



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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TO: Daron Haddock, Permit Supervisor

FROM: Wayne H. Western, Reclamation Engineer *WHW*

DATE: July 30, 1992

RE: Belina Mine Mid Term Review, Valley Camp of Utah, Belina Complex, ACT/007/001, Folder #2, Carbon County, Utah

R645-301-500 Engineering.

R645-301-512 Certification.

R645-310-512.100 Maps and Cross Sections.

Proposal:

The Operator has stated that all maps and cross-sections will be prepared by, or under the direction of, and certified by a qualified, registered, professional engineer or land surveyor.

Analysis:

The Operator has not supplied the Division with a certified copy of the following maps: R614-301-521.111, Pleasant Valley Mining District; R614-301-521.140, Belina #2 Mine Progress Map; and R614-301-555 R-5 to R614-301-555 R-7.

Deficiencies:

1. The Operator will supply the Division with certified copies of the following maps: R614-301-521.111 Pleasant Valley Mining District, R614-301-521.140 Belina #2 Mine Progress Map, and R614-301-555 R-5 to R614-301-555 R-7.

R645-301-512.200 Plans and Engineering Design.

Proposal:

The Operator has committed to submit plans and engineering designs for excess spoil, durable rock fills, coal mine waste, impoundments, primary roads and variances from approximate original contours which have been certified by a qualified registered professional engineer.

Analysis:

The Operator has committed to comply with the R645-301-512.200 regulations.

Deficiencies:

None

R645-301-513 Compliance MSHA Regulations and Approvals.

Proposal:

The Operator has stated that there are no coal processing waste dams or embankments, impoundments, sediment ponds, or refuse piles that are covered under MSHA regulations or need their approval. Should the Operator need to dispose of underground development waste, coal processing waste, or excess spoil in the underground workings it shall be accomplished in accordance with MSHA and Division regulations.

Analysis:

The Operator does not have the facilities or practices that are covered by the R645-301-513.100 regulations.

Deficiencies:

None

**R645-301-514.100 to
R645-301-514.140 Inspection of Excess Spoil Structures.**

Proposal:

The Operator has committed to comply with all the requirements of R645-301-514.100 to R645-301-514.140. These regulations include having a qualified registered professional engineer or specialist monitor the site preparation and placement of fill. Certified reports will be provided to the Division by a qualified registered professional engineer after each inspection.

Analysis:

The Operator has committed to comply with all the requirements of R645-301-514.100 to R645-301-514.140. This section of the MRP contains no specific information about the excess spoil structures.

Deficiencies:

None.

**R645-301-514.200 to
R645-301-514.250 Refuse Pile Inspection.**

Proposal:

The Operator has not constructed any refuse piles. Should it become necessary to construct a refuse pile(s) they will be built, maintained and inspected following the procedures outlined in R645-301-514.200 to R645-301-514.250.

Analysis:

The Operator has no refuse piles at this time. If refuse piles are required the Operator has committed to have them constructed, maintained and inspected in accordance with the applicable regulations.

Deficiencies:

None.

R645-301-514.300 Impoundments

Proposal:

The Operator will have all impoundments inspected during critical phase of construction and continue on a regular basis until the structures are either removed or final bond release.

Analysis:

The Operator has committed to follow the inspection schedules as outlined in R645-301-514.300 to R645-301-514.440.

Deficiencies:

None.

R645-301-515.100 Reporting a Slide.

Proposal:

The Operator has committed to notify the Division, as soon as possible, in the event of a slide that may have a potential adverse effect on public health, safety, or the environment.

Analysis:

In the event of a serious slide the Operator will notify the Division as soon a possible.

Deficiencies:

None.

R645-301-515.200 Reporting an Impoundment Hazard.

Proposal:

If, during an examination or inspection of an impoundment, there is a potential hazard discovered the person(s), who have examined the impoundment will inform the Division of

the finding and of the emergency procedures formulated for public protection and remedial action. If adequate procedures cannot be formulated or implemented, the Division will be notified immediately.

Analysis:

When the Operator discovers an impoundment hazard he will notify the Division and take step to protect the public safety and environment.

Deficiencies:

None.

