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*Incoming
c/007/0005*

From: "Galecki, Gregg" <GGalecki@archcoal.com>
To: <ogmcoal@utah.gov>
CC: <karlhouskeeper@utah.gov>, "Galecki, Gregg" <GGalecki@archcoal.com>
Date: 4/13/2009 11:18 AM
Subject: certified reports
Attachments: pond003-4th08.pdf; pond001-4th08.pdf; pond002-4th08.pdf; Gob-1st09.pdf

Q

Attached are the following PE certified reports:

- 4th Quarter 2008 pond reports - modified per K. Houskeeper request
- 1st Quarter 2009 refuse pile report

Let me know if you have any questions,

Gregg A. Galecki
 Environmental Engineer
 Skyline Mines,
 Canyon Fuel Company, LLC
 (435)448-2636

***** Email Disclaimer *****

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IMPOUNDMENT INSPECTION AND CERTIFIED REPORT			
Permit Number	C/007/005	Report Date	February 19, 2009
Mine Name	Skyline Mines		
Company Name	Canyon Fuel Company		
Impoundment Identification	Impoundment Name	Rail Loadout Sediment Pond	
	Impoundment Number	002	
	UPDES Permit Number	UT0023540	
	MSHA ID Number	NA	
IMPOUNDMENT INSPECTION			
Inspection Date	December 31, 2008		
Inspected By	Carl Winters / Gregg Galecki		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>No instability of the embankment was noted during the inspection. No hazardous conditions were noted at the time of the inspection. The pond was snow and ice covered with the level of ice being 2.14 feet below the Spillway elevation.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity: 22,963 ft³ 60% Elevation: 7914.46 feet ASL (above sea level) 100% Elevation: 7915.40 ASL</p> <p>The current elevation of the sediment within the pond at the discharge point was not measured due to snow and ice. No significant amount of material appears to have been added to the pond since the last inspection. The current elevation of the sediment within the pond at the discharge point measured 5.53 feet below the discharge (7914.17 ft, ASL) during the 3rd quarter inspection. This does not represent the bottom of the pond as the cleaning of the pond leaves a pedestal of sediment around the discharge as a security measure not to breach the pipe during cleaning. The current estimated level of sediment in the pond is approximately 7913.0 feet. Turbidity curtains were visible at all the inlets.</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principle Spillway Elevation: 7919.7 feet ASL Emergency Spillway Elevation: 7922 feet ASL Total volume of pond at Spillway: 68,701 ft³ Required runoff storage: 45,738 ft³ 100% Sediment Storage: 22,963 ft³ 60% Sediment Storage: 13,778 ft³</p>		

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanup, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

The water/ice was 2.14 feet below the discharge pipe at the time of the inspection. The sediment level was not measured due to thick ice and snow. The depth to the bottom of the pond was measured at 7,912.3 feet ASL on survey conducted on 9/23/07. This is 7.4 feet below the spill point of the principal spillway.

The water level in the pond was 2.14 feet below the spillway during the inspection. The pond did not discharge during the 4th Quarter 2008. The pond embankment appears stable and without noticeable erosion. The footprint of the pond remains unchanged. Stable grasses and minor willows vegetate and stabilize the out slopes of the embankment.

The pond was completely drained and cleaned during the 3rd quarter 2007. The 2007 survey indicated the available sediment capacity is approximately 22,963 ft³.

Two turbidity curtains contain a majority of material in the upper, west side and south sides of the pond where sediment can be periodically removed. The pond currently has three (3) turbidity curtains.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The geometry of the pond does not appear to have changed with the removing of sediment in September 2007. The volume calculations are based on a survey conducted in the Fall 2007 following the cleaning of the pond. A visual inspection indicated minimal additional sediment was accumulated during the quarter.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____ **Date:** _____

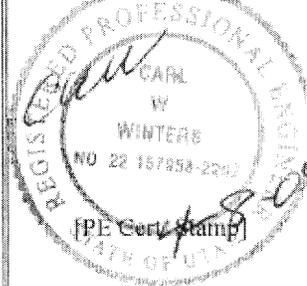
CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	Yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	Yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	Yes	

COMMENTS AND OTHER INFORMATION

(This area is currently blank for comments and other information.)

