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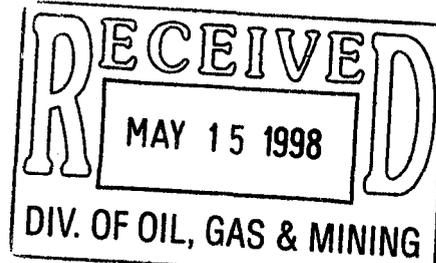
Hiawatha Coal Company

P.O. Box 1202
Huntington, UT 84528

(435) 637-1778
FAX (435) 637-1378

May 11, 1998

Coal Program
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801



Daron Haddock,

Re: Response to Division Order 97A, Hiawatha Coal Company, Hiawatha Complex, ACT/007/011, Carbon County, Utah

#2 Copy Daron

Enclosed is a submittal in response to the Partial Punch List for Division Order 97A. Also attached is an item by item response to the punch list.

Hiawatha Coal Company requests an extension to respond to the following issues until July 30, 1998:

Cemetery Cleaning and Delineation
Consolidation and As-builts of the Soil Information
Hydrology Designs and Calculations
North Fork Reclamation Designs

This extension will allow HCC to address these issues with a quality submittal, as well as address additional deficiencies in the MRP which HCC has identified.

If you have any questions, please call me at (435) 637-1778.

Sincerely,

A handwritten signature in cursive script that reads "Charles Reynolds".

Charles Reynolds, PE
Mining Engineer

APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/007/011
Title of Proposal: Partial response to DO-97A						Mine: HIAWATHA COMPLEX
						Permittee: HIAWATHA COAL CO.

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

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> No	1.	Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease
<input type="checkbox"/> Yes	2.	Is the application submitted as a result of a Division Order? DO # DO-97A
<input type="checkbox"/> No	3.	Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> No	4.	Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> No	5.	Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> No	6.	Does the application require or include public notice/publication?
<input type="checkbox"/> No	7.	Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> No	8.	Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> No	9.	Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> No	10.	Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> No	11.	Does the application affect the surface landowner or change the post mining land use? _____
<input type="checkbox"/> No	12.	Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> No	13.	Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> No	14.	Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> No	15.	Does application require or include soil removal, storage or placement? _____
<input type="checkbox"/> No	16.	Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> No	17.	Does the application require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> No	18.	Does the application require or include water monitoring, sediment or drainage control measures?
<input type="checkbox"/> Yes	19.	Does the application require or include certified designs, maps, or calculations? _____
<input type="checkbox"/> No	20.	Does the application require or include subsidence control or monitoring?
<input type="checkbox"/> No	21.	Have reclamation costs for bonding been provided for? _____
<input type="checkbox"/> No	22.	Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> No	23.	Does the application affect permits issued by other agencies or permits issued to other entities? _____

Attach 7 complete copies of the application.

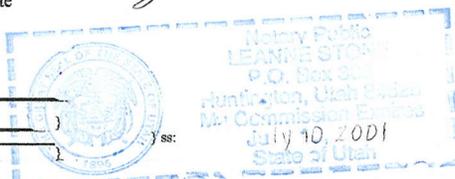
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles Reynolds - Engineer - 5/11/98

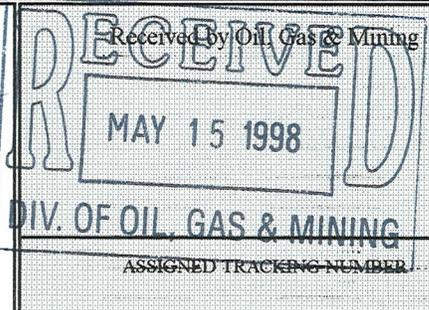
Signed - Name - Position Date

Subscribed and sworn to before me this 11 day of May, 19 98.

Leanne Stone



My Commission Expires: 7-10-2001, 19_____) ss: _____
 Affect: STATE OF _____ COUNTY OF _____



Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application:

