

0047

C/007/011 Incoming  
cc: Jim, Priscilla, Pete  
RECEIVED  
JAN 05 2009

## Hiawatha Coal Company

DIV. OF OIL, GAS & MINING

**P.O. Box 1240**  
**Huntington, UT 84528**

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

James D. Smith  
Utah Division of Oil, Gas & mining  
1954 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, UT 84114-5801

**December 30, 2008**

Re: Deficiencies for Phase I Bond Release, Task ID #3035, Hiawatha Coal Company, Hiawatha Mine, C/007/011, Outgoing File.

Dear Mr. Smith:

This letter is in response to your list of deficiencies dated December 29, 2008. Please find the attached list of responses regarding each deficiency. Please note that Hiawatha Coal is only applying for Phase I Bond Release. The majority of these deficiencies are not relevant to this application. Further, Hiawatha Coal would be happy to provide as much information as we have available, most if not all the information being requested for has been lost in the fire that claimed the Hiawatha Coal Engineering Building. All the people whom were involved with the initial reclamation work are no longer employed or available to question. Please take this into consideration when we apply for phase II.

Also included in this response are 2 hard copies and 1 digital copy of all proposed changes. A hard copy and a digital copy was also provided to the Price Office.

If you have any questions, please call me at (435)636-5777 (X-2501).

Sincerely,



Cliff Baker  
Environmental Coordinator

**Deficiency Response List**  
**Task ID #2895**  
**Phase I Bond Release**

**R645-301-880.110,**

- D. Appendix V-15 should be adjusted to reflect the completion of Slurry Pond 5 and the separate reclamation of Slurry Pond 5A.**
- R. Table 1, Appendix V-15, shows Pond 5, the table should be Pond 5A. Please find this change included in this response. Further, Appendix VIII-1 also has changes on the title blocks of these Volumes. These tables are also included in this response.

**R645-301-121.200 and R645-301-880.110,**

- D. HCCI sampled and analyzed the replaced topsoil, Division records dated March 17, 1997 indicate that the analysis from Pond #5 was received. The analysis recommended a fertilizer be applied. The bond release should confirm methods of fertilization of the reclaimed site.**
- R. Hiawatha Coal Company has no record of this as the engineering building burned down. It can be assumed that the recommendations were followed as the vegetation appears healthy. It should also be noted that Hiawatha Coal is only applying for Phase I Bond Release at this time.

**R645-301-121.200 and R645-301-880.110,**

- D. The Application should provide information on further testing, if any, done since 1997 on the East half of slurry pond 5.**
- R. Hiawatha Coal Company has no record of this as the engineering building burned down. It should also be noted that Hiawatha Coal is only applying for Phase I Bond Release at this time. Further, analysis will be performed prior to our Phase II application to show proper vegetation growth as provided by law.

**R645-301-121.200 and R645-301-880.110,**

- D. The MRP describes separate handling of the surface horizons from borrow area A for replacement onto the borrow areas after reclamation. However, a Division field report dated December 3, 1996 indicates that this procedure may have been abandoned. The Bond release application should verify whether the lowest horizon excavated was covered with stockpiled topsoil and then seeded.**
- R. Hiawatha Coal Company has no record of this as the engineering building burned down. It can be assumed that the MRP plan to remove the top 12" and redistribute after completion was followed (Page 2-43), as the vegetation appears healthy. It should also be noted that Hiawatha Coal is only applying for Phase I Bond Release at this time.

**R645-301-121.200 and R645-301-880.110,**

**D. The Bond release application should also settle questions of the depth and volume cut from borrow area A as recorded in Table II-12 and on Page 2-10.**

R. Both Page 2-10 and Table II-12(page 2-33) were updated and submitted in our last response Dated July 9, 2008. Also all relevant maps were updated with current Topography for all the areas in question, Hiawatha Coal retained outside services (XTO) to survey the areas in June 2008, this survey was used to confirm the volume remaining in borrow area A.

