



State of Utah

Department of
Natural Resources

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Division of
Oil, Gas & Mining

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November 3, 2006

Wess Sorensen, Mine Manager
Canyon Fuel Company, LLC
HC 35 Box 380
Helper, Utah 84526

Subject: New Sedimentation Pond at Waste Rock Site, Canyon Fuel Company LLC,
Skyline Mine, C/007/0005, Task ID #2634, Outgoing File

Dear Mr. Sorensen:

The Division reviewed your amendment proposing to add a new sedimentation pond at the waste rock site, which we received on August 31, 2006.

The Division has determined that the information in the amended plan is inadequate. A list of the technical deficiencies is included in this letter. Before the Division can approve the amendment, the attached deficiencies must be adequately addressed.

The initials of the reviewer are at the end of each deficiency. If you have any question, comments or need additional clarification please contact the individual reviewer. The reviewers who have listed deficiencies at this time are:

WHW	Wayne Western	(801) 538-5263
DD	Dana Dean	(801) 538-5320
PWB	Priscilla Burton	(435) 613-1146, Ext. 207

In order for us to continue to process your application, please respond to these deficiencies by January 31, 2007.

If you have any questions, please call me at (801) 538-5286 or Dana Dean at (801) 538-5320.

Sincerely,


D. Wayne Hedberg
Permit Supervisor

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attachment
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Deficiency List
Task ID #2634

R645-301-532, and R645-301-742.120, No discussion of how sediment from the disturbed area will be controlled during the construction of the sedimentation pond is included in the application. [DD]

R645-301-732.100, and R645-301-742.213, The specific regulations for Impoundments, sedimentation ponds, and embankments have not been met, as described in detail below. [DD]

R645-301-742.212, There is no mention of professional certification after the pond is constructed. [DD]

R645-301-711.300, The application does not include all methods and calculations as required. The missing information includes:

- Reference and method for curve number selection
- A reference for the design-storm rainfall amount (P)
- Method for determining sediment volume expected in the design storm (why is it only considered for the disturbed area? The entire watershed reporting to the pond will contribute some amount of sediment.)
- Q (cfs) for the storm event, to compare against the design Q for the spillway
- Manning's roughness coefficient and reference for the spillway calculation
- Spillway material
- Decant pipe size, and calculations [DD]

R645-301-742.221.31, Since the method for determining sediment volumes has not been fully explained and justified in the application, it is unclear whether the pond has adequate sediment storage volume. [DD]

R645-301-742.221.32, No demonstration that the pond will provide adequate detention time to meet state and Federal effluent limitations (in the event of a discharge) is included in the application. [DD]

R645-301-742.221.34, No demonstration that there will be a non-clogging dewatering device adequate to meet the required settling time (in the event of a discharge) is included in the application. [DD]

R645-301-742.221.35, No demonstration that short-circuiting will be minimized (in the event of a discharge) is included in the application. [DD]

R645-301-742.221.36, There is no reference to clean-out volumes or schedules for the pond in the application. [DD]

R645-301-742.221.37, There is no discussion of how excessive settlement will be avoided in the application. [DD]

R645-301-742.221.38, There is no discussion of the pond being free of sod, large roots, frozen soil, and acid- or toxic-forming coal processing waste in the application. [DD]

R645-301-742.221.39, There is no discussion of the pond being compacted properly in the application. [DD]

R645-301-742.223, The spillway design does not include the 25-year 6-hour storm flow data. This should be the maximum flow shown by the hydrograph. [DD]

R645-301-744, There is no discussion of how the discharge from the sedimentation pond will be controlled to reduce erosion and to minimize disturbance to the hydrologic balance. Riprap is shown on the map, but the application contains no reference to designs for the riprap. [DD]

R645-301-512.240, R645-301-533.711, and R645-301-743.120, Because the sedimentation pond falls under the definition of an impoundment (see R645-100-200, Impoundments, and Sedimentation Ponds), a registered professional engineer must certify the impoundment designs and plans. The qualified, registered professional engineer must be experienced in the design and construction of impoundments. [DD]

R645-301-514.300, Plans for a registered professional engineer to inspect the impoundment during construction, upon completion of construction, and quarterly should be included, or referenced. [DD]

R645-301-515.200, Plans for notification of hazard should be included, or referenced. [DD]

R645-301-533.110, and R645-301-733.210, Demonstration of a minimum static safety factor of 1.3 under normal pool conditions must be included in the application. [DD]

