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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340 telephone
(801) 359-3940 fax
(801) 538-7223 TTY
www.nr.utah.gov

Michael O. Leavitt
Governor
Robert L. Morgan
Executive Director
Lowell P. Braxton
Division Director

OK

October 28, 2002

Dan Meadors, General Manager
Canyon Fuel Company, LLC
HC 35 Box 380
Helper, Utah 84526

Re: James Canyon Road & Wells Amendment, Canyon Fuel Company, Skyline Mine,
C/007/005-AM01K-1a, Outgoing File

Dear Mr. Meadors:

The above-referenced amendment has been reviewed. There are deficiencies that must be adequately addressed prior to approval. A copy of our Technical Analysis is enclosed for your information. In order for us to continue to process your application, please respond to these deficiencies by November 1, 2002. Your application will be denied if a response is not received within 90 days of the date of this letter.

If you have any questions, please call me at (801) 538-5340 or Mike Suflita at (801) 538-5259.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".

Daron Haddock
Permit Supervisor

an
Enclosure
cc: Price Field Office
O:\007005.SKYFINAL\DEF01K-1A.DOC



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October 24, 2002

TO: Internal File

FROM: Michael J. Suflita, Reclamation Specialist, and Hydrologist/Team Lead

RE: James Canyon Road & Wells, Canyon Fuel Company, LLC., Skyline Mine, C/007/005-AM01K-1A

SUMMARY:

On November 15, 2001 the Division received an amendment, which, among other things, addressed potential impacts to groundwater due to inflows to the mine. This includes past inflows, in addition to the most recent one on August 16, 2001. On April 1, 2002 the Division responded to the Operator with a Technical Analysis containing several deficiencies. This resulted in the Operator submitting a revised amendment that was received by the Division on July 8, 2002. The Division responded with a Technical Analysis (TA) on October 10, 2002, which had deficiencies.

That October 10, 2002 TA did not include comment on prior deficiencies which had been met by the Operator through Permit Conditions. Also, some of the prior deficiencies have not been met. Therefore, this document has been prepared to address those issues.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

HYDROLOGIC RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 701.5, 784.14; R645-100-200, -301-724.

Analysis:

Probable Hydrologic Consequences Determination

The April 1, 2002 requirement to provide weekly data for wells W79-22-1 and 2 is not possible to achieve since those wells have collapsed. Similarly, the Operator has pointed out the questionable water quality data to be obtained from wells not finished to provide such data. Thus, the requirements of deficiency number 6 of the April 1, 2002 TA are no longer required.

Deficiency numbers 18 and 21 of the April 1, 2002 TA have been met by the Operator submitting such data as part of conditions attached to the Permit to mine. This permit was renewed by the Division on August 16, 2002. The data submissions are not referenced in the Mining and Reclamation Plan (MRP), but the deficiencies has been met.

One deficiency of the April 1, 2002 TA that has been inadequately answered is the following: 19) The Operator must provide age date testing of the mine inflow waters. This should include all inflow points in the mine (16L, 14L, 9L, & 10L) and the water being pumped from both James Canyon wells (JC-1 & JC-2). Age dating information is found in Appendix A; however, it does not satisfy the deficiency. In order to establish the age of the water entering the mine, it's necessary to age date THAT water. While the Operator has clearly established the presence of "old water" throughout the mine, this does not establish the age of the water entering the mine. The Operator must provide age date testing of the mine inflow waters. This should include all six inflow points in the mine as shown on Dwg. PHC A-2 and the water being pumped from the James Canyon wells, JC-1. The water age data for each location should be plotted through time since the water first entered the mine to the present time. An explanation of what the data shows also needs to be included. In particular, describe whether the age of the water at each location is remaining the same or changing in any way.

The Operator must provide an Index to Appendix A to facilitate finding information referred to in the text. Throughout review of the submittal, Division employees found difficulty understanding how the data supported the text conclusions. In particular, much data was simply referred to, and sometimes not even that was done. There needs to be a comprehensive and thorough discussion of the data with specific reference to the figures indicating how inferences and conclusions are achieved. This applies to all technical discussions included in the submittal.

The Operator must provide an updated Figure PHC A-5 including a text explanation of the slope and it's meaning.

The Operator must revise Dwg. No. PHC A-4 to add a vertical scale on both sides of the drawing indicating Mean Sea Level Elevation. Leave the well casing figures as they are.

One of the most challenging aspects of the mine inflow situation is trying to understand the underground water Hydrologic Regime. To better understand that regime, the Operator is required to provide the information indicated in the following table. The wells are those in the ground-water monitoring program and all other wells completed by Canyon Fuel Co. in the Skyline Mine area.

Findings:

The proposed amendment does not meet regulatory requirements. Accordingly, the Permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

R645-301-728 and -731, 1) The Operator must provide age date testing of the mine inflow waters. This needs to include all six inflow points in the mine as shown on Dwg. PHC A-2 and the water being pumped from the James Canyon wells, JC-1. The water age data for each location should be plotted through time since the water first entered the mine to the present time. An explanation of what the data shows also needs to be included. In particular, describe whether the age of the water at each location is remaining the same or changing in any way, and **2)** The Operator must provide an updated Figure PHC A-5 including a text explanation of the slope and it's meaning, and **3)** The Operator must provide a table listing parameters described above for all screened wells in the Skyline Mine area.

R645-301-121.200 and .300, 1) The Operator must provide an Index to Appendix A to facilitate finding information referred to in the text, and **2)** There needs to be a comprehensive and thorough discussion of the data with specific reference to the figures indicating how inferences and conclusions are achieved. This applies to all technical discussions included in the submittal, and **3)** The Operator must revise Dwg. No. PHC A-4 to add a vertical scale on both sides of the drawing indicating Mean Sea Level Elevation. Leave the well casing figures as they are.

RECOMMENDATIONS:

The amendment should not be approved in its present form.