



United States Department of the Interior

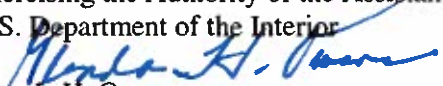
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT Washington, D.C. 20240



DEC 04 2017

MEMORANDUM

To: Katharine S. MacGregor
Deputy Assistant Secretary - Land and Minerals Management,
Exercising the Authority of the Assistant Secretary - Land and Minerals Management
U.S. Department of the Interior

From: 
Glenda H. Owens
Deputy Director, Exercising the Authority of the Director, Office of Surface Mining
Reclamation and Enforcement
U.S. Department of the Interior

Subject: Recommendation for approval of the proposed mining plan modification for Federal
Leases WYW-0271200 and WYW-0271201 at Western Fuels - Wyoming, Inc.'s Dry
Fork Mine, located in Campbell County, Wyoming

I recommend approval, without special conditions, of this mining plan modification for Federal Leases WYW-0271200 and WYW-0271201 at Western Fuels - Wyoming, Inc.'s Dry Fork Mine under the Mineral Leasing Act of 1920, as amended. This mining plan approval supplements all previous approvals for the Dry Fork Mine.

My recommendation to approve Dry Fork Mine's Mining Plan Modification is based on:

- (1) Western Fuels - Wyoming, Inc.'s complete permit application package (PAP) including the Resource Recovery and Protection Plan (R2P2);
- (2) Compliance with the National Environmental Policy Act of 1969;
- (3) Documentation assuring compliance with applicable requirements of other Federal laws, regulations, and executive orders;
- (4) Comments and recommendations or concurrence of other Federal agencies, and the public;
- (5) The Bureau of Land Management's findings and recommendations regarding the R2P2, the Federal lease requirements, and the Mineral Leasing Act; and,
- (6) Findings and recommendations of the Wyoming Department of Environmental Quality Land Quality Division regarding the PAP and the State program.

The Secretary may approve a mining plan for Federal leases under 30 U.S.C. §§ 207(c) and 1273(c). In accordance with 30 CFR Chapter VII, Subchapter D, I find that the proposed mining plan modification is in compliance with all applicable laws and regulations. The decision document for the proposed mining plan action is attached.

Attachment

UNITED STATES
DEPARTMENT OF THE INTERIOR

This mining plan approval document is issued by the United States of America to:

Western Fuels-Wyoming, Inc.
3629 N. Garner Lake Road
Gillette, WY 82716

for a mining plan modification for Federal leases WYW-0271200 and WYW-0271201 at the Dry Fork Mine. This mining plan approval supplements all previous mining plan approvals for the Dry Fork Mine. Western Fuels- Wyoming, Inc. is hereinafter referred to as the operator. The approval is subject to the following conditions.

1. Statutes and Regulations. This mining plan approval is issued pursuant to Federal Coal Leases WYW-0271200 and WYW-0271201; the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.); and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351 et seq.). This mining plan approval is subject to all applicable laws and regulations of the Secretary of the Interior which are now or hereafter in force; and all such laws and regulations are made part hereof. The operator shall comply with the provisions of the Federal Water Pollution and Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and other applicable Federal laws.
2. This document approves the mining plan modification for Federal leases WYW-0271200 and WYW-0271201 at the Dry Fork Mine and authorizes coal development or mining operations on the Federal leases within the area of mining approval. This authorization expands the approved mining plan area into the following Federal coal lands:

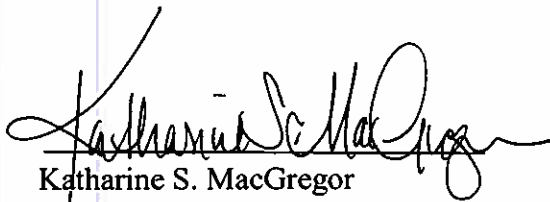
T. 51 N., R. 71 W., 6th Prime Meridian, Campbell County, Wyoming:

Section 31: E1/2 SW1/4, SE1/4

Section 32: S1/2 SW1/4, NW1/4 SW1/4

These lands in Federal leases WYW-0271200 and WYW-0271201 encompass approximately 364.5 acres and are found on the Gillette East and Moyer Springs (Wyoming) USGS 7.5 minute Quadrangle maps and as shown on the map appended hereto as Attachment A.

3. The operator shall conduct coal development or mining operations only as described in the complete permit application package, and approved by the Wyoming Department of Environmental Quality, Land Quality Division, except as otherwise directed in the conditions of this mining plan approval.
4. The operator shall comply with the terms and conditions of the leases, this mining plan approval, and the requirements of Wyoming Permit No. 599 issued under the Wyoming State program, approved pursuant to the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.).
5. This mining plan approval shall be binding on any person conducting coal development or mining operations under the approved mining plan and shall remain in effect until superseded, canceled, or withdrawn.
6. If, during mining operations, unidentified prehistoric resources are discovered, the operator shall ensure that the resources are not disturbed and shall notify the Wyoming Department of Environmental Quality, Land Quality Division and the Office of Surface Mining Reclamation and Enforcement (OSMRE). The operator shall take such actions as are required by the Wyoming Department of Environmental Quality, Land Quality Division in coordination with OSMRE.
7. The Secretary retains jurisdiction to modify or cancel this approval, as required, on the basis of further consultation with the U.S. Fish and Wildlife Service pursuant to section 7 of the Endangered Species Act, as amended, 16 U.S.C. 1531 et seq.



Katharine S. MacGregor
Deputy Assistant Secretary,
Land and Minerals Management
Exercising the Authority of the Assistant Secretary,
Land and Minerals Management
U.S. Department of the Interior

12.19.2017
Date

Attachment