



# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas and Mining

JOHN R. BAZA  
*Division Director*

June 30, 2015

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

Subject: Revised Information Requested, NOG Bleeder Shaft, Canyon Fuel Company, LLC, Skyline Mine, C/007/0005, Task ID #4883

Dear Mr. Winters:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. Please revise your application to address the identified deficiencies and resubmit the application by no later than July 30, 2015.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Christensen", written over a white background.

Steve Christensen  
Permit Supervisor

SKC/sqs

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**GARY R. HERBERT**  
Governor  
**GREG BELL**  
Lieutenant Governor

**State of Utah**  
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## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0070005  
**TaskID:** 4883  
**Mine Name:** SKYLINE MINE  
**Title:** NOG BLEEDER SHAFT

#### General Contents

#### Legal Description

*Deficiencies Details:*

The updated acres of disturbance in the first paragraph of the permit area description needs to be changed from 122.31 in paragraph 1 to 125.31 acres.

Ireinhart

#### Environmental Resource Information

##### General

*Deficiencies Details:*

The contradictions in disturbance size need to be resolved and corrected throughout the amendment before final approval.

Ireinhart

##### Permit Area

*Deficiencies Details:*

R645-301-112. Require the permit to be clear and concise. R645-301-521 requires the permit application to include descriptions of the permit area. There is conflicting acreage on the disturbed area along with text confusing permit area with disturbed area:

Page	area (acres)	Labeled
1-36	3.00	Permit area
2-4c1	3.00	Permit area
2-4c1	0.4	Disturbed area
2-4e	3.00	Disturbed area
2-63a	3.00	Permit area
2-63a	1.7	Disturbed area
2-120(1)	3.00	not called out as either Permit or disturbed
2-131	3.0	Disturbed area
3-31 (b)	3.0	Permit area
Bond	0.4	Area for vegetation

The Permittee will address either Permit area or Disturbed area where appropriate with correct areas.

cparker

## Permit Area

### Deficiencies Details:

#### Findings:

R645-301-121.200, Please correct Section 2.1 and Section 4.11.10 to state 3.0 acres will be added to the bonded, permit area, but 1.7 acres will be disturbed.

pburton

## Historic and Archeological Resource Information

### Deficiencies Details:

Information provided in the application is not considered adequate to meet the minimum requirements of the regulations R645-301-411.142. Prior to approval, the permittee must provide a narrative to describe coordination efforts with and present evidence of clearances by the SHPO. USFS is the lead agency for the coordination.

lreinhart

## Vegetation Resource Information

### Deficiencies Details:

Information provided in the application does not meet the minimum requirements of R645-301-321.200. Prior to approval, the permittee must provide information regarding the productivity of the land expressed as average yield of food, fiber, forage, or wood products under high levels of management.

lreinhart

## Fish and Wildlife Resource Information

### Deficiencies Details:

Information provided in the application is not considered adequate to meet the minimum requirements of the regulations. Prior to approval the permittee must provide additional information in accordance with R645-301-322.

The Yellow-billed Cuckoo is known to occur along riparian systems in Carbon and Emery Counties and was recently listed as Threatened under the Endangered Species Act. Although a cursory review indicates important habitat for this species (riparian areas) likely does not exist on the proposed disturbance location, it does exist within the adjacent area for the mine permit. The MRP should be updated to include a description of the species and acknowledgement of its potential to exist within the area. If Yellow-billed Cuckoo habitat is discovered within the adjacent or permit area, a plan for its protection is required pursuant to R645-301-330; R645-301-342.

Table 2.9-4 of the MRP should be updated to reflect the current list of federally listed Threatened, Endangered, and Candidate Species. (Last updated August 2007). The 2014 Wildlife Survey Report provided by Alpine Ecological does not address Yellow-billed Cuckoo.

Sec. 4.18. On page 4-103, a raptor monitoring plan is outlined. This plan should be amended to include appropriate surveys of the Yellow-billed Cuckoo if habitat exists in the area (using the survey protocol as established by DWR).

lreinhart

## Soils Resource Information

### Deficiencies Details:

#### Findings:

R645-301-130, Please provide Appendices A, B, C and D which were missing from the January 2015 Soil Survey.

pburton

## Land Use Resource Information

### Deficiencies Details:

Information provided in the application is not considered adequate to meet the minimum requirements of the regulations. Although adequate information is available, prior to approval the permittee must provide accurate productivity measurements also in accordance with R645-301-321.200.

lreinhart

## Maps Existing Surface Configuration

### Deficiencies Details:

R645-301-521.123 requires a map that clearly shows the location of each public road located in or within 100 feet of the permit area. The application does not include a clear map that details the location and details of the USFS road nor is there any discussion of how public traffic through the area will be handled during construction, operations, and reclamation.

cparker

## Operation Plan

### Existing Structures

#### Deficiencies Details:

The application does not meet the minimum requirements of R645-301-521.133 and -301-526.116 as there is no discussion on how the public traffic will be handled on the unnamed USFS public road.

