

0009



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

March 3, 1999

Dan Meadors, General Manager
Canyon Fuel Company, LLC
P.O. Box 719
Helper, Utah 84526

Re: Expanded Waste Rock Facility, Canyon Fuel Company, LLC, Skyline Mine, ACT/007/005-98F, File #2, Carbon County, Utah

Dear Mr. Meadors:

The referenced amendment has been reviewed by Senior Reclamation Specialist Mike Suflita. Mike's analysis and findings are provided for your records. The amendment is approved with the one stipulation: The water quality of the impoundment must be suitable for agricultural use. A water sample which demonstrates this must be provided to the Division by no later than June 15, 1999.

A stamped approved incorporated copy is enclosed for insertion in your MRP.

TECHNICAL ANALYSIS:

HYDROLOGIC RESOURCE INFORMATION

Regulatory Reference R645-301-121.200

Analysis:

The latest submittal is a revision to Chapter 4 with the addition of pages 4-83 (a), (b), and (c). The two ponds to be left at reclamation are described in detail and include the volume and size of each. The time the ponds have been in place demonstrates that they will be stable and capable of supporting their intended use. Similarly, they are adequately safe and have access for the proposed users, namely livestock. This is demonstrated by the design analysis referenced for the lower pond, and the fact that the upper pond is fully incised without any embankments. Pond operation is described including compliance with the UPDES requirements when emptying the pond by pumping.

The application is still missing a demonstration that the impounded water will be suitable for its intended use. Phone conversations with the applicant indicate they are aware of the State of Utah Water Quality Standard for agricultural purposes. However, the pond is currently frozen and covered with snow so it's not possible to take a representative water sample. This will be necessary to perform in the spring.

Expanded Waste Rock Facility
ACT/007/005-98F
March 3, 1999
Page 2

Findings:

The permanent impoundments are of the size and configuration for their intended purposes. The water level is expected to be stable and capable of supporting their intended use and are safe for the access of the proposed water users. Both impoundments are suitable for the post-mining land use.

However, the information provided in the application is not considered adequate to meet the requirements of this section of the regulations. Prior to approval, the Applicant must provide the following in accordance with the requirements of:

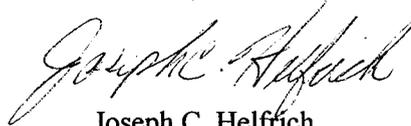
R645-301-733.220, demonstration that the quality of water impounded will be suitable for agricultural use.

RECOMMENDATION

The submittal appears to be in regulatory compliance in all respects except for water sample data which physically cannot be achieved until spring. As such, the permit modification can be approved subject to a stipulation that the water quality be demonstrated as suitable no later than June 15, 1999.

If you have any questions, please call.

Sincerely,



Joseph C. Helfrich
Permit Supervisor

tam

Enclosure

- cc: Gary Taylor
- Chris Hansen
- Ranvir Singh, OSM
- Richard Manus, BLM
- Janette S. Kaiser, USFS
- Mark Page, Water Rights
- Dave Ariotti, DEQ
- Bill Bates, DWR
- Price Field Office