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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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*Mme Lile*

February 9, 1998

Elliot Finley, President  
Hiawatha Coal Company, Inc.  
P.O. Box 1202  
Huntington, Utah 84528

Re: Outstanding Permit Deficiencies, Hiawatha Mines Complex, Hiawatha Coal Company, Inc., ACT/007/011-DO97A, Folder #3, Carbon County, Utah

Dear Mr. Finley:

You should be aware that the permit for the Hiawatha mine included a stipulation to address outstanding deficiencies of Division Order 97A. There may still be some confusion as to what issues were resolved by U. S. Fuel prior to the permit transfer, and which issues still remain. As we discussed in our meeting of January 22, 1998, the Division agreed to review the information submitted to date and provide a punch list of remaining deficiencies. That review has now been completed and the list is enclosed. These deficiencies still need to be addressed in order to satisfy the Division Order and get the Mining and Reclamation Plan (MRP) for the Hiawatha mine in order.

Please review the punch list and provide the necessary amendments to your MRP to correct the deficiencies. A complete and adequate response will need to be submitted by no later than May 11, 1998.

The review has also determined that two of the recently submitted maps are adequate as submitted. These maps are Exhibit V-5, Surface Facilities, Middle Fork and Exhibit V-7, Post and Pre-Law, South Fork. These maps are hereby approved as part of your MRP. Additional copies of these maps will need to be submitted. Please submit seven copies of these approved maps for incorporation into the Hiawatha Mines Complex mining and reclamation plan by February 27, 1998.

If you have any questions, please call me or the appropriate member of the review staff.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".

Daron R. Haddock  
Permit Supervisor

Enclosure

cc: O:\007011.HIA\FINAL\PNCHLST.LTR

## **Punch List of Permit Deficiencies Division Order 97A**

### **R645-301-142**

1. The Loadout area along the Railroad ROW must be included in the disturbed area boundary on all maps within the Hiawatha Processing Plant and Waste Disposal Sites.

### **R645-301-232.720, R645-240, R645-300-133.710, and R645-301-120:**

1. Consolidate MRP information concerning all soil borrow areas into one table delineating locations, affected acreage, borrow depths, and volumes. Correlate and reference each borrow area with each respective reclamation area.
2. Consolidate MRP information concerning all areas receiving soil borrow into one table that delineates locations, receiving acreage, soil placement depths, and volumes. Correlate and reference each reclamation area with each respective soil borrow area.
3. Provide updated As-Built for:
  - (1) Pond #4 and Borrow Area "F",
  - (2) Pond 5, Pond 5A, and Borrow Area "A", and
  - (3) lower reclaimed area in the Prep Plant and associated borrow area.Updated As-Built should contain current status for both reclaimed areas and borrow areas with their affected acreage, depth of soil removal and placement, and resulting volumes in a concise and consolidated table format. Format should allow comparison of volumes of soil removed from borrow areas to amount of soil fill in each reclaimed areas. One of the questions that needs to be addressed is if enough soil remains in Borrow Area "A" to finish reclamation of Pond 5 and 5A.

### **R645-301-242.**

1. Provide a plan and time table for developing borrow sites during contemporaneous reclamation, including interim soil protection measures.
2. Borrow area A should be surveyed for actual to date quantities used and remaining.

### **R645-301-341**

1. Some areas within and adjacent to the disturbed area have been affected by coal fines, and these effects need to be remediated. The remediation plan shown in the proposed amendment is acceptable, but the amendment contains a statement that there are two and only two areas that need to be mitigated. A third area south of the highway and northwest of pond 5A needs to be added. Coal fines may need to be mitigated in other areas although the Division is not currently aware of such areas, so the statement that only two areas will be mitigated needs to be modified.

**R645-301-341.240**

1. It is anticipated that whitetop and musk thistle could create some serious problems during revegetation, and the permittee needs to develop a plan for dealing with these noxious weeds. The plan needs to include active monitoring and control beginning in the early spring after seeding.

**R645-301-341.250**

1. The permittee needs to provide information in the plan about the range conditions of the reference areas which would be used for judging revegetation success. The Division has a copy of a letter from the Natural Resources Conservation Service showing this information, and this letter could be included in the plan to fulfill this requirement.

**R645-301-323**

1. The boundaries of the reference areas need to be shown on a map or the locations documented through other means, such as GPS technology, so they can be relocated.

**R645-301-341.**

1. Remove statement that seed and hydromulch will be spread in one application (pg.66, soils)

**R645-301-411.140**

1. The permit must be corrected to acknowledge historic sites and sites eligible for the register within and adjacent to Permit Area.
2. Maps and supporting narrative must be provided, describing the cultural and historic resources within and adjacent to the entire disturbed area which are listed, or eligible for listing, in the National Register of Historic Places. This will require a site inventory done by a person registered with State History. A description of any historic site within and adjacent to the disturbed area must be provided which details the protection and mitigation measures to be used during mining and reclamation activities.