**R645-301-880.110,**

**D. the bond release application should confirm type of roughening employed at slurry ponds and the borrow areas and detail type of mulch, rate of application and method of application on each site.**

R. Hiawatha Coal Company has no record of this as the engineering building burned down and cannot provide information on mulch, rate and or method. It should be obvious that pocking was utilized on the slurry pond and refuse areas and as for the borrow areas I'm confident that the surface was either ripped or scarified to promote vegetation growth. It should also be noted that Hiawatha Coal is only applying for Phase I Bond Release at this time.

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

**Permittee:** HIAWATHA COAL CO.

**Mine:** HIAWATHA COMPLEX

**Permit Number:** ACT/007/011

**Title:** Bond Release

**Description,** Include reason for application and timing required to implement:

Update Tables: Chapter 5 Appendix V-15 Tables 1 and 4, Chapter 8 Appendix VIII-1 Tables 1,2, and 3

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes  No 1. Change in the size of the Permit Area? Acres: Disturbed Area:  increase  decrease.
- Yes  No 2. Is the application submitted as a result of a Division Order? DO#
- Yes  No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes  No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes  No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes  No 6. Does the application require or include public notice publication?
- Yes  No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes  No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes  No 9. Is the application submitted as a result of a Violation? NOV #
- Yes  No 10. Is the application submitted as a result of other laws or regulations or policies?

*Explain:* \_\_\_\_\_

- Yes  No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes  No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes  No 13. Does the application require or include collection and reporting of any baseline information?
- Yes  No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes  No 15. Does the application require or include soil removal, storage or placement?
- Yes  No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes  No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes  No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes  No 19. Does the application require or include certified designs, maps or calculation?
- Yes  No 20. Does the application require or include subsidence control or monitoring?
- Yes  No 21. Have reclamation costs for bonding been provided?
- Yes  No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes  No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

**Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you.** (These numbers include a copy for the Price Field Office)

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.

V. Finley  
Print Name

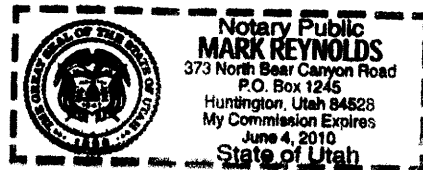
V.P. 12-30-08  
Sign Name, Position, Date

Subscribed and sworn to before me this 30 day of November, 2008

[Signature]  
Notary Public

My commission Expires:

Attest: State of Utah } ss:  
County of Endicott



**For Office Use Only:**

Assigned Tracking  
Number:

Received by Oil, Gas & Mining

# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: HIAWATHA COAL CO.

Mine: HIAWATHA COMPLEX

Permit Number: ACT/007/011

Title: Update Tables: Chapter 5 and 8

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

### DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter 5 Appendix V-15 tables 1 and 4
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter 8 appendix VIII-1 Tables 1,2, and 3
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.  
*As per conversation with Dana Dean: (12/30/00)  
 these pages are to be added to  
 Phase I Bond Release. Deficiencies,  
 Task ID # 3035.*

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**TABLE 1**  
**AREA-VOLUME BALANCE SHEET**  
**SLURRY POND NO. 5-5A**

CUT				FILL (5% SHRINK FACTOR)					
STATION	END AREA (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME BANK (CUBIC YARD)	STATION	END AREA (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME (+ 5%) (CUBIC YARD)
0+00	0	0	200	0	0+00	0	806.5	200	5,974
2+00	0	0	200	0	2+00	1,613	806.5	200	5,974
4+00	0	0	200	0	4+00	0	0	200	0
6+00	0	0	200	0	6+00	0	720.5	200	5,337
8+00	0	39	200	289	8+00	1,441	1,089.50	200	8,070
10+00	78	482	200	3,570	10+00	738	732.5	200	5,426
12+00	886	1,597.50	200	11,833	12+00	727	2,063	200	15,281
14+00	2,309	2,306.50	200	17,085	14+00	3,399	4,589	200	33,993
16+00	2,304	6,493.50	200	48,100	16+00	5,779	4,496	200	33,304
18+00	10,683	5,341.50	200	39,567	18+00	3,213	1,606.50	200	11,900
20+00					20+00	0			