**R645-301-515.300 to
R645-301-515.521 Reporting Temporary Cessation.**

Proposal:

During a temporary cessation provisions of the approved permit will be carried out. All mine portals will be maintained and the surface facilities will be secured where there is no current operations.

Should a temporary cessation of coal mining and reclamation operations, of 90 days or more, occur the Division will be notified by registered letter, which will contain information of surface acreage, subsurface strata in the permit area and the extent and kind surface reclamation that will occur during the temporary cessation.

Analysis:

R645-301-515.320 states "Before temporary cessation of coal mining and reclamation operations for a period of 30 days or more, or as soon as it is known that a temporary cessation will extend beyond 30 days, each person who conducts coal mining and reclamation operations will submit to the Division a notice of intention to cease or abandon operations." The Operator has stated that he will notify the Division if the cessation will last 90 days or more while the regulations require notification for cessation lasting 30 days or more.

The Operator has committed to supply the Division with all the information required by the R645-301-515.300 regulations.

Deficiencies:

1. The Operator must notify the Division of any cessation in operations that will last 30 days or more.

R645-301-521.100 Cross-Sections and Maps

Proposal:

Cross-sections and maps show all relevant information required by the Division. They are presented in the map index.

Analysis:

Maps R614-301-521.111 and R614-301-521.124 (sheets 1 through 4) do not have ledgers.

Maps R614-301-512.141 A and B were not included in the mine and reclamation plan.

Deficiencies:

1. Maps R614-301-521.111, R614-301-521.124 Sheets 1 through 4 must have ledgers placed on them and be resubmitted to the Division.
2. Maps R614-301-512.141 A and B must be included in the mine and reclamation plan.

R645-301-521.200 Signs and Markers Specifications

Proposal:

Signs and markers are posted, maintained, and will be removed by Valley Camp and are uniform design that can be readily seen and read, are durable, and conform to local laws and regulations. They include the mine permit and identification sign, perimeter, buffer zone, and topsoil markers.

Analysis:

The Operator has committed to place and maintain all signs and markers as required by R645-301-521.200

Deficiencies:

None.

R645-301-522 Coal Recovery

Proposal:

Valley Camp of Utah, Inc. operates the Belina No. 1 Mine (currently idle), and the Belina No. 2 Mine, both of which are near the head of Whisky Canyon. The Belina No. 1 Mine and the Belina No. 2 Mine are located in the Upper and Lower O'Connor seams respectively. Each seam ranges in thickness from 5 feet to 25 feet, with the average of each being approximately 16 feet.

Analysis:

The Belina No. 2 Mine is the only active operation. High coal thickness and low overburden have made rock recovery difficult. The Operator did not include a copy of his Resource Recovery and Protection Plan. This document will help the Division determine if the coal is being properly recovered.

Deficiency:

1. The Operator will provide the Division with a copy of his Resource Recovery and Protection Plan.

R645-301-523 Mining Method(s)

Proposal:

The current mine plan calls for mining the upper 12 feet of each coal seam.

Approximately two feet of the upper-most coal seam are left in place to aid roof support. The next 10 feet (first mining) below is mined using a continuous miner. The remaining bottom coal is the extracted during the retreat (second mining) from each mining section. For safety and recovery maximization, the Upper O'Connor seam will be mined first. Other mining methods which would improve coal recovery are currently being investigated.

A list of mining equipment and the general mining plan is presented. Details of the current double lift plan as presented in Appendix R614-301-523 which was prepared by Kenneth C. Ko & Associates.

Analysis:

Subsidence is the major concern associated with mining methods. Plug subsidence and tension cracks have occurred which could impact surface and groundwater. These issues will be addressed in the subsidence section.

The Operator states that the main entry system has five entries and then list four intake, one neutral, and three returns; which add up to eight entries.

The Operator needs to include a copy of his MSHA approved roof control plan.

Deficiencies:

1. The Operator will clarify the number of entries that he has in his main entry system.
2. The Operator will include as an appendix a copy of his MSHA approved roof control plan.

R645-301-524

Blasting and Explosives.

Proposal:

The Operator will not routinely utilize surface blasting for underground coal mining activities. In accordance with the requirements of this section, a blasting plan will be provided to the Division and MSHA when required. The Operator has committed to comply with all appropriate rules and regulations.