**R645-301-512**

1. Maps are not certified

**R645-301-512.230, R645-301-536, R645-301-553.250**

1. Hiawatha Coal Company will identify and provide the Division with a plan to clean up and properly place all miscellaneous coal and coal waste materials into approved storage areas. This plan will include:
  - Consolidate all miscellaneous coal and coal waste material to minimize soil resource borrow.
  - Table and MRP text should explain and discuss how these materials will be removed or left in place to ensure that final disposal will be suitable for operations, reclamation and post-mining land use.

**R645-301-521.140**

1. Cross sections do not go 100 feet beyond disturbed area.

**R645-301-523**

1. Hiawatha Coal Company will provide the Division with a narrative explaining the modification, use and maintenance of the coal waste, refuse and impoundment structures. The narrative must also explain the coal storage, loading, hauling, handling and associated haul roads located within the railroad right-of-way.

**R645-301-526**

1. Hiawatha Coal Company will provide the Division with detailed plans for all structures in the disturbed areas. The Division needs to know what structures will be needed for future operations and what structures are no longer needed.

**R645-301-528**

1. Provide a narrative explaining the modification of refuse and impoundment structures.

**R645-301-534.**

1. "Ancillary" road from the heavy equipment shop to the railroad crossing near junction of Slurry Pond #1 and Refuse Pile #1 should be classified as primary.
2. State Hwy 122, went to the Post Office. In 1993, at the request of U.S. Fuel the UDOT abandoned in place this road. Is this road now considered a primary road? What road is permitted as access to the site and will be used for hauling coal?

3. Provide reclamation details of canyon roads that reduce the width to a two track.

**R645-301-536.**

1. The cemetery must be cleaned of all coal mine waste. An attempt must be made to locate the registry of the town and determine if the cemetery as currently seen is correct.

**R645-301-542.**

1. Provide a detailed time-line for reclamation of Pond 5 and 5A in conjunction with Soil Borrow Area "A". Since the entire Borrow Area "A" has been opened, the time line will enable the Division to access the timeliness for using soil from the borrow area.
2. Timetable V-7 is not correct. Ponds 4 and 5 have not been completed. The timetable must be corrected.
3. North Fork Reclamation should be modified to describe what actually occurred (i.e. no topsoil was respread).
4. Hiawatha Coal Company must provide the Division with a detailed timetable for the completion of each major reclamation operation. For those facilities that will no longer be needed the Permittee must include the start and finishing time for each major reclamation project.

**R645-301-550.**

1. Provide a plan with maps and cross sections for the Old Hiawatha No. 2 mine to be sealed and restored to approximate original contour after water line is no longer needed.
2. Page 56 describes an 8 x 20 foot breakout associated with the King 5 Mine in the left fork of South Fork. The breakout was from in mine. It is stated that at final cessation the opening will be sealed from within with no further work. Has this been done? What is status? Potential Bat gate? Is this shown on a Map?

**R645-301-551**

1. Hiawatha Coal Company will provide the Division with documentation about how the portals in North Fork Canyon were sealed.

**R645-301-742.312.**

1. Include diversion designs and summaries of designs for all reclamation drainages:

**Preparation Plant**

The preparation plant area drainage pattern is not proposed to change for reclamation. No designs are presented. Designs must be submitted which restore the drainages to uses compatible with the declared postmining land use of livestock and wildlife.

**Middle Fork Reclamation**

No reclamation drainage designs were presented for this section. Drainage designs for flows that are directed to the sediment pond during this phase should be provided.

**South Fork Reclamation**

No reclamation drainage designs were presented for this section. Drainage designs for flows that are directed to the sediment pond during this phase should be provided.

**R645-301-742.313.**

1. The temporary diversion in the North Fork operations area is no longer used for the purpose it was authorized. Provide designs and plans for removal of this structure, reconstruction of the stream channel and sediment and revegetation plans. This may require a state stream alteration permit.

**R645-301-762.100.**

1. The plan must include restoration of the natural drainage pattern at the South Fork road and the dirt road from the bath house to the water tank or show that it is compatible with the postmining land use.

**R645-301-850.100**

1. Hiawatha Coal Company will provide the Division with a detailed reclamation cost estimate for the railroad Loadout area and the associated haul road.

**The following items are a review of specific maps.**

**MAPS (R645-301-142)**

**Exhibit II-4, Soils and Vegetation, Hiawatha Processing Plant and Waste Disposal Sites**

1. Test plot should have a different symbol than the vegetation reference area.
2. Reference areas (shown maps II-4, II-5, III-4, and III-5) should be shown more precisely on the maps or need to have coordinates so they can be relocated.
3. Triangle area on Slurry Pond 5 at intersection of State Hwy 122 and County Road No. 338 should be hatched in red.