Partial Response - DO-97A

Permit Number: ACT/007/011

Mine: HIAWATHA COMPLEX

Permittee: HIAWATHA COAL 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 application. 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 existing mining and reclamation plan. Include page, section and drawing numbers as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/>	REPLACE		Pg. II-66; Statement removed concerning application of seed and mulch.
<input type="checkbox"/>	REPLACE		Exhibit II-4; Vegetation reference symbol clarified, coal fine area hatch updated.
<input type="checkbox"/>	REPLACE		pp. III-ii, iv; Chapter 3 table of contents updated
<input type="checkbox"/>	REPLACE		pg. III-59; Vegetation reference area locations identified
<input type="checkbox"/>	REPLACE		pp. III-61, III-62; A Plan has been added for treatment of noxious weeds.
<input type="checkbox"/>	ADD		Appendix III-3, Cover page and pg. 3-15; Reference Area production added to Appendix
<input type="checkbox"/>	REPLACE		Exhibit IV-5; King V breakout and 12" water line disturbed area added.
<input type="checkbox"/>	REPLACE		pp. V-34, V-35; Primary Road information updated.
<input type="checkbox"/>	REPLACE		pg. V-56; Coal fine mitigation description revised.
<input type="checkbox"/>	REPLACE		pp. V-61; V-62; Reclamation Timetable revised.
<input type="checkbox"/>	REPLACE		Exhibits V-4, V-6, V-6A, V-7, V-9, V-9C; See response description for each map.
<input type="checkbox"/>	ADD	<input type="checkbox"/> REPLACE <input type="checkbox"/> REMOVE	
<input type="checkbox"/>	ADD	<input type="checkbox"/> REPLACE <input type="checkbox"/> REMOVE	
<input type="checkbox"/>	ADD	<input type="checkbox"/> REPLACE <input type="checkbox"/> REMOVE	
<input type="checkbox"/>	ADD	<input type="checkbox"/> REPLACE <input type="checkbox"/> REMOVE	
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<input type="checkbox"/>	ADD	<input type="checkbox"/> REPLACE <input type="checkbox"/> REMOVE	
<input type="checkbox"/>	ADD	<input type="checkbox"/> REPLACE <input type="checkbox"/> REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

Please update the previous responses to DO-97A by replacing previously submitted pages and Exhibits with the attached pages and Exhibits.

Partial Response to Permit Deficiencies Division Order 97A

Following is a discussion of the deficiencies outlined in the "Partial Punch List" received by Hiawatha Coal Company. The line-by-line discussion outlines the changes which have been made in the enclosed submittal.

R645-301-232.720, R645-301-240, R645-300-133.710, and R645-301-120

1. As-built soil volumes will be consolidated and included in the submittal concerning all of the soil borrow areas, and HCC requests that this item be extended until July 30, 1998, along with the remainder of the soil borrow area information.

Table II-5 of the previous submittal shows that Borrow Area "A" contains 138,426 cu yds. Based on the acreage shown on Chapter II, pg. 63, for Slurry ponds 5 and 5a, the required topsoil volume is 121,706 cu yds. Therefore there is adequate soil in Borrow Area "A" to completely retopsoil this area. This information will be clarified in the forthcoming submittal.

R645-301-242

1. Hiawatha Coal Company feels that an immediate survey of Borrow area "A" would serve no purpose, since the topsoil volumes may change daily as the reclamation of Pond 5 progresses. In addition, HCC believes that this request for an intermediate survey exceeds the requirements of SMCRA and the R645 regulations, which do not require intermediate volume calculations during the reclamation process. The previous submittal already contains information demonstrating that there is adequate soil in Borrow area "A" to completely reclaim pond 5 and 5a. Rather than spend the resources surveying the area now, HCC intends to put our resources toward completing the reclamation of Slurry Pond 5 this season. When pond 5 has been completed, HCC will then conduct a survey to evaluate the remaining volume to be used for Pond 5a. HCC intends to continue to use Pond 5a in their new operation, therefore Pond 5a will not be reclaimed along with the pond 5 main cell.

R645-301-341

1. The reference to two areas on Chapter 5, page 56, has been revised to reflect the three areas. A statement has been added to the text to allow for any future areas which is determined by DOGM and HCC to require mitigation. The third area has also been added to Exhibit V-9C.

R645-301-341.240

1. A new section has been added to Chapter 3 (R645-301-353.250) to address noxious weeds. HCC has already begun to spray for whitetop and musk thistle, which has been found in the permit area.

R645-301-341.250

1. Appendix III-3 has been renamed to allow all information concerning reference areas to be incorporated into this Appendix. The letter from NRCS has been incorporated into this Appendix as page 3-15.

R645-301-323

1. A total of six reference areas are associated with the MRP (Table III-9). The locations of all of these are already shown on Exhibits III-4, III-5 and III-6. Descriptions of their locations have been added to Table III-9. The precise boundaries of all six reference areas will be conspicuously marked in the field. Where reference areas are rectangular, each corner of the area will be marked. The boundaries of reference areas SBR3 and RR9, which are not rectangular, will be marked adequately enough to document exact boundaries. Intermediate markers will be placed along all sides to accurately follow the boundaries of these areas.

R645-301-341

1. The statement on pg. 66, Ch. 2 has been removed.

R645-301-411.140

1. and 2. The historical survey has been completed. Per Division letter dated April 23, 1998, The response to this information was extended to July 30, 1998. This information will be submitted to the Division as soon as it is available.

R645-301-512

1. All revised maps which have been included in this submittal have been certified. The following maps are not included in this submittal which were not certified: II-1, V-7B, V-9A, V-9B and V-13 thru V-13D. V-7B and V-9B will be resubmitted with the hydrology design amendment. The remaining exhibits should be evaluated for approval. If no additional revisions are required, HCC will submit seven finalized certified copies of the maps.