Analysis:

The Operator does not routinely blast. Prior to any surface blasts the Operator must receive Division and MSHA approval.

Deficiencies:

None.

R645-301-525 Subsidence

Proposal:

The Operator has conducted a pre-subsidence survey to locate structures and renewable resource lands that exist within the proposed permit and adjacent area and whether subsidence, if it occurred, could cause material damage and diminution of reasonably foreseeable use of such structures or renewable resource lands. The pre-subsidence survey conducted by Valley Camp has demonstrated that areas for agricultural and silvicultural production of food and fiber and grazing lands are of such low production that they can be classified as non-renewable resource lands. Aquifers and areas for the recharge of aquifers and other underground water will suffer minimal adverse impacts for the mining activities.

The Operator also states that the forest land is classified as a renewable resource and, as such, will be offered maximum subsidence protection in order to ensure future productivity. A gas pipeline and well located in the permitted area need subsidence protection. Those structures will be protected with a 150 foot buffer zone and a 35 degree angle of draw.

Permanent pillars will be used to prevent subsidence. Because the mine will use a double lift technique special case was taken to ensure that the pillars would not fail. The main pillar design concern is that the pillar height is much greater than the length or width, the slenderness ration becomes an issue.

Subsidence monitoring has consisted of aerial, pedestrian, and transit surveys. Aerial surveys have not been effective for a variety of reasons and are not scheduled for future use. The Operator has committed to conduct an annual subsidence survey for at least five years following reclamation.

Analysis:

The Operator states that the pre-subsidence survey showed that there are no renewable resources on or adjacent to the permitted area. Later he states that forest land is classified as a renewable resource and will be protected. The two statements appear to be contradictory. The Operator needs to clarify the existence of renewable resources in, and near, the permitted area.

The pedestrian survey has been useful in locating subsidence features. Transit surveys are needed to quantify the amount of ground movement and predict future subsidence. An annual transit survey needs to be conducted in order to quantify ground movement.

The subsidence control plan calls for permanent pillars. The technical analysis for the pillars was done by Kenneth C. Ko and Associates. Most of the pillar stability analysis was done using two and three dimensional finite element methods. The largest mesh had 123 elements. The small number of elements will cause problems. The finite element study needs to be backed up with additional studies.

Deficiencies:

1. The Operator will clarify whether or not there are renewable resources on or near the permitted area.
2. The Operator must develop a subsidence monitoring program that includes an annual transit survey.
3. The Operator must supply additional information on pillar stability.

R645-301-526

Mine Facilities

Proposal:

The Operator has listed and described each structure. The Mountain Fuel pipe lines and the UP&L transmission lines are depicted on the subsidence base map and the Valcam Loadout facility map.

The Operator has committed to conduct all coal mining and reclamation activities in a

manner which minimizes damage, destruction, or disruption of services provided by transportation and utility structures.

The Operator has committed to operate all support facilities in accordance with the permit. Erosion, siltation, water pollution control and protection of public and private property will be done using the best technology currently available.

Sediment and filter ponds are used to control water pollution.

The Applicant has received an air quality permit, see Appendix R614-301-400.

Analysis:

R645-301-526.112 requires that plans or photographs of the structure which shows its current condition, be included in the MRP. R645-301-526.113 requires that the approximate dates on which construction of the existing structure was begun and completed be presented in the MRP.

Deficiencies:

1. The Operator will provide plans or photographs of the structures which describe or show their current condition as required by R645-301-526.112.
2. The Operator will provide the approximate dates on which construction of the existing structures were begun and completed as required by R645-301-526.113.

R645-301-527 Transportation Facilities

Proposal:

All roads in the permit area have been classified as primary. The design and construction of the roads were designed and constructed to protect the environment and minimize the impact on fish and wildlife. Should roads be damaged by a catastrophic event repairs will be made as soon as possible.

Analysis:

The Operator has classified all roads in the permit area as primary. The design of the roads has been approved by the Division. In the event of a catastrophe the Operator has committed to make road repairs as soon as possible.

Deficiencies:

None.

**R645-301-528.100 Handling and Disposal of Coal, Overburden, Excess Spoil
and Coal Mine Waste.**

Proposal:

The coal is transported to the surface by conveyor belt, where it is placed in the raw coal storage pad. It is then loaded into truck and shipped to the Valcam Loadout. The coal is then shipped by truck or rail to customers.

