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UNITED STATES FUEL COMPANY

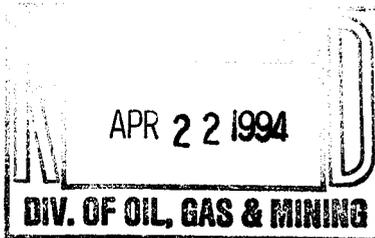
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Mr. Daron R. Haddock
Permit Supervisor
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

April 20, 1994



Re: Response to deficiency letter dated December 16, 1993, U.S. Fuel Company,
Hiawatha Mine, ACT/007/011 - 93B

Dear Mr. Haddock:

#2 file copy

This letter and enclosed material are submitted in response to a letter dated December 16, 1993, from you to Mr. Michael Baum of U.S. Fuel Company. Your letter lists several deficiencies found by your staff in a permit amendment submitted by U.S. Fuel in September 1993. It is the intention of this letter to meet those deficiencies regarding alternate borrow Area F as described in the September 1993 submittal. The reason that this response deals with deficiencies associated only with Area F is that U.S. Fuel is anxious to begin harvesting substitute topsoil from this area as soon as possible. It has been indicated by your staff that approval to begin work in Area F may be received more rapidly by addressing Area F separately. We understand that there are concerns regarding some of the other borrow areas which must be resolved. We intend to resolve those concerns during the time that topsoil is being removed from Area F and is being placed on the recontoured surface of Pond 4. Anything you might be able to do to expedite the review process would be greatly appreciated and would relieve U.S. Fuel of the financial burden of keeping men and equipment on standby during a lengthy review.

The method proposed in this submittal to control runoff and sediment from Area F is to create rows of small depressions along the contours using a dozer mounted ripper. Each depression will be on the order of one to one and a half feet deep and five to ten feet long. The rows will be as close as possible to each other but will be in the range of five to ten feet apart. The arrangement of the rows of depressions will be determined in the field to eliminate any direct flow paths which would allow runoff to bypass the depressions.

Runoff from the reclaimed Pond 4 area will be treated in the existing sedimentation pond which will remain in place during the reclamation period. This sedimentation pond will be removed at the end of reclamation as described in the currently approved permit.

The deficiencies listed in your letter of December 16 will be addressed below in the order in which they appear in your letter. If a deficiency does not apply to Area F the response will so state.

R645-301-120

Comment: The maps should be made clearer.

Response: The new drawing VII-10 contained in Appendix VII-10 replaces the maps contained in the September 1993 submittal. This drawing has been carefully prepared to be as clear as possible with enough surrounding area for easily determining locations and with a north arrow for proper orientation.

Comment: A complete reference for all literature used must be given.

Response: When a reference has been used in the preparation of Appendix VII-10 the complete reference is given at that location in the text or calculations.

R645-301-731.600

Comment: Information must be supplied showing that the disturbance of Borrow Area E will not adversely affect water quality, water quantity, or the hydrologic balance of Miller Creek.

Response: This deficiency does not apply to Area F and will be resolved at a later time.

R645-301-742.220

Comment: There are five deficiencies listed in this section primarily dealing with deficiencies in sediment pond designs.

Response: Replacing Appendix VII-10 which was submitted in September 1993 with the enclosed Appendix VII-10 should answer all of these deficiencies. The sediment control method proposed for Area F in this revised Appendix VII-10 does not include the use of a sediment pond.

R645-301-742.300

Comment: Temporary diversions must be designed for the 10-year, 6-hour storm event.

Response: This revised plan for Area F does not include the use of temporary diversions.

R645-301-224

Comment: The permittee must commit to the removal and proper disposal of all coal mine waste material.

Response: Revised page 20 which should replace page 20 in the September 1993 submittal commits to removing and disposing of coal fines found in Borrow Area F.

R645-301-243

Comment: The permittee must describe the field and laboratory methods employed to ensure that the soil fertility status is adequate to meet the growth requirements of the seeded species.

Response: These methods are described on page 22 enclosed which should replace page 22 of chapter II of the September 1993 submittal.

R645-301-300

Comment: U.S. Fuel should use certified noxious weed free straw or hay.

Response: A commitment to use certified noxious weed free straw or hay is made is revised page 57 enclosed which should replace page 57 in Chapter III of the original permit.

Comment: U.S. Fuel should address prevention of erosion on steeper slope areas.

Response: In revised Appendix VII-10 the use of small depressions and silt fences are proposed to control erosion on the steeper slope areas of Area F.

R645-301-533.100

Comment: Three deficiencies are listed in this section dealing with embankment stability.

Response: In Area F no embankments will be constructed so this deficiency does not apply.

R645-301-533.330

Comment: The applicant must prove that the pond is protected from erosion and sudden drawdown.

Response: The use of small depressions and silt fencing in Area F will not subject this area to the effects of sudden drawdown.

R645-301-540 through 542.100

Comment: The applicant will state in the reclamation time table the approximate dates when the sediment control structures will be removed.

Response: In Area F the silt fencing will be removed when the vegetation has been established to the point that the fencing is no longer needed to control erosion, or at the end of the 10 year reclamation period. The silt fencing will be removed by hand so there will be no disturbance to the site. It is proposed that the small depressions will remain permanently. The regulations allow the use of such permanent depressions in R645-301-552.100.

R645-301-542.200

Comment: The applicant will provide the Division with cross-sections that depict slopes of the alternative borrow areas.

Response: Revised Appendix VII-10 includes a sketches of the slope of the Area F.

R645-301-542.800

Comment: The applicant will provide the Division with a detailed cost estimate for reclaiming the alternate borrow sites.

Response: The detailed cost estimates submitted in the original permit included costs to reclaim the 52.2 acres of borrow area. This submittal deals with 6.9 acres of borrow area (Area F). The original permit included cost calculations for the removal of sediment ponds at the end of the reclamation period. This response proposes the use of small depressions and silt fencing in the place of a sediment pond to control erosion in Area F. Because of these two factors a cost estimate for reclamation of the work proposed herein would be less than the cost estimate presented in the original permit. However, it is proposed that the bond amount not be reduced at this time because of the necessity to permit additional borrow areas in the near future.

The above responses address the deficiencies regarding Area F found by your team during review of the September 1993 submittal. In addition to the responses to those deficiencies revised page 85 needs to replace the current page in the September 1993 submittal.

Our goal in preparing this submittal has been to be as complete and clear as possible to expedite the review process. However, if there are any questions regarding this submittal please contact us.

Thank you for your timely attention to this matter. We appreciate the time and suggestions of your staff, especially Sharon Falvey, Steve Johnson, and Paul Baker, in developing this response.

Sincerely,



Michael P. Watson, P.E.