R645-301-534

1. Ch. 5, pg. 34 and 35 have been revised to classify the road passing Slurry Pond 1 as primary.
2. A description of the primary road from the post office to the gate adjacent to the shop and warehouse has been added to pg. 34. This road will be used for access to the minesite from the town of Hiawatha. HCC will use the primary road from the post office and heavy equipment shop which passes Refuse Pile No. 1 and parallels the railroad ROW and intersects with S.R. 122 for access and coal hauling. This road is described on Page 34, paragraph 4. The portion of the road from S.R. 122 to the minesite should not require permitting since it is also used for non-mining uses, such as access to the loadout by Utah Railway, but use of the road for access to the minesite may require authorization from Utah Railway, who is the owner of this portion of the road.

R645-301-536

1. HCC has scheduled to have the cemetery vacuumed by Castle Blast and Back Company. Recent rain has resulted in the fines being too wet to vacuum, but it is anticipated that the fines should be cleaned by May 20. An attempt was made to determine if the cemetery as currently seen is correct, but HCC was unsuccessful. According to U.S. Fuel Company, these records disappeared when the individual responsible for the records left the employment of U.S. Fuel. Sagebrush Consultants has proposed to supervise a surficial exploration of the area outside the cemetery where plots are recorded to have existed, in order to determine the presence of any graves outside the fenced area. This exploration will be completed in conjunction with the historical update, and should be extended to July 30.

R645-301-542

1. The timeline has been included in Table V-7, pg. 61.
2. Table V-7 has been corrected to outline reclamation of Ponds 4 and 5.
3. Chapter V, pg. 51 does accurately describe the reclamation which has taken place in North Fork (Second paragraph).

R645-301-550

1. The breakout has been shown on Exhibit IV-5. Currently, the portal has been backfilled from within the mine. HCC intends to reopen King V, and will be reopening and using this ventilation portal. Prior to final cessation, HCC will work with DWR to evaluate the potential for a bat gate.

R645-301-551

1. The reclamation description in Ch. V, pg. 51, currently describes how the North Fork portal was sealed. According to Mike Watson of United States Fuel Company, sealing of the portal consisted of nothing more than backfilling the portal with 25 feet of non-combustible material.

R645-301-850.100

1. Per memo to file dated April 24, 1998, this item has been withdrawn from the deficiency list.

Maps Section

Exhibit II-4

1. The test plot and reference area symbols have been corrected.

Exhibit V-4

1. The title has been corrected.
2. This information will be submitted with the amendment described above (R645-301-542). HCC requests this item be extended to July 30, 1998.
3. HCC will submit this information with a hydrology design amendment which will consolidate and clarify all of the hydrology diversion designs. HCC requests that this item be extended to July 30 to allow for the preparation of a clear and concise amendment.
4. The requested changes have been made. The entire length of the pipeline has been shown on Exhibit IV-5.
5. The buried 4" pipe has been removed from the map.
6. The hatch has been corrected to include the area North of the road.
7. This information will be presented in conjunction with items 1 and 2 of Exhibit V-4. HCC requests until July 30 to respond to this item. Hiawatha Coal Company is currently preparing a post-mining land use amendment which will include designs for the remainder of the reclamation in North Fork. This amendment is scheduled to be submitted following the completion of the historical information which will evaluate the status of the pipeline, and will be submitted by July 30.

Exhibit V-6

1. The cross-section has been removed from the map.

Exhibit V-6A

1. The tire storage area has been shown as continuously used.

Exhibit V-7

1. The storage designation has been removed from the coal stock pile area.
2. This area is not a refuse pile, but is permitted for the temporary storage of refuse until it is moved to the refuse piles below. This is discussed in Section R645-301-528.340 and is currently shown in the approved mine plan in Figure V-8.

Exhibit V-7B

1. A review of the existing mine plan has revealed that this ditch does not have a name or a design. HCC will include this in the amendment described in item 3 of Exhibit V-4.
2. HCC will include this information in the amendment described in item 3 of Exhibit V-4.
3. Same as item 2.

Exhibit V-9

1. The non-coal storage designation has been removed from the refuse pile.
2. A small area for storage of waste oil has been designated near the shop located West of the town of Hiawatha. This storage site allows the oil to be stored within a concrete berm and base which would completely contain any oil which may be spilled.
3. The blue hashed line does not indicate refuse storage. Rather, it delineates "Non-refuse areas". The disturbed area North of this line is covered with coal refuse which would require topsoiling during reclamation. The area South of this line is covered with Non-refuse in-situ material which is adequate for reclamation substitute topsoil material. A discussion of these areas is provided in Ch. V, pg. 63. To clarify this, HCC has identified the specific areas on this map which are active coal waste storage sites.
4. See R645-301-850.100 above.
5. Inactive coal waste storage areas have been hatched on the map.

Exhibit V-9A

1. See R645-301-850.100 above.

Exhibit V-9B

- 1, 2 and 3. This map will be submitted with the amendment described in item 2 of Exhibit V-7B.
4. See R645-301-850.100 above.

Exhibit V-9C

1. Seeding dates have been added to the reclaimed areas.
2. See R645-301-850.100 above.