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During final reclamation all coal and coal fines, which are unsalable, will be placed in a controlled manner to prevent combustion, ensure stability, and environmental degradation.

Analysis:

The Operator has described how the coal is transported from the face to market. The MRP does not contain a detail description of how the unsalable coal will be disposed of. The Operator needs to state where the coal will be placed, the depth and type of cover, and what impact if any the buried coal will have on surface and groundwater.

Deficiencies:

1. The Operator will describe where the unsaleable coal will be buried.
2. The Operator will describe the depth and type of cover placed on top of the waste coal.
3. The Operator will describe the potential impact that burying the waste coal will have on the surface and ground water.

R645-301-528.200 Overburden

Proposal:

The Operator implied that all overburden generated when the mine was first constructed consisted of coal that sold. Coal that became intermingled with down-cat "overburden" is blended with other coal and sold.

Analysis:

The Operator does not generate overburden. All material removed from the mine is sold to customers without processing.

Deficiencies:

None.

**R645-301-528.300 Spoil, Coal Processing Waste, Mine Development Waste, and
Noncoal Waste Removal, Handling, Storage, Transportation,
and Disposal Areas and Structures.**

Proposal:

The Operator states that no excess spoil is generated. Should excess spoil be generated then it will be placed in a waste disposal area.

The Operator states that no coal mine waste is generated because there are no coal processing facilities. There are no large quantities of refuse materials.

All fires will be extinguished in accordance with a plan approved by MSHA and the Division.

Noncoal mine waste is placed in metal hoppers for temporary storage before being transported to the Carbon County landfill.

No underground development waste is sent out of the Operator's mines.

Analysis:

The term excess spoil is defined by the Division as "spoil (overburden) disposed of in a location other than the mined-out area, provided that the spoil material used to achieve the approximate original contour or to blend the mined-out area with the surrounding terrain." Excess spoil is overburden that is not need for AOC requirement not waste material.

A refuse pile is defined by the Division as "a surface deposit of coal mine waste that does not impound water, slurry, or other liquids or semi-liquid materials. Refuse pile refers to the materials ability to impound water more than to the type of material.

Deficiencies:

1. The Operator must use terms such as excess spoil and refuse pile as they are defined by the Division in R645-100-200.

R645-301-529

Management of Mine Openings

Proposal:

The Operator states that when a suspected or known old working (abandoned mine) is approached that MSHA regulations will be followed.

Any mine opening which is temporarily inactive will be properly guarded so as to prevent access into the opening and posted to identify the hazardous nature of the opening. The devices will be periodically inspected and maintained in good operating condition by Valley Camp.

Analysis:

The Operator has stated that he will follow the MSHA regulations with respect to approaching old workings. The Operator did not state how he would meet those requirements. Nor did the Operator state how the inactive mine opens would be secured to prevent unauthorized entry.

Deficiencies:

1. The Operator will state in detail what procedures will be followed when

approaching suspected or known abandoned mine workings.

2. The Operator will state in detail what procedures will be used to restrict access through an underground opening in the event that opening is temporarily inactive.

R645-301-532

Sediment Control

Proposal:

The Operator has stated that sediment control measures are addressed in the hydrology section.

Analysis:

The Operator has failed to provide the cross references between the engineering and hydrology section.

Deficiencies:

1. The Operator must include cross-references between the engineering and hydrology sections.

**R645-301-533 to
R645-301-533.700**

**Impoundments, Stability, Foundations, Slope and
Embankment Protection, Highwall Location, MSHA and
Non-MSHA Impoundments.**

Proposal:

The Operator has stated that the engineering issues addressed in R645-301-533 through R645-301-533.700 are dealt with in the hydrology sections.

Analysis:

The Operator has failed to provide any cross-references between the engineering and hydrology sections.

Deficiencies:

1. The Operator must include cross-references between the engineering and hydrology sections.

R645-301-534.100 **Roads Location, Design, Construction, Maintenance and Reclamation.**

Proposal:

The Operator has provided maps that show the location and construction of the roads.