TOTAL = 120,444

TOTAL = 125,259

**TABLE 4**  
**AREA-VOLUME BALANCE SHEET**  
**UPPER RAILROAD YARD**

STATION	CUT				FILL (5% SHRINK FACTOR)				VOLUME (CUBIC YARD)
	END AREA (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME BANK (CUBIC YARD)	STATION	END AREA (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	
0+00	0	0	1600	0	0+00	0	0	1,600	0
16+00	0	1,081	200	8,007	16+00	0	0	200	0
18+00	2,162	1,251.50	200	9,270	18+00	0	629.5	200	0
20+00	341	1,139	200	8,437	20+00	1,259	629.5	200	4,663
22+00	1,937	1,541.50	200	11,419	22+00	0	0	200	4,663
24+00	1,146	2,034.50	200	15,070	24+00	0	0	200	0
26+00	2,923	2,527	200	18,719	26+00	0	0	200	0
28+00	2,131	1,766	200	13,082	28+00	0	0	200	0
30+00	1,401	1,042.50	200	7,722	30+00	0	0	200	0
32+00	684	342	200	2,533	32+00	0	0	200	0
34+00	0				34+00	0	0	200	0

TOTAL <sup>(3)</sup> = 94,259

TOTAL = 9,326

- NOTES: (1) Reclamation on sections 0+00 through 16+00 will consist of minor re-grading, coal removal and topsoil on track areas.  
(2) Figures include removal of approximately 76,000 cubic yards of substitute topsoil.  
(3) This volume is included as topsoil for prep plant area (Borrow Site)

**TABLE 1**  
**AREA-VOLUME BALANCE SHEET**  
**SLURRY POND NO. 5 AND 5A**

CUT					FILL (5% SHRINK FACTOR)					
STATION	END AREA	AVERAGE AREA	DISTANCE	VOLUME	STATION	END AREA	AVERAGE AREA	DISTANCE	VOLUME	
(SQ. FEET)	(SQ. FEET)	(SQ. FEET)	(FEET)	(CUBIC YARD)	(SQ. FEET)	(SQ. FEET)	(SQ. FEET)	(FEET)	(+ 5%) (CUBIC YARD)	
0+00	0				0+00	0				
1+00	5,333	2,667	100	9,876	1+00	0	0	100	0	
2+00	26,278	15,806	100	58,539	2+00	0	0	100	0	
3+00	12,494	19,386	100	71,800	3+00	0	0	100	0	
4+00	13,674	13,084	100	48,459	4+00	13,672	6,836	100	26,584	
5+00	9,597	11,636	100	43,094	5+00	15,993	14,833	100	57,682	
6+00	8,817	9,207	100	34,100	6+00	16,272	16,133	100	62,738	
7+00	8,545	8,681	100	32,152	7+00	16,750	16,511	100	64,209	
8+00	8,128	8,337	100	30,876	8+00	16,021	16,386	100	63,721	
9+00	8,079	8,104	100	30,013	9+00	15,029	15,525	100	60,375	
10+00	8,175	8,127	100	30,100	10+00	15,534	15,282	100	59,428	
11+00	8,755	8,465	100	31,352	11+00	17,580	16,557	100	64,388	
12+00	8,397	8,576	100	31,763	12+00	16,102	16,841	100	65,493	
13+00	21,866	15,132	100	56,043	13+00	0	8,051	100	31,309	
14+00	22,372	22,119	100	81,922	14+00	0	0	100	0	
15+00	8,188	15,280	100	56,593	15+00	12,811	6,406	100	24,910	
16+00	3,867	6,028	100	22,324	16+00	17,308	15,060	100	58,565	
17+00	3,782	3,825	100	14,165	17+00	16,239	16,774	100	65,230	
18+00	11,066	7,424	100	27,496	18+00	0	8,120	100	31,576	
19+00	2,224	6,645	100	24,611	19+00	0	0	100	0	
20+00	0	1,112	100	4,119	20+00	0	0	100	0	
				<b>TOTAL</b>					<b>TOTAL</b>	<b>736,209</b>
				<b>739,396</b>					<b>736,209</b>	