Certification Statement:



I hereby certify that, I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By:
Carl W. Winters, Engineering Manager

Signature: *Carl W. Winters* Date: *4/8/09*

P.E. Number & State:
Utah 22 157958-2202

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT			
Permit Number	C/007/005	Report Date	February 19, 2009
Mine Name	Skyline Mine		
Company Name	Canyon Fuel Company		
Impoundment Identification	Impoundment Name	Mine Site Sediment Pond	
	Impoundment Number	001	
	UPDES Permit Number	UT0023540	
	MSHA ID Number	NA	
IMPOUNDMENT INSPECTION			
Inspection Date	December 31, 2008		
Inspected By	Carl Winters / Gregg Galecki		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Quarterly		
<p>I. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>No signs of instability were observed. No hazardous conditions were observed during the inspection of the pond. The pond was iced over with no water discharging at the time of the inspection. The pond is incised, with all the banks appearing stable. After cleaning of the pond in 3rd Quarter 2008, the majority of berms around the pond were re-established with either a dirt bank or 'jersey' barrier.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity: 132,013 ft³ (based on 2008 survey) 60% Elevation: 8571.23 feet ASL (above sea level) 100% Elevation: 8573.50 feet ASL</p> <p>The elevation of the sediment within the pond at the discharge point was not measured during the 4th quarter inspection due to thick ice. No evidence of significant material being deposited at the pond inlet was noted. The depth of sediment in the 3rd quarter was 8567.83. This does not represent the true bottom of the pond as the cleaning of the pond leaves a pedestal of sediment around the discharge as a security measure not to breach the pipe during cleaning. The elevation of sediment is estimated to be approximately 8565.0 feet.</p>		
	<p>3. Principle and emergency spillway elevations.</p>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Principal and Emergency Spillway Elevations: 8579.6 feet ASL (The outlet structure for Pond 001 serves as both the Principal and Emergency Spillways)
Total volume of pond at Spillway: 295,023 ft³
Required runoff storage: 163,010 ft³
100% Sediment storage: 132,013 ft³
60% Sediment storage: 79,208 ft³

- 4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

Water / Ice level was immediately below the discharge point (8579.6 ft ASL) during the inspection, with no water discharging. The sediment pond discharged periodically the quarter, ranging in flow from 10 to approximately 200 gpm. A sample of the mine discharge water, (normally) including this pond's discharge, is taken on weekly basis throughout the quarter as required by the Mine's UPDES permit. On a biweekly basis the water sample is analyzed for total iron. The frequency of analysis for Total Phosphorus has been reduced from monthly to quarterly per DWQ direction. Weekly samples include oil and grease, total dissolved solids, total suspended solids, pH and conductivity. Flow is record by in-line flow meters.

Surface water is collected from the upper mine pad and discharged to the pond through a culvert located on the west end of the pond. The culvert is functioning as designed. The outlet structure was working as designed and appears to be in good working condition. The pond is an incised structure. Minimal vegetation exists on the banks.

A series of turbidity curtains are installed in the pond to help reduce the suspended load within the pond.

- 5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The overall geometry of the pond has not changed based on both the cleaning and land survey conducted in 3rd Quarter 2008. The survey indicated portions of the pond are slightly deeper than the as-built construction. The pond discharged periodically during this quarter. The minimum water elevation was approximately 0.03 feet below the spillway structure. Based on the September 2008 survey, approximately 132,013 ft³ of sediment storage is currently available.

Qualification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____ **Date:** _____

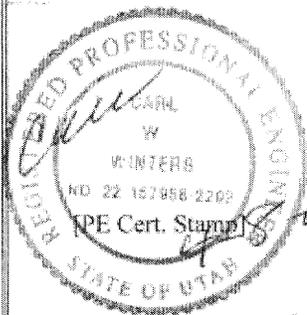
CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	Yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	Yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	Yes	

COMMENTS AND OTHER INFORMATION

Exceedances of the tons/per day permit limit have occurred in this quarter and throughout 2008. However, since the water quality was acceptable with regard to all other parameters and Skyline Mine is participating in a downstream salinity reduction program with the Utah Division of Water Quality (as allowed in the Mines' UPDES Permit), no enforcement action is warranted.

Certification Statement:



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By: Carl W. Winters, Engineering Manager
 Signature: *Carl W. Winters* Date: April 8, 2009
 P.E. Number & State: Utah 22157958-2202

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT			
Permit Number	C/007/005	Report Date	February 19, 2009
Mine Name	Skyline Mines		
Company Name	Canyon Fuel Company		
Impoundment Identification	Impoundment Name	Waste Rock Site Sediment Pond	
	Impoundment Number	003	
	UPDES Permit Number	UT0023540	
	MSHA ID Number	NA	
IMPOUNDMENT INSPECTION			
Inspection Date	December 31, 2008		
Inspected By	Carl Winters / Gregg Galecki		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>No instability, structural weakness or other hazardous condition was noted at the site during the quarterly pond site inspection.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity: 9939 ft³ 60% Elevation: 7857.2 feet ASL (above sea level) 100% Elevation: 7858.1 ASL Current Sediment Level Elevation: The pond was cleaned of sediment in August 2007. The pond was resurveyed to estimate the available sediment capacity following the cleaning. A bedrock shelf exists in the bottom of the pond, enabling portions of the pond to be deeper in areas where the shelf does not exist. The pond was snow covered during the inspection, with little or no water/ice in it. The sediment level in the pond is estimated at approximately 7854 feet – approximately 1-foot of sediment accumulated since the last cleanout.</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Principal and Emergency Spillways Elevation: 7864.0 feet ASL (The outlet of Pond 003 serves as both the principal and emergency spillway).</p>		

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

This pond did not discharge during the 4th quarter of 2008, therefore no water samples were obtained. The out slopes of the pond embankment do not appear to present any type of hazardous conditions. No instability was noted in the pond embankment. The pond embankment is stabilized with native grasses. The pond was thoroughly cleaned in August 2007, and the capacity land surveyed. Based on the survey, the pond has a sediment capacity of approximately 9939 cu-ft.

The pond inlet appeared to be clear of debris.

The current sediment storage capacity is based on the 2007 survey. The perimeter footprint of the pond did not change during the cleaning project, only the depth of the pond was modified.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The pond was cleaned in August 2007. No changes or modifications from the cleaning have been noted in the geometry or perimeter footprint of the pond since the last inspection. After the August 2007 cleaning, the pond was resurveyed and determined to have approximately 9,939 ft³ of sediment storage capacity. Minimal run off was encountered during the quarter, with the pond functioning as designed.

Qualification Statement

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Signature: _____ **Date:** _____

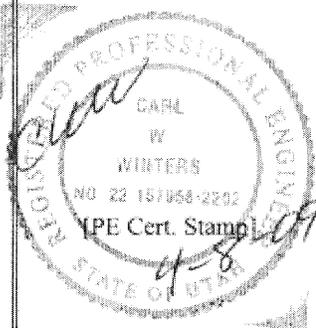
CERTIFIED REPORT

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	Yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	Yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	Yes	

COMMENTS AND OTHER INFORMATION

The pond did not discharge in 2008.

Certification Statement:



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By: Carl W. Winters, Engineering Manager

Signature: *Carl W. Winters*

Date: *4/8/09*

P.E. Number & State:

Utah 72157958-2202

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE			
Permit Number	C/007/005	Report Date	April 8, 2009
Mine Name	Skyline Mines		
Company Name	Canyon Fuel Company, LLC		
Excess Spoil Pile or Refuse Pile Identification	Pile Name	Skyline Waste Rock Site	
	Pile Number	1211-UT-09-01566-01	
	MSHA Mine ID Number	42-01566	
Inspection Date	March 20, 2009		
Inspected By	Gregg Galecki / Carl Winters		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		Attachments to Report? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Field Evaluation			
<p><i>No significant problems with the waste site were observed during the 1st quarter 2009. No waste rock material was hauled to the site during the 1st quarter 2009.</i></p> <p>1. Foundation preparation, including the removal of all organic material and topsoil.</p> <p>No contemporaneous reclamation was performed at the site during the quarter. The Waste Rock site was primarily closed to vehicle traffic during the quarter. No waste rock hauling was conducted during the quarter.</p>			
<p>2. Placement of underdrains and protective filter systems.</p> <p>No underdrains are present or required at this site. Areas that are to final grade, are capped with the prescribed amount of topsoil, seeded, top-dressed with straw, then held in place with a matting material.</p>			
<p>3. Installation of final surface drainage systems.</p> <p>Existing surface is not at final contour. Therefore, final surface drainages have not yet been constructed. All surface runoff from the refuse pile is treated by the sediment pond. No water is allowed to impound on the pile. Runoff from the main access road below the sediment pond is treated by straw bale and silt fence dikes. The sediment pond was cleaned of sediment in August 2007.</p>			
<p>4. Placement and compaction of fill materials.</p> <p>No Waste Rock material was either hauled into or re-allocated from the pile during the quarter. Drainage and temporary placement of the oversized material was established prior to complete shut-down for the Winter Season. The waste rock will be re-worked, placed in lifts of 24-inches or less, and compacted in place using a tracked dozer and sheeps-foot roller or another method to insure stabilization at final placement – when sufficient room is available.</p>			
<p>5. Final grading and revegetation of fill.</p> <p>When the waste rock is placed permanently, contemporaneous reclamation of the waste rock pile will take place as the site is backfilled. The backfill slopes are built to 1 1/2h:1v or less and seeded as described in the final reclamation plan. The seed mix specified in the Reclamation Plan is planted after the placement of topsoil.</p>			

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

6. Appearances of instability, structural weakness, and other hazardous conditions.

No obvious instability or structural weakness was noted during the 1st quarter 2009 inspection. No signs of slumping or heaving were observed. A possible 'bulge' on the southwest side of the pile will be monitored to gauge for any possible instability. The highwall that is reappearing due to the removal of material will be monitored to ensure no loose coal or rock is retained on the highwall.

The sedimentation pond contained minor water with approximately 1/2 of the floor of the pond having water. Drainage ditches reporting from the pile to the Sedimentation pond were functioning as designed.

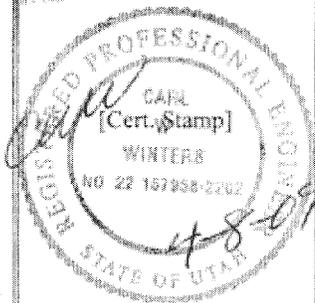
No hazardous conditions were observed at the time of the inspection.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Historic records indicated the total storage capacity was approximately 334,125 tons. An application to expand the size of the refuse pile was approved February 29, 2008. A portion of the expansion area has been used for topsoil storage. Beginning in June, material from the site was re-allocated and sold as high ash coal. A net total of 127,617 tons of material was removed from the site in 2008. Approximately 3,828 tons (~3%) of screened oversized material has been generated for final placement in the refuse pile.

Re-allocation of the pile is anticipated to continue in 2009, likely having significant changes in the geometry of the pile.

Certification Statement



I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Carl W. Winters, Engineering Manager

(Full Name and Title)

Signature:  Date: April 8, 2009