The Operator has stated that the Division had granted a variance for the Belina haul road. The variance was granted because the road was constructed through a slide area. The road embankment could not be constructed to have a static safety factor of 1.3 after construction or reclamation due to preexisting conditions.

Analysis:

The Operator provided maps of all roads in the permit area, listed their construction material and how erosion and siltation will be prevented or controlled. The variance for the Belina haul road was discussed. Because the Belina haul road crosses a slide area it is impossible for the embankments to have static safety factors of 1.3 or greater.

The Operator needs to discuss the specific requirement of the variance and how they are or will be meet. There is no copy of the variance in the MRP.

Deficiencies:

1. The Operator must supply the Division with a copy of the slope stability studies for the roads in the Valcam Loadout area.
2. The Operator must include a copy of the variance granted to construct the Belina haul road.
3. The Operator must state how each condition of the Belina haul road variance is or will be meet.

4. The Operator will supply the Division information on how the culverts were designed, installed and maintained to sustain the vertical soil pressure, the passive resistance of the foundation, and weight of vehicles using the roads.

R645-301-535 **Spoil**

Proposal:

There are no designated spoil disposal sites within the permit area. Should it become necessary to construct an excess spoil disposal site one will be constructed and maintained according to R645-301-535.111 through R645-301-535.130.

Analysis:

The Operator has not mentioned whether or not excess spoil has or will be generated. If there is excess spoil then the Operator needs to develop a plan to dispose of that material.

Deficiencies:

1. The Operator will state if there is excess spoil on site and what will be done with it.
2. The Operator will state if he anticipates that excess spoil will be generated in the future and if so how the material will be disposed of.

R645-301-536 **Coal Mine Waste**

Proposal:

The Operator states that there is no coal mine waste disposal site(s) within the permitted area to date. Should the need arise one will be constructed during reclamation. Such structures would comply with all Division and MSHA regulations.

Analysis:

Coal mine waste means coal processing waste and underground development waste. Coal processing waste means earth materials which are separated from the product coal

during cleaning, concentrating, or the processing or preparation of coal. At present the Operator does not process any coal in the permitted area.

The Operator has not stated whether or not there is underground development waste. Rather the Operator has committed to comply with all Division and MSHA regulations if underground development waste must be disposed.

The Operator has stated that there are no coal processing waste banks, dams or embankments in the permitted area. There are no permanent refuse piles within mine permit area.

Deficiencies:

1. The Operator must state whether or not there will be any underground development waste. If so he must provide detailed engineering plans on how that material will be placed.
2. The Operator must state whether or not any refuse material is temporarily placed in a manner that could impound water, slurry, other liquids or semi-liquids. If such temporary structures exist the Operator will supply detailed engineering calculations as required by R645-301-536.900.

R645-301-537

Regraded Slopes

Proposal:

The Operator has stated that some regraded or settled fills is not required to achieve approximate original contours because the conditions of R645-301-537.210 to R645-301-537.250 have been meet. Those regulations require that settled and revegetated fills be composed of spoil or nonacid- or nontoxic-forming underground development waste. The fills most not constitute a health or environmental hazard and have a minimum static safety factor of 1.3 for material placed on a solid bench and 1.5 for material not placed on a solid bench.

Analysis:

The Operator has stated that some settled and revegetated fill areas are exempt from the approximate original contour requirements because R645-301-537.210 to R645-301-

537.250 have been met.

Deficiencies:

1. If the Operator must submit proof that the requirements of R645-301-537.210 to R645-301-537.250 have been met or regrade the slopes to achieve approximate original contours.

R645-301-541 Reclamation

Proposal:

The Operator has committed to permanently close or backfill or otherwise permanently reclaim all affected areas, in accordance with the R645 Rules and the permits approved by the Division, upon ceasing coal mining and reclamation activities.

All surface equipment, structures, or other facilities not required for continued underground mining activities and monitoring unless approved by the Division as suitable for postmining land use or environmental monitoring will be removed and the affected lands reclaimed.

The Operator has submitted a reclamation plan that he claims meets the requirements of R645-301-541.400

Analysis:

The Operator has committed to all the requirements of R645-301-541.

Deficiencies:

None. The Operator is in compliance.