**TABLE 2**  
**AREA-VOLUME BALANCE SHEET**  
**SLURRY POND NO. 4 AND REFUSE PILE NO. 2**

CUT				FILL (5% SHRINK FACTOR)			
STATION (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME BANK (CUBIC YARD)	STATION (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME (+ 5%) (CUBIC YARD)
0+00	0			0+00	0		
1+00	2,811	100	5,206	1+00	0	100	0
2+00	2,517	100	9,867	2+00	2,721	100	5,291
3+00	2,024	100	8,409	3+00	8,619	100	22,050
4+00	3,749	100	10,691	4+00	10,422	100	37,024
5+00	3,572	100	13,557	5+00	11,328	100	42,292
6+00	3,693	100	13,454	6+00	12,812	100	46,939
7+00	4,287	100	14,778	7+00	11,695	100	47,653
8+00	5,865	100	18,800	8+00	8,580	100	39,424
9+00	8,125	100	25,907	9+00	4,877	100	26,166
10+00	11,994	100	37,257	10+00	2,688	100	14,710
11+00	15,665	100	51,220	11+00	1,319	100	7,791
12+00	13,104	100	53,276	12+00	0	100	2,565
13+00	1,433	100	26,920	13+00	0	100	0
14+00	0	100	2,654	14+00	0	100	0
15+00	0	100	0	15+00	0	100	0
16+00	0	100	0	16+00	0	100	0
17+00	0	100	0	17+00	0	100	0
18+00	0	100	0	18+00	0	100	0
19+00	0	100	0	19+00	0	100	0
20+00	0	100	0	19+00	0	100	0
TOTAL			291,996	TOTAL			291,904

**TABLE 3  
AREA-VOLUME BALANCE SHEET  
SLURRY POND NO. 1 AND REFUSE PILE NO. 1**

CUT					FILL (5% SHRINK FACTOR)					
STATION (SQ. FEET)	END AREA (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME BANK (CUBIC YARD)	STATION (SQ. FEET)	END AREA (SQ. FEET)	AVERAGE AREA (SQ. FEET)	DISTANCE (FEET)	VOLUME (+ 5%) (CUBIC YARD)	
0+00	0	0	0	0	0+00	0	0	0	0	
1+00	2,019	1,010	100	3,739	1+00	0	0	31	119	
2+00	3,935	2,977	100	11,026	2+00	61	330	100	1,281	
3+00	7,514	5,725	100	21,202	3+00	598	2,122	100	8,250	
4+00	7,914	7,714	100	28,570	4+00	3,645	3,019	100	11,741	
5+00	12,736	10,325	100	38,241	5+00	2,393	2,271	100	8,830	
6+00	15,843	14,290	100	52,924	6+00	2,148	3,626	100	14,101	
7+00	11,239	13,541	100	50,152	7+00	5,104	9,159	100	35,616	
8+00	9,319	10,279	100	38,070	8+00	13,213	12,544	100	48,782	
9+00	3,845	6,582	100	24,378	9+00	11,875	10,569	100	41,100	
10+00	5,584	4,715	100	17,461	10+00	9,262	8,574	100	33,341	
11+00	5,909	5,747	100	21,283	11+00	7,885	8,675	100	33,734	
12+00	4,044	4,977	100	18,431	12+00	9,464	9,811	100	38,152	
13+00	3,367	3,706	100	13,724	13+00	10,157	9,251	100	35,974	
14+00	2,363	2,865	100	10,611	14+00	8,344	6,374	100	24,788	
15+00	2,374	2,369	100	8,772	15+00	4,404	49,066	100	19,077	
16+00	1,772	2,073	100	7,678	16+00	5,407	3,889	100	15,122	
17+00	2,051	1,912	100	7,080	17+00	2,370	2,221	100	8,635	
18+00	904	1,478	100	5,472	18+00	2,071	1,096	100	4,260	
19+00	700	802	100	2,970	19+00	120	100	100	0	
20+00	430	565	100	2,093	20+00	0	0	0	0	
				<b>TOTAL</b>					<b>TOTAL</b>	<b>382,904</b>
				<b>TOTAL</b>					<b>TOTAL</b>	<b>383,878</b>