007/011 #2

0019

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

February 22, 1994

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

Dear Mr. Haddock:

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 team in a permit amendment submitted by U.S. Fuel in September 1993. It is the intention of this letter to meet those deficiencies. Please be aware that U.S. Fuel desires to begin harvesting substitute topsoil as soon as possible. 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 the reclaimed slurry ponds and borrow areas is different from the method proposed previously. The method proposed herein employs numerous small sediment traps to completely contain runoff from a 10-year, 24-hour storm as well as the predicted accumulation of sediment during a 10 year period. This change requires that Appendix VII-10 of the previous submittal be replaced with the Appendix VII-10 enclosed.

The deficiencies listed in your letter of December 16 will be addressed below in the order in which they appear in your letter.

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.

A complete reference for all literature used must be given. 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: Enclosed are revised pages 78 and 79 to replace pages 78 and 79 in the original permit.

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 1994 with the enclosed Appendix VII-10 should answer all of these deficiencies. The sediment trap designs presented in the revised Appendix VII-10 are all capable of storing a 10-year accumulation of sediment as predicted by the USLE.

R645-301-742.300

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

Response: Temporary diversions proposed to divert runoff from undisturbed areas away from the borrow areas are designed to carry runoff from a 10-year. 6-hour SCS Type II storm. See enclosed Appendix VII-10.

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 USLE is used to predict the amount of erosion which will occur on the outslopes of reclaimed slurry ponds with crimped straw mulch applied at the rate of 3,000 pounds per acre as specified in the original permit. The predicted amount of erosion is 2.2 cubic feet per acre per year. All of this erosion will be collected in sediment traps. This prediction of erosion depends on limiting outslope grades to 5h:1v and slope lengths to 300 feet or less. Assuming a sediment density of 100 pounds per cubic foot the amount of erosion expected on these sites is on the order of 200 to 250 pounds per acre per year. The EPA allows erosion of 2 tons per acre per year on the covers of hazardous waste disposal sites (EPA/530-SW-89-047 July 1989).

R645-301-533.100

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

Response: Revised Appendix VII-10 addresses these deficiencies. The small sediment traps (<0.20 acre feet) which are proposed to be used in place of impoundments, are incised with maximum 2h:1v side slopes to reduce the possibility of failure, and are located such that any possible overflow would not endanger life or property.

R645-301-533.330

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

Response: This deficiency is addressed by eliminating the use of ponds and substituting small, incised sediment traps as discussed above.

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: It is proposed that small, incised sediment traps be used to control sediment and that these traps remain inplace after 10 year bond release. The justification for this is that the traps are small and will have blended with the surrounding topography during the 10 year monitoring period. The remnants of these traps will enhance vegetation because of the trapped moisture. It would be counterproductive to disturb or destroy well vegetated areas to remove these relatively insignificant depressions. The remnants of these traps will also continue to provide some on-site erosion control after bond release. 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 sketches of the slopes of the alternative borrow areas.

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 44.8 acres of borrow area. The reclamation costs provided in the original permit also included the cost of removing sedimentation ponds at the end of the 10 year monitoring period. This submittal proposes the use of sediment traps which will remain in place after the reclamation period. 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 it may be necessary to permit additional borrow areas in the near future.

The above responses address the deficiencies found by your team during review of the September 1993 submittal. In addition to the responses to those deficiencies the following revised pages need to replaced the current pages in the permit or in the September 1993 submittal.

Revised pages 84 and 85 should replace pages 84 and 85 in Chapter VII of the original permit.

Revised page 18 should replace page 18 in the September 1993 submittal.

Revised page 85 should replace page 85 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.

Sincerely,

Michael P. Watson

Michael P. Watson, P.E.

Form DOGM - C1 (Last Revised 6/93)

File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: Alternate Borrow Site Amendment

Permit Number: ACT/ 007 /011

Mine: Hiawatha

Permittee: U.S. Fuel Co.

Description, include reason for change and timing required to implement:

Response to deficiencies as contained in December 16, 1993 letter from Daron Haddock to Michael Baum.

☐ Yes	☒ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☒ Yes	☐ No	2. Change in the size of the Disturbed Area? 13.7 Acres (Acres E&F) acres ☐ increase ☐ decrease.
☐ Yes	☒ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☒ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☒ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☐ Yes	☒ No	6. Does permit change require or include public notice publication?
☐ Yes	☒ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☒ No	8. Permit change as a result of a Division Order? D.O.#
☐ Yes	☒ No	9. Permit change as a result of other laws or regulations? Explain:
☐ Yes	☒ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☒ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☒ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☒ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☒ Yes	☐ No	14. Does permit change require or include soil removal, storage or placement?
☒ Yes	☐ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☒ Yes	☐ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☒ Yes	☐ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☒ Yes	☐ No	18. Does permit change require or include certified designs, maps, or calculations?
☐ Yes	☒ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☒ No	20. Does permit change require or include subsidence control or monitoring?
☐ Yes	☒ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☒ Yes	☐ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☒ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☒ **Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Michael P. Watts PRES. 3/2/94

Signed - Name - Position - Date

Subscribed and sworn to before me this 02 day of MARCH, 1994.

Diana B. Houghton

Notary Public

My Commission Expires: 8-14, 1997

Attest: STATE OF Utah

COUNTY OF CARBON

DIANA B. HOUGHTON
NOTARY PUBLIC - STATE of UTAH
1401 WEST 2060 NORTH
HELPER, UTAH 84526
COMM. EXP. 8-14-97

Received by Oil, Gas & Mining

RECEIVED
MAR 4 1994
DIV. OF OIL, GAS & MINING

ASSIGNED PERMIT CHANGE NUMBER

Form DOGM - C2 (Last Revised 6/93)

File Folder # 3

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: Alternate Borrow Site Amendment	Permit Number: ACT / 007 / 011
	Mine: Hiawatha
	Permittee: U.S. Fuel Co.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☒ REPLACE	☐ REMOVE	Appendix VII - 10
☐ ADD	☒ REPLACE	☐ REMOVE	Pages 78 & 79 in Chapter VII of Original Permit
☐ ADD	☒ REPLACE	☐ REMOVE	Page 20 in September 1993 Amendment
☐ ADD	☒ REPLACE	☐ REMOVE	Page 22 in September 1993 Amendment
☐ ADD	☒ REPLACE	☐ REMOVE	Page 57 in Chapter III of Original Permit
☐ ADD	☒ REPLACE	☐ REMOVE	Pages 84 & 85 in Chapter VII of Original Permit
☐ ADD	☒ REPLACE	☐ REMOVE	Page 18 in September 1993 Amendment
☐ ADD	☒ REPLACE	☐ REMOVE	Page 85 in September 1993 Amendment
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Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?