R645-301-542.100 Reclamation Schedule

Proposal:

The Operator has submitted a reclamation plan for the Valcam Loadout facility,

general office area and Belina haul road. Step one is to demolish all buildings and structures except those at the general office area. The next three steps are grading, revegetating, and planting.

Analysis:

The Operator has supplied a schedule for reclamation for the first two years. A schedule for monitoring must also be included.

Deficiencies:

1. The Operator must include a detailed schedule for monitoring reclamation activities and revegetation.

R645-301-542.200 Backfilling and Grading

Proposal:

Plans for backfilling, soil stabilization, compacting and grading are shown on contour maps and cross-sections.

Analysis:

The maps and cross-sections show the reclamation plans.

Deficiencies:

None.

**R645-301-542.300 to
R645-301-542.500 Final Surface Configuration**

Proposal:

Prior to abandoning the Mine Permit Area or seeking bond release, an aerial survey will be done and used to generate final configuration contour maps to evidence all temporary facilities have been removed and reclaimed and all permanent structures are stable.

Analysis:

The Operator has committed to show that prior to final bond release all temporary structures have been removed and all permanent structures have been maintained. R645-301-542.500 requires that a timetable and plans to remove each proposed sedimentation pond, water impoundment be provided. No timetable or plans for the removal of such structures was presented.

Deficiencies:

1. The Operator will provide a timetable and plans for the removal of sedimentation ponds, water impoundments, and other structures as required by R645-301-542.500.

R645-301-542.600 Road Reclamation

Proposal:

Any road not to be retained for postmining land use or is no longer needed for mining and reclamation operations will be immediately closed to traffic, removing all culverts and revegetating the disturbed surface.

Should UDOT choose to relinquish their 150 ft. right-of-way at the Belina haul road approach, Valley Camp will reconstruct the channel beneath said approach.

Analysis:

The Operator has committed to reclaiming all roads that do not have postmining uses or are no longer needed for mining and reclamation operations.

Deficiencies:

None.

R645-301-542.700 Final Abandonment of Mine Openings and Disposal Areas

Proposal:

All mine openings will be sealed with a block stopping, at a depth of not less than 25

feet from the surface. The portal will then be filled and the surface graded. French drains will be used for drainage.

All noncoal waste material which are considered toxic or hazardous will be disposed of in accordance with all federal, state and local regulations. All other noncoal waste materials will be transported from the mine by a licensed contractor and placed in an approved waste disposal area.

Analysis:

The Operator has committed to seal the portals after final abandonment. All noncoal mine waste will be disposed of in accordance with federal, state and local regulations.

Deficiencies:

None.

R645-301-542.800 Reclamation Cost Estimate.

Proposal:

The Operator has not provided the Division with a reclamation cost estimate or any engineering studies needed to calculate such costs.

Analysis:

The Operator has failed to address this regulation with R645-301-542.800.

Deficiencies:

1. The Operator will supply the Division with a detailed reclamation cost estimate and the engineering studies that were used to determine such studies.

R645-301-551 Casing and Sealing of Underground Openings

Proposal:

Permanent closure measures are designed to prevent access to the mine workings and keep acid or other toxic drainage from entering ground or surface waters. The portals near

the Valcam Loadout facility have been permanently closed. The headwall of some portals still remains intact to support the highwall. During final reclamation the headwalls will be removed.

Analysis:

The Operator has committed to seal all portals when no longer needed. Closure will be done according to requirements of the Division and MSHA, and consistent with 30 CFR 75.1711.

Deficiencies:

None.

R645-301-552

Permanent Features

Proposal:

The Operator may leave small depressions if they are needed to retain moisture, minimize erosion, create and enhance wildlife habit, or assist revegetation. That decision will be made during final reclamation.

No permanent impoundments will be left in the permit area.

Analysis:

The Operator may leave small depression if needed for reclamation. All permanent impoundments will be removed.

Deficiencies:

None.

R645-301-553

Backfilling and Grading

Proposal:

The Operator has committed to backfill and grade the disturbed areas. The disturbed areas will be restored to their approximate original contours. Highwalls, spoil piles, and

depressions not needed for reclamation purposes will be eliminated. Erosion and water pollution will be minimized. Slopes will have a long term safety factor of 1.3.