R645-301-533.210, The application must demonstrate that "Foundations and abutments for an impounding structure are stable during all phases of construction and operation and are designed based on adequate and accurate information on the foundation conditions." [DD]

R645-301-533.220, The application must include a commitment to remove all vegetative and organic materials and excavate the foundation. The plan must include cutoff trenches if necessary to ensure stability. [DD]

R645-301-533.300, Slope protection must be discussed in the application. [DD]

R645-301-533.400, Stabilization of embankment faces must be discussed in the application. [DD]

R645-301-533.500, The Permittee has not discussed the location or lack of highwalls in the area of the sedimentation pond. [DD]

The Permittee has not met the requirements for permanent impoundments (**R645-301-413.100 through R645-301-413.334; R645-301-533.100 through R645-301-533.600; R645-301-542.400; 733.220 through 226; R645-301-743; R645-302-270 through R645-302-271.400; R645-302-271.600, R645-302-271.800; or R645-302-271.900**). Because the impoundment may be left in place, the Permittee must meet each of the regulations pertaining to permanent impoundments. [DD]

R645-301-533.711, Detailed construction and stability plans for the pond embankment are not included in the plan. [DD]

R645-301-533.712. No design and construction information is included in the plan, including geotechnical information. [DD]

R645-301-733.120, There is not an adequate description of the pond in the text. There is only a mention that a sedimentation pond will be constructed. In addition to general information about the pond (e.g. size), particular attention should be paid to the embankment, its construction, stability, etc. [DD]

R645-301-533.713, The plan does not contain any operation or maintenance requirements for the pond. [DD]

R645-301-531, and R645-301-733.150, There is no reference to the geologic and hydrologic information required to assess the hydrologic impact of the structure. [DD]

R645-301-733.140, No explanation or reference is made to the extent or absence of underground mining and subsidence in the area of the structure. [DD]

R645-301-733.160, The plan is not certified, nor detailed enough for the Division to approve it. Particular information needs to be paid to the construction and stability of the embankment. [DD]

R645-301-533.714, R645-301-542.400, and R645-301-764, The application does not include a timetable or any plans for removal of the structure. [DD]

R645-301-356.300, and R645-301-763.100-200, The plan does not contain a commitment, or reference to a commitment to leave the sedimentation pond in-place for at least two years after the last augmented seeding. [DD]

R645-301-121.200, If any of this information is already in the MRP it should be referenced such that a member of the public, unfamiliar with the plan, could quickly, and easily locate the information. [DD]

R645-301-121.200, The Permittee must clarify the statements on page 3-46 about the increases in the lease acreages and the decrease in the right-of-way. Do the changes affect the permitted or disturbed acreages? In addition, the Permittee must also correct the C1 form to show that the amendment will require an increase in the disturbed area. [WHW]

R645-301-527 and R645-301-534, The Permittee must classify the road that will be "built-up" as either primary or ancillary. If the road is scheduled to remain after reclamation, then the Permittee must classify the road as primary. The Permittee must also provide detailed road designs and cross sections. If the road is classified as a primary road then the Permittee must have the designs certified. [WHW]

R645-301-521.143, The Permittee must update the existing operational maps for the waste rock site to show the location of the new sediment pond. [WHW]

R645-301-553, The Permittee must state why the modified refuse pile will still meet the minimum reclamation requirements. Those requirements include but are not limited to: • safety factor of 1.3 or greater, • prevent slides, • minimize erosion and water pollution both on and off the site and • support the postmining land use. The Permittee could state what approved design criteria and state how the modifications would meet those requirements. [WHW]

R645-301-534.300, The Permittee must either show that the "built-up" Jeep trail will be reclaimed or that the road will meet the requirements for road retention after final reclamation. [WHW]

R645-301-542.320, The Permittee must show the location all roads that will be left after final reclamation. [WHW]

R645-301-830.140, The Permittee must submit updated reclamation costs that are associated with the modifications at the waste rock site. [WHW]

R645-301-222, Please provide the Appendix A-3 2006 Soil Survey information for the 0.44 acre area. [PWB]

R645-301-231.100, The plan must provide an indication of depth of topsoil and subsoil removal or an estimate of the volume of material to be stored. The plan must indicate topsoil storage area on a site map. The plan must not include removing silt fence from the outslope of the road which is also functioning as a topsoil storage area (i.e. p 3-72 (b)). [PWB]