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JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

MICHAEL R. STYLER  
*Executive Director*

JOHN R. BAZA  
*Division Director*

May 17, 2010

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

Subject: Deficiencies in Winter Quarters Ventilation Facility, Canyon Fuel Company, LLC,  
Skyline Mine, Permit C/007/0005, Task ID #3504

Dear Mr. Sorenson:

The above-referenced revision has been reviewed and found deficient. The Division requires that your application be modified to address the findings of the deficiencies that are attached to this letter, in accordance with R645-300-131.100. Please provide a complete response (including redline/strike-out and C1/C2 forms) by no later than June 7, 2010. You should also bear in mind that the public comment period is still ongoing and there may be additional issues raised in the comment period. If this is the case, you will be notified of them.

Thank you for your diligence through the permitting process. If you have any questions, please feel free to call me at (801) 538-5325 or the appropriate member of my staff.

Sincerely,

Daron R. Haddock  
Permit Supervisor

DRH/ sqs  
Enclosure  
cc: Price Field Office  
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# Deficiency List

May 17, 2010

Skyline Mine

Winter Quarter Ventilation Facility (WQVF)

Canyon Fuel Company LLC., C/0007/0005

Task ID # 3504

AN = Angela Nance

JCO = James Owen

JDS = Jim Smith

1. **(R645-112.600)** Drawing 1.6-2 shows that the property owned by George E. and Helene Liodakis & Liodakis Ranch, LLC is adjacent to the permit area with the construction of the Winter Quarters Ventilation Facility; however, their name and address does not appear on the list of owners on page 1-20.

Please update page 1-20 to include all property owners that are contiguous to any part of the proposed permit area. (AN)

2. **(R645-301-114.100)** Prior to final approval, please provide the date of execution of the deed from the Allred Family Trust to Ark Land Company. (AN)
3. **(R645-301-115.100)** Prior to final approval, please submit a copy of the approval recommendation from the Carbon County Planning Commission granting a Conditional Use Permit to construct and operate a ventilation facility in Winter Quarter's Canyon. (AN)
4. **(R645-301-512)** Within the submittal, the applicant included a schematic cross section of the ventilation shaft as well as a schematic cross section of the mine slope. The schematic depicts the designs for shaft backfill. Neither of the cross sections (Figures 4.9B, 4.9C) appears to have been certified by a qualified registered professional engineer, and there does not appear to be any drawings or cross sections of the escape shaft. There is not enough information provided in terms of drawings, plans, cross sections, etc. of the shafts and slopes to be considered adequate. For purposes of completeness, the applicant should provide a certified map (rather than just a schematic figure within the text) that includes all relevant details pertaining to both shafts and the slope. The map should be complete enough to be certified by a professional engineer. Depictions of the shaft should be split or otherwise presented as to allow for the drawings to be scaled. The applicant stated, "Appropriate maps will be certified when the application is approved and clean copies are provided". The maps depicting the shafts and slope are not yet complete enough to warrant approval. (JCO)

5. **R645-3012-731.600, -742.111, -112, and 113**, It is unlikely that simply allowing the water to follow the roughly 150-foot long “natural” path from the riprap pad at the outfall of the ASCA 39 culvert, across the road and along the topsoil pile berm to the stream will prevent additional contributions of sediment to Winter Quarters Creek or minimize erosion.

The Division finds that operation of the WQVF as shown on the submitted plans is likely to cause or contribute to the violation of applicable water quality standards and may adversely affect the water quantity and quality or other environmental resources of Winter Quarters Creek. Before the Division can authorize coal mining and reclamation operations at the WQVF, the Permittee must finish the runoff control design and provide a plan to control the flow over the approximately 150-foot path between the riprap pad at the outfall from the ASCA 39 culvert and Winter Quarters Creek.

The Permittee must also either demonstrate that similar treatment is not needed for the flows leaving the riprap pads at the sedimentation pond spillways, the topsoil pile sediment trap, and the Upper Road culvert or provide the designs for such treatment. (JDS)

6. **R645-301-742.120**, ASCAs 37, 38, and 39 are shown on Drawings 3.2.4-3A and 3.2.4-3B, but they are not correct on 3.2.4-3B: the Permittee must correct the ASCA outlines on Drawing 3.2.4-3B. (JDS)