The Belina haul road reclamation will achieve stability of the slopes, and minimize erosion and water pollution. Parts of the Belina road were constructed on a slide area. It is impossible to achieve a minimum static safety factor of 1.3 or restore the slope to the approximate original contour. The Operator will remove the road and stabilize the slope with in technical and economic limitations.

Analysis:

The Operator has committed to backfill and grade the disturbed areas. Parts of the Belina haul road were constructed on a slide area, which limits the amount of reclamation that can be done. The Operator will reclaim the Belina haul road to the extent technically feasible.

Deficiencies:

None.

R645-301-553.200 Spoil and Waste

Proposal:

All spoil and waste materials will be placed in the most suitable locations within the affected area(s) to ensure stability and or to prevent leaching. Actual locations will be determined at the time of reclamation.

Analysis:

The Operator has not stated where the spoil and waste materials will be placed, just that a suitable location will be found during reclamation.

In order to evaluate the placement of spoil and waste the Division needs to know the locations where those materials could be placed during reclamation. The Operator must supply the Division with the location of suitable areas where spoil and waste could be placed.

Deficiencies:

1. The Operator must locate suitable areas for spoil and waste materials to be placed.

R645-301-553.250 Refuse Piles

Proposal:

The Operator states that no permanent disposal structures for refuse will be constructed within the permit area.

Analysis:

The Operator has stated that no permanent disposal structures will be located in the permit area. The Operator has not stated where the refuse could be placed. There is no plan for the permanent disposal of underground development waste.

Deficiencies:

1. The Operator will develop a plan for the disposal of refuse.

R645-301-553.300 Exposed Coal Seams, Acid-and Toxic-Forming Materials.

Proposal:

The Operator has committed to comply with this regulation. The Operator has not stated what if any materials meet the criterion of this regulation or where they will be placed.

Analysis:

The Operator needs to identify all exposed coal seams, acid-and toxic-forming materials and combustible materials that have been or will be produced. If any such materials do exist the Operator must develop a disposal plan and include it in MRP.

Deficiencies:

1. The Operator will determine if there are any exposed coal seams, acid-and toxic-forming materials and combustible materials that have been or will be produced. If such materials do exist the Operator will develop a disposal plan and submit it in the MRP.

R645-301-553.400 Cut-and-Fill Terraces

Proposal:

The Operator state that cut-and-fill terraces will not be used in conjunction with the reclamation.

Analysis:

The Operator will not use cut-and-fill terraces for reclamation.

Deficiencies:

None.

R645-301-553.500 Previously Mined Areas.

Proposal:

The Belina haul road was constructed during interim regulations. There is not enough material to backfill the road to achieve approximate original contours. The highway will be eliminated to the extent technically practical.

Analysis:

The Belina haul road was constructed under the interim regulations. Due to the nature of the area it is impossible for the Operator to restore the roadway to the approximate original contours. The Operator has committed to eliminate the highwall to the extent technologically feasible.

Deficiencies:

None.

R645-301-553.600 Approximate Original Contour

Proposal:

The Operator has stated that he is requesting a variance from the approximate original contour for the Belina haul road and Belina Mine site.

Analysis:

The Operator must submit a request for a variance from the approximate original contours to the Division before the Division will consider granting a variance.

Deficiencies:

1. The Operator must submit a request to the Division for a variance from the approximate original contour requirements and have the Division approve the request.

R645-301-553.900 Settled and Revegetated Fills.

Proposal:

The Operator has stated that settled and revegetated fill are indicated on Map R614-301-550 and such are being contemporaneously reclaimed.

Analysis:

The Operator needs to submit proof that those areas meet the standards for settled and revegetated fill.

Deficiencies:

1. The Operator will submit proof to the Division that those areas meet the

requirements for settled and revegetated fill, and receive Division approval.

2. If the Operator does not prove to the Division that the area meet the criterion for settled and revegetated fills then the Operator will meet the AOC requirements.

R645-301-650

Performance Standards

Proposal:

The Operator has committed to conduct coal mining and reclamation operations in accordance with the approved permit and the requirements of R645-301-510 through R645-301-553.

Analysis:

The Operator has committed to conduct coal mining and reclamation operations in accordance with the approved permit and the requirements of R645-301-510 through R645-301-553.

Deficiencies:

None.

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