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State of Utah

DEPARTMENT OF NATURAL RESOURCES

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Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

January 26, 2015

Carl Winters, Mine Manager
Canyon Fuel Company, LLC
HC 35 Box 380
Helper, Utah 84526

Subject: Swens Canyon Ventilation Facility – Significant Revision, Task ID #4777, Canyon Fuel Company, LLC, Skyline Mine, C/007/0005

Dear Mr. Winters:

The Division received your application for the Swens Canyon Ventilation Facility Significant Revision and found it incomplete. The attached Administrative Completeness Review form outlines the areas where further information is requested.

The plans as submitted are denied.

If you have any questions, please me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Coal Program Manager

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**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET
(R645-100)**

DATE: 1/26/15, Swens Canyon Ventilation Facility

REVIEWER(S): Lisa Reinhart, Cheryl Parker, Amanda Daniels, Daron Haddock, Priscilla Burton

APPLICANT: Canyon Fuel Company, LLC

MINE NAME: Skyline Mine **FILE NO.:** C/007/0005

"**Administratively Complete Application**" means an application for permit approval or approval for coal exploration, where required, which the Division determines to contain information addressing each application requirement of the State Program and to contain all information necessary to initiate processing and public review.

Directions: The categories listed below correspond to the minimum requirements for information necessary to initiate processing and public review. If a category is checked the Applicant has met the Completeness requirement for that category. If a category is not checked, the Completeness requirements have not been met. If a category is Not Applicable, enter NA in check box. The comments column will identify the deficiency and what is necessary to correct it.

Comments

			Comments
301-112	Identification of Interests	<u>NA</u>	
100	Applicant's Business Structure	<u>NA</u>	
210	Applicant's Name/Address/Phone	<u>X</u>	Canyon Fuel Col, LLC; 225 North 5th St. Ste 900; Grand Junction CO 81501
220	Resident Agent's Name/Address/Phone	<u>NA</u>	
230	Name/Address/Phone of AML Fees Payer	<u>NA</u>	
300	Corporate Structure & Ownership	<u>NA</u>	
400	Identify Other Mining Operations in US	<u>NA</u>	
500	Surface & Mineral Ownership	<u>x</u>	Federal coal lease UTU 771114 as portrayed on Dwg 1.6-3 and in Table 1.114 and pp. 1-32 and 1-39. Lease is 2,692.16 acres. USFS is surface managing agency.
600	Ownership Contiguous to Permit	<u>x</u>	The area is included in Dwg. 1.6-1 which is dated 2011.
700	MSHA Numbers	<u>NA</u>	
800	Interest in Contiguous Lands	—	A statement is required.

301-113	Violation Information	<u>X</u>	AVS Evaluaton last performed 10/28/2014 no outstanding violations.
100	Suspension or Revocation Information	<u>NA</u>	
300	List of Violations - 3 Previous Years	—	An update to Section 113 Table 1-3 and Table 1-4 in the General Chapter 1 is required.
301-114	Right of Entry	—	The Flat Canyon federal lease UTU771114 has not been acquired.
301-115	Status of Unsuitability Claims	—	Required.
301-116	Permit Term	<u>X</u>	Existing 5 year permit issued 2012 with right of successive renewal.
301-117	Insurance	<u>X</u>	Canyon Fuel Co, LLC maintains insurance with National Union Fire Insurance Company Pittsburgh PA effective 2/1/14-2/1-15. Coverage includes explosives and claims mad per occurrence. Appen. 118A, Proposed legal notice describes the addition of a 4.8 acre power line and 9.7 acre ventilation facility to the permit area.
	Proof of Publication	<u>X</u>	
	Facilities and Structures Used in Common	<u>NA</u>	
301-118	Filing Fee	<u>NA</u>	
301-123	Notarized Signature of Responsible Official	<u>X</u>	Carl Winters

301-130	Information Collection: <u>X</u> Technical Data Accompanied by Names of Persons or Organizations that Collected and Analyzed the Data - Dates of Collections - and Analysis of the Data and Description of the Methodology Used to Collect and Analyze Data	Alpine Ecological.2013. Wildlife Survey Report Powerline, Ventilation Hole, Access Road Analysis Area, Subsidence Area, and Spring Survey. Alpine Ecological. November 16, 2014. 2014 Wildlife Survey Report Power Line and Ventilation Pad. Environmental Planning Group, LLC. Oct 7, 2014. Cultural Resource Inventory For the Skyline Mine Expansion and Transmission Line Construction Project, Carbon and Emery Counties, Utah. Mt. Nebo Scientific Dec. 2014. Vegetation of the Powerline Corridor & Swen Canyon Pad. Joseph Dyer. June 19, 2014. NRCS Prime Farmland Determination. Long Resource Consultants. December 4, 2014. Powerline Corridor Soil Survey Report. Earthfax Engineering December 2014. Skyline Mine Swen Canyon Ventilation Shaft Pad Design Report.
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301-200	Soils <u>X</u>	Long Resource Consultants. December 4, 2014. Order II Powerline Corridor Soil Survey Report.
211	Description of Pre-mining Soil Resources <u>X</u>	Chap 2, Sec 2.7 & Sec 2.11 & 2.12.
221	Prime Farmland Investigation <u>X</u>	Chap 2 Sec. 2.14 and Prime Farmland communication is included in Vol. A-2 (pg. 83 of the electronic application).
222	Soil Survey <u>X</u>	
224	Substitute Topsoil Info (When Proposed) <u>NA</u>	
230	Operation Plan Topsoil Handling/Removal/Storage <u>X</u>	Chap 2. Sec 2.12. Chap 3, Sec. 3.2. Chap. 4 Section 4.6
240	Reclamation Plan Soil Redistribution/Stabilization <u>X</u>	Chap 4 Sections 4.4 & 4.6 & 4.7.