**Exhibit V-4, Surface Facilities, North Fork**

1. The title is misleading, should state Existing Surface Facilities
2. Need reclamation map with cross sections.
3. Map of North Fork road with detail of drainage and spring crossings.
4. Water pipeline and diversion should be included in the disturbed area boundary and the entire length of the pipeline shown on a map and marked as disturbed in the field.
5. New portion of road must be reclaimed from before the stream crossing to the end.
6. Buried 4" pipe must be removed.
7. Small strip north of road on pad should be shown with green hatch mark.
8. The culvert associated with the road should be removed and attendant maps, plans and designs for the channel submitted. The requirements of R645-301-762.200 should be met for the stream ford and should include using methods to block access across the stream where the road ford presently exists.

**Exhibit V-5, Surface Facilities, Middle Fork**

1. This map should be approved.

**Exhibit V-6, Storage and Waste Facilities, Middle Fork**

1. The cross section for "Typical Reclaimed Section" should be removed from this map prior to approval.

**Exhibit V-6A, Post and Pre-Law, Middle Fork**

1. The tire storage area should be labeled as continuously used.

**Exhibit V-7, Storage and Waste Facilities, South Fork**

1. Remove the green hatch storage designation from the coal stock pile area.
2. What is the temporary coal waste storage area? Is this a refuse pile?

**Exhibit V-7A, Post and Pre-Law, South Fork**

1. This map should be approved.

**Exhibit V-7B. South Fork Surface Facilities. Hydrology Map.**

1. The ditch near the 4" pipes and draining to the 18" cmp, should be labeled so the design associated with the ditch can be determined.
2. The culvert associated with UD49 should be designed and a label provided on this map.
3. The 12" waterline is part of the disturbed area and sediment control measures must be provided and illustrated.

**Exhibit V-9, Storage & Refuse Facilities, Hiawatha Processing Plant and Waste Disposal Sites**

1. Non-coal waste storage should not be located on top of a refuse pile.
2. A small area for storage of waste oil and grease (noncoal waste) should be shown near the heavy equipment shop.
3. Blue dashed line should be closed to show exact area of refuse storage.
4. The Loadout within the railroad ROW should be included within the disturbed area boundary.
5. Inactive areas of coal waste storage should be shown (i.e. Slurry Pond 5).

**Exhibit V-9A, Post and Pre-Law, Hiawatha Processing Plant and Waste Disposal Sites**

1. The Loadout within the railroad ROW should be included within the disturbed area boundary.

**Exhibit V-9B, Hydrology Map, Hiawatha Processing Plant and Waste Disposal Sites**

1. The ditch to an ASCA adjacent to County road 338 and south of Slurry Pond No. 5 should be made more visible. Clarify where the drainage is flowing at the junction of ditches DD-1 UD-12 and DD-6. Provide culvert labels and associated culvert labels for the design so, the design flow associated with the drainage to the culverts can be determined. (There is more than one 24" culvert on the map). To make the maps clear

and accurate areas of increased detail could be identified and cross referenced. The ditch to sedimentation pond D003 should be designed, labeled and illustrated on this map.

2. The areas which drain to the designated ASCA should be highlighted.
3. The beginning of DD6 is unclear. Drainage just northeast of DD12 is not labeled.
4. The Loadout within the railroad ROW should be shown as within the disturbed area boundary.

**Exhibit V-9C, Reclamation and Topsoil Borrow Areas, Hiawatha Processing Plant and Waste Disposal Site**

1. Dates of seeding done would be helpful on the maps
2. The Loadout within the Railroad ROW should be shown as within the disturbed area boundary.

**Exhibit V-9D, Final Hydrology Map, Hiawatha Processing Plant and Waste Disposal Sites**

1. Ditches and drainages should be labeled.
2. Culverts under pad area should be removed. Cross sections should be provided for new drainages.
3. The Loadout within the Railroad ROW must be shown as within the disturbed area.
4. A portion of the sheet flow from the top of reclaimed Slurry Pond 4 drains toward the railway ROW.

**Exhibit V-13, Final Surface Configuration, Hiawatha Processing Plant and Waste Disposal Sites**

1. This map shows potential topsoil borrow sites. If the current plan does not propose the use of these sites then they should be removed from this map.
2. No grading plan is presented which complements the drainage in the area to the south and east of slurry pond No.4.
3. Describe why the culverts identified in the Hiawatha Processing Plant and Waste Disposal Site area are necessary to be retained, and describe how these culverts meet the post mining land use for the area.
4. Provide labels for the post mining reclamation area ditches and culverts and provide the same labels for the associated designs to make the plan clear and accurate.
5. The underlying operations map should be significantly lightened or deleted from this map to reduce confusion.

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6. The scale of this map does not provide sufficient detail for review. This map could possibly be made into three maps. Preferred scale is one inch equals 50' with 2' to 5' contour intervals.
7. Cross sections should extend through the entire disturbed area and 100' on both ends.
8. It is unclear between this Exhibit and Exhibit II-4 if Miller Creek and/or the embankments will be disturbed again when Sediment Pond 004 is removed.
9. The Loadout within the railway ROW must be included in the disturbed area boundary.
10. Cross sections for Slurry Pond No. 4 do not appear to depict actual surface configuration.

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