South) illustrates the location of the shelters in proximity to the 3R2S panel and showed surveyed surface cracks as a result of mining in the 2R2S panel. Evaluation of the cracks from past mining(2R2S, Pines) illustrates that surface cracking associated with subsidence primarily occurs within the mined panel area and well within the anticipated angle of draw of subsidence. Therefore, it is believed that the information and maps

provided in Appendix 4-2 demonstrate that the two shelters 42SV3550 and 42SV3551 should not be affected by the mining.

The additional information was provided to Manti-La Sal Forest Service Archeologist Charmaine Thompson. During a second review of the information pertaining to mining activities in relation to the two shelters (Forest Service Project - ML-13-1452, Appendix 4-2) and a visit to the study area, Ms. Thompson revised her earlier determination to be "no adverse effect" to the shelters listed in the report. Ms. Thompson's evaluation letter and determination were forwarded to the Utah State Historical Society, with a request for concurrence with the decision of "no adverse effect", concurrence was given by Chris Merritt, Senior Preservation Specialist. The documentation of the decision and concurrence is located in Confidential Appendix 4-2.

In accordance with previous commitments the mine has made in previous sections of this M&RP, protection of eligible cultural resources will be in accordance with regulatory authority and Utah SHPO requirements. The Applicant will also instruct its employees that it is a violation of federal and state laws to collect individual artifacts or to otherwise disturb cultural resources.

The Applicant agrees to notify the regulatory authority and the Utah State Historical Preservation Office (SHPO) of previously unidentified cultural resources discovered in the course of mining operations. The Applicant also agrees to have any such cultural resources evaluated in terms of National Register of Historic Places eligibility criteria.

4.1.1.2 Previous Mining Activity

Portions of the mine plan area were mined prior to the filing of this permit application. SUFCO Mine began a small operation mining the Upper Hiawatha Coal seam in 1941. There was no previous mining activity prior to the 1941 SUFCO operation.

From 1941 through 1974, the coal was removed by conventional mining techniques. From 1974 through 1978, both conventional and continuous mining methods were used. From 1978 until October 1985, all mining used continuous mining methods. Since October 1985 both continuous mining and longwall mining methods have been used. The portion of the seam mined by conventional methods was only partially extracted leaving all pillars for support. The majority of the mining done has been full extraction. All longwall mining is full extraction.

The quantity of coal mined prior to this permit application was approximately 37,058,100 tons. The earlier workings are shown on Plate 5-1 as an integral part of the mining operation.

Use of the land preceding mining was primarily grazing. The area also supported limited timbering in the Ponderosa stands and hunting.