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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

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OK

March 14, 2008

Mark Reynolds, Resident Agent
Hiawatha Coal Company
P.O. Box 1245
Huntington, Utah 84528

Subject: Deficiencies for Phase I Bond Release, Task ID #2895, Hiawatha Coal Company, Hiawatha Mine, C/007/0011, Outgoing File

Dear Mr. Reynolds:

The Division has reviewed your application for Phase I bond release on 95.92 acres. The Division has determined that there are some deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met. The Division is returning your submittal (except the copy for the incoming file and the copy for the Price Field Office.) Please resubmit the entire package with all of the deficiencies addressed.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation your response to that particular deficiency.

If you have any questions, please call me at (801) 538-5262 or Wayne Western at (801) 538-5263.

Sincerely,

James D. Smith
Permit Supervisor

an
Enclosure
cc: Price Field Office
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Deficiency List

Task ID #2895

Phase I Bond Release

The members of the review team include the following individuals:

Wayne H. Western [whw]

Priscilla W. Burton [pwb]

R645-301-121.200, The Permittee must state in the bond release application which if any roads were reclaimed [whw]

R645-301-880.120 The Permittee must include proof of publication for the newspaper advertisement. [whw]

R645-301-880.210, The Permittee must provide the Division with as-built drawing of the reclaimed areas. In addition to the final surface configuration, the Permittee must also show if present reclamation facilities, surface and subsurface manmade features. The Permittee must certify the maps and cross sections according to the requirements of R645-301-512. The Division needs that information to evaluate the reclamation work that the Permittee completed and the remaining work for Phase II and Phase III bond release. [whw]

R645-301-121.100, Exhibit II-4A provides the status of reclaimed and affected lands as of 1999. The bond release application indicates that the work was completed in 1999 (p. 2-37) or in the Fall of 2000 (Appendix VIII-5). Earthwork (including seeding) at the Slurry pond 4/Refuse Pile 2, Slurry Pond 5 Main Cell, a portion of the Preparation Plant, and Borrow areas A and F was undertaken during the years 1996 – 2001 (according to Division records and the 2005 Annual Report). The MRP indicates that the work on Slurry pond 5 is either ongoing in 2007 (pg. 5-63) or completed in October 1999 (Table 5-7). To eliminate confusion, please provide a current map to reference the location of the reclaimed areas and remaining acres identified on page 2-37 and indicate grading and seeding dates for each Phase I reclaimed site. [pwb]

R645-301-121.200, The total acreage under consideration for Phase I bond release is 95.92 acres as detailed on page 2-37 of the MRP, Section 241. Please check the column and row totals on p. 2-37 for accuracy. For example, the numbers in the total acres and remaining columns do not add up. In addition, the numbers in the preparation plant row do not add up. • There are a total of 222.87 acres in the lower Hiawatha area (Sec. 241, p 37). In the vicinity of preparation plant there are 218 acres that will be reclaimed to wildlife and range habitat (Sec. 333, p. 36, dated 1992). Chap II, page 2-37 itemizes 126.17 total acres to be reclaimed in the lower Hiawatha area. Table III-3 lists approximately 112 acres within the

lower Hiawatha area that will not be reclaimed as follows: roads 30.3 acres; railroad yard 15.2 acres; town 66.3 acres. Please indicate in the bond release application whether or not all these statements are still accurate. [pwb]

R645-301-731 The Permittee needs to submit a map identifying the reclaimed areas and disturbed areas described under this application. [dwd]

The Permittee will need to check other maps and text in the MRP to ensure they are current with the information in the Phase I application, ie, Exhibit VII in map section of Chapter 7 and Appendix VII in Chapter 7 Appendices. [dwd]

R645-301-880.110, The application does not provide dates of seeding or grading, but only indicates that an additional 40.39 acres of slurry pond 5 (the main cell) was reclaimed since 1998. [The northern portion of slurry pond 5, which is referred to as pond 5A was authorized in 2001* to receive coal mine waste from the Bear Canyon Mine.] The application also shows that the 16.87 acre Borrow Area A was reclaimed after 1998, and that 1.45 acres remain to be reclaimed in Borrow Area A. Please provide dates of final seeding for each site. • HCCI committed to sampling and analysis of replaced topsoil (pg. 2