cparker

### Relocation or Use of Public Roads

#### Deficiencies Details:

The application included an updated Figure 3.2.4-5A which details the generator and fuel tank sheds located on the presumed USFS road. The application does not meet the minimum requirements of R645-301-521.133 and -301-526.116 as there is no discussion on how public traffic will be handled during construction, operations, and reclamation. R645-301-526.100 require a description of existing structures proposed to be used in connection with or to facilitate coal mining and reclamation operations. The application should include a narrative included detailing the location and other details listed in R645-301-526 including how public traffic will be handled through the area.

cparker

### Air Pollution Control Plan

#### Deficiencies Details:

Findings:  
R645-301-420, Please update the application with information concerning best practices for dust control during operations (-421) and coordination with the DEQ (-422).

pburton

### Fish and Wildlife Protection and Enhancement Plan

#### Deficiencies Details:

Information provided in the application does not meet the minimum requirements of R645-301-330. Prior to approval, the permittee must provide a description of protective measures taken to avoid disruption to wildlife (deer and elk) during critical times of their life cycles and also to establish interim vegetation for habitat. From the application, it appears construction of the shaft will occur during summer when it is critical for deer and elk habitat. The permittee must address any impacts noise from the fan and increased vehicle traffic may have on wildlife and what measures will be implemented to negate those effects.

## Topsoil and Subsoil

### Deficiencies Details:

R645-301-521.165, Please label contours on Plate 3.2.4-5A and make the elevations on Plate 3.2.4-5C NOG Bleeder Shaft Profiles and Ditch legible.

R645-301-231.100, The soil survey describes an average topsoil depth of 14 inches and 6 inches of potential recoverable subsoil. The plan must describe the separate removal and stockpiling of topsoil (14 inches) from the subsoil (6 inches).

pburton

## Vegetation

### Deficiencies Details:

Information provided in the application does not meet the minimum requirements of R645-301-330. Prior to approval, the permittee must provide a description of the measures taken to establish interim vegetation.

Ireinhart

## Hydrologic Sediment Control Measures

### Deficiencies Details:

R645-301-731.700 A detailed plate of all sediment controls as described in the amendment, as well as the EarthFax engineering report should be provided. This should clearly display and label all ditches culverts and other sediment control features. The EarthFax engineering report references Plate 3.2.4-5D, which was not included in the amendment.

R645-301-742.220 Page 3-31(b) indicates that there is no sediment pond associated is this disturbance, but goes on to describe a "sediment collection area". This sediment collection area is described as a location for retaining sediment, the EarthFax engineering report gives sediment clean-out requirements, and describes an emergency spillway feature. Without a map detailing what this sediment control area is, it is unclear whether this area will retain water and therefore, meet the definition of a sediment pond. Through maps, cross sections, or further description in the MRP, this needs to be clarified.

adaniels

## Reclamation Plan

### Bonding Determination of Amount

#### Deficiencies Details:

R645-301-830 the application is missing some line item demolition costs on the demo sheet of the reclamation costs. The Earthwork and reveg sheets meet the minimum requirements of R645-301-830. The missing demo line items that need clarification to be included in application are:

- The escape shaft steel building demo is missing the RS mean deduction of volume due to no interior walls RS Means, 02 41 16.13 0750.
- The improper concrete unit cost was utilized, concrete demo. The Permittee needs to clarify if the concrete will be more or less than 15 inches thick
- 2014 Nielson Concrete demo less than 15 inches thick =\$13.75/ CY
- Fan demolition is more accurately represented by RS Mean heavy equipment, 23 05 05.10 3600, \$935/ton. The Permittee will clarify if the line item Ventilation fan is indeed a steel building or the fan demolition itself.
- In the event of a metal shed, a 50% deduction to the volume can be applied.
- There are several line items missing costing the removal of the a mentioned culvert, probable gates, top rails, post and post foundations, and gate posts. More detailed information is required as to if there will be gate, how the gates are intended to open, number of fence posts and how they will be secured/foundations, and how gate posts will be secured.
- The Permittee will provide additional information clarifying how the gates will open so as to assist with the

appropriate RS Means reference for each gate is applied.

- The Permittee will clarify what type of post will be utilized with the three foot man gate.
- The Permittee will add the line item for gate post removal
- The Permittee will add the line items for the Gates as appropriate
- The Permittee will add the line items for top and bottom rails
- The Permittee will add the line items for End and Gate braces
- Relevant RS Means:

RS Means 02 41 13.62 0100 - Chain link gate 3'-4'

RS Means 02 41 13.62 0540 - transmitter systems

RS Means 02 41 13.62 1000 - Fence posts steel in concrete

RS Means 02 41 16.17 1140 - cement footings for gate post

RS Means 02 41 13.62 1400 - Fence Rails

RS Means 02 41 13.62 0800 - Chain Link fence braces

RS Means for 18 inch culvert removal

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