301-300	Biology <u>X</u>	
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320	Vegetation Information	<u>X</u>	2.7.9 on page 2-63a discusses vegetation of the poweline corridor & Swens Canyon Pad. A vegetation survey of the Powerline Corridor & Swens Canyon Pad 2014 is also included.
322	Fish and Wildlife Information	<u>X</u>	2.7.9 no T&E species were detected in the 2014 survey. Appendix A-2 contains the 2014 wildlife survey report for the power line, vent hole, access road, analysis area, subsidence area, and spring survey. 2.8 discusses project impacts on fisheries resources and coordination with Manti-LaSal USFS on the powerline. 2.9.7 discusses terrestrial wildlife. Section 2.10 states wildlife and raptor surveys were conducted in 2013 & 2014.
323	Maps/Photos Vegetation-Fish-Wildlife Areas	<u>X</u>	A clearer/more concise map deliniating the project area (powerline and pad) along with veg reference area needs to be provided. Numerous photos of the vegetation community are contained in the Report by Mt. Nebo Scientific. Maps include wildlife survey area.
330	Operation Plan Vegetation-Fish-Wildlife Protection	<u>X</u>	2.9.7 minimal disturbance with power line adapted for raptors, no roads, access is limited to rubber-tired or tracked vehicle. Noise will not be an issue as there is no fan. Details regarding protection of resident species during operation should be considered at the time of construction.
341	Reclamation Plan for Revegetation	<u>X</u>	2.9.7 states habitat disturbed by the SCVF will be revegetated at reclamation with increased forbs and grasses to provide better post mining habitat.
342	Fish & Wildlife Plan for Reclamation Phase	<u>X</u>	2.9.7 states habitat disturbed by the SCVF will be revegetated at reclamation with increased forbs and grasses to provide better post mining habitat.

301-400	Land Use and Air Quality	<u>X</u>	2.12.2 discusses land use which is primarily grazing and wildlife and forestry use. Table 2.12.2-1 incorporates SW affect on grazing potential.
411	Pre-Mining Land Use Information (Includes Cultural Resources)	<u>X</u>	Appendix A-4, Confidential File, contains a cultural resources inventory report.
412	Post-Mining Land Use Information	<u>X</u>	2.12 discusses land use in depth.

301-500	Engineering	—	See details below
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510 520	General Description of Operation Plan (Maps, Locations, Cross-Sections, Narrative, Descriptions & Calculations)	<u>X</u>	The Disturbed area will be increased by 14.5 acres for a total of 136.81 acres disturbed.
522	Coal Recovery Description	<u>X</u>	The purpose of this facility is to supply a location to vent exhaust and provide overland power to the workings below. No fans will be installed at the site.
523	Mining Methods	<u>X</u>	The ventilation facility is required to provide power and exhaust for mine workings in the area.
524	Blasting and Explosives Plan	<u>X</u>	No blasting is proposed for this site
525	Subsidence Control Plan	—	Clarification is needed in to prevent subsidence around the ventilation pad and new transmission lines R645-301-525.311
526	Mine Facilities Description (Narrative, Plans, Maps) Including Existing Structures & Support Facilities	—	Plate 3.2.4-4A through -4F illustrate both the overall and detailed designs for the new ventilation facility. Clarification is needed in Section 2.2.13 if the liner will be removed during or left in place during reclamation.
527	Transportation Facilities (Including Plans & Maps)	<u>X</u>	Roads constructed in this area will be classified as ancillary roads and will be re established to original location at reclamation. Plates 3.2.4-4A and -4B show road illustrations.
528	Coal Mine Waste Plans (Description & Designs)	<u>X</u>	No coal mine waste will be associated with this site.
529	Management of Mine Openings (Design)	—	There will be two vertical shafts at this site. Design details of the sealing of the wells is supplied but not accounted for in the bond estimate. R645-301-830.140
531	General Plans for Structures	—	R645-301-830.140 Designs of the shaft Reclamation are submitted but are not accounted for in the bonding sheets
532	Sediment Control	<u>X</u>	Controls are detailed in Plate 3.2.4-4C
533	Impoundments	<u>X</u>	Controls are detailed in Plate 3.2.4-4C

301-534	Roads (Plans, Drawings, Designs, & Specifications)	<u>X</u>	see details below
535	Spoil	<u>X</u>	Drillings incurred during the well construction will be stock piled and utilized during the shaft backfill.

536	Coal Mine Waste	<u>X</u>	No coal mine waste will be generated at this site
537	Regraded Slopes	<u>X</u>	Plates 4.4.2-A and -4b shows reclamation details for the site
540 541-542	Reclamation Narrative, Maps and Plans	<u>X</u>	Plates 4.4.2-A and -4b shows reclamation details for the site
551	Casing and Sealing Underground Openings	X	R645-301551 is met through discussion of sealing the two shafts by backfilling with engineered fill. Section 4.9 and Figure 4.9B describe further details.
553	Backfilling and Grading Description	—	Plate 4.4.2-4A shows the regraded and backfilled details of the pad site. R645-301-830.140 an earthwork total sheet was submitted but an individual earth work sheet showing the volumes, production rate, and equipment used needs to also be submitted.

301-600	Geology	—	
621	Description of Geology (Permit & Adjacent Area)	<u>X</u>	The general Geology Map of the Permit area is labeled as Drawing 2.2.1-1 and it covers the area of the Swens Canyon shafts.
622	Geologic Cross-Sections, Maps, and Plans	—	A description of the stratigraphic column of the shafts area has not been provided. A description of the formations that the shafts are penetrating as well as any aquifers is critical for approval of this project.
630	Plans for Casing and Sealing Holes	<u>X</u>	Plans call for complete backfilling of shafts at time of reclamation. Drawing 4.9D provides the backfill detail.

301-700	Hydrology	—	See comments below.
721	Description of Hydrologic Resources (Permit and Adjacent Area)	<u>X</u>	
722	Cross-Sections and Maps Subsurface Water - Surface Water - Monitoring Stations - Wells	—	Water monitoring used to evaluate potential impacts from additional surface disturbance was not addressed. The Permittee should indicate if additional monitoring is needed, or justify why it is not. Currently there is no upstream monitoring location on the creek in Swens Canyon.
723	Sampling and Analysis	<u>NA</u>	

724	Baseline Information Ground Water - Surface Water - Geology - Climatological & Supplemental; If Needed	—	See 722 comments.
728	PHC Determination	—	There was nothing added to the PHC to discuss possible impacts due to the additional surface disturbance.
730	General Operation Plan Minimize Disturbance to Hydrologic Balance & Compliance with Clean Water Act	<u>X</u>	
731	Ground and Surface Water Protection	<u>X</u>	
732	Sediment Control Measures	<u>X</u>	

301-740	Plans and Designs Operation and Reclamation Plan Sediment Control Measures	—	
	Siltation Structures	—	
	Sediment Ponds	—	
	Other Treatment Facilities	—	
	Diversions	—	
	Road Drainage	—	
	Impoundments	—	
	Discharge Structures	—	
	Disposal of Excess Spoil	—	
	Coal Mine Waste	—	
	Disposal of Non-Coal Mine Waste	—	
	Casing and Sealing of Wells	—	

301-800	Bonding and Insurance	<u>X</u>	Canyon Fuel Co, LLC maintains a surety bond amount of \$5,137,000 through Ironshore Indemnity Inc.
820	Applicant Have Adequate Bond at Permit Issuance	<u>X</u>	Applicant is currently in the process of a midterm review updating their bond and is working diligently with the Division.

830	Bond Estimate and Calculations Provided	—	R645-301-830 The bond needs to include: the removal of the overland transmission lines, the plastic culverted underground transmission lines, volumes of material regrading of the pad and roads, sealing of the all the shafts labor and materials, and seeding the reclaimed pad and roads.
890	Certificate of Insurance Provided	<u>X</u>	Applicant is currently insured.

302-200	Special Categories of Mining	<u>NA</u>	
210	Experimental Practices Mining	<u>NA</u>	
220	Mountaintop Removal Mining	<u>NA</u>	
230	Steep Slope Mining	<u>NA</u>	
240	Auger Mining	<u>NA</u>	
250	In Situ Processing Activities	<u>NA</u>	

302-260	Coal Processing Plants (Not Located Within Permit Area of Mine)	<u>NA</u>	
270	Variances From Approximate Original Contour Restoration Requirements	<u>NA</u>	
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities	<u>NA</u>	
290	Small Operator Assistance Program (SOAP)	<u>NA</u>	

302-300	Special Areas of Mining	<u>NA</u>	
301	Prime Farmland	<u>NA</u>	
302	Alluvial Valley Floors	<u>NA</u>	