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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
C0070005
3356
✘

August 19, 2009

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

Subject: Reduce Water Monitoring Requirements, Canyon Fuel Company, LLC., Skyline Mine, C/007/0005, Task #3356

Dear Mr. Sorenson:

The Division has reviewed the monitoring and reclamation plans associated with the reduced water monitoring amendment and finds that they do not meet the requirements of the Coal Rules. Attached is a list of deficiencies for your review.

The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call me at (801) 538-5262 or Priscilla Burton at (435) 613-3733

Sincerely,

James D. Smith
Permit Supervisor

JDS/PWB/ss
Attachment
cc: Price Field Office
O:\007005.SKY\FINAL\WG3356\DEN3356.DOC



Deficiency List
Task #3356
August 19, 2009

The application should not be approved until the following deficiencies are adequately addressed:

R645-301.722.300, All sample locations proposed for removal should still be depicted on the maps such that they can be identified for historical purposes. The locations should be denoted on Drawings 2.3.6-1 and 6-2 as inactive sampling stations. Please resubmit Drawings 2.3.6-1 and 6-2.

R645.301-731.214.1 and 731.224 and Technical Directive 004, The proposed changes to the water monitoring plan do not demonstrate any additional disturbance to the hydrologic balance of the coal mining operation within or outside of the permit area. The proposed modifications of the water monitoring requirements have been thoroughly reviewed based on the criteria outlined in the regulations and in the Division of Oil, Gas and Mining (the Division) Technical Directive 004 and are not considered to compromise the water quantity and quality to support the approved post-mining land use.

In accordance with the regulations and Technical Directive 004, protection and replacement of the water rights of other users must be considered. Therefore, if any of the sampling locations proposed for modification in this application are included in a water right, the surface landowner or water right owner, must be given notification of the change and given an opportunity to respond. Please provide the Division with confirmation that the Permittee provided notification to a landowner/water right user (where applicable) and that they were given adequate time to respond to the notice.

R645.301-765, Well 99-28-1 has been approved for removal from the water monitoring plan. This regulation states that all wells when no longer needed for monitoring or any other approved use, or unless approved for a transfer as a water well, are required to be permanently sealed. The Permittee must provide either a commitment that Well 99-28-1 will be permanently sealed, or notification of any alternative future plans for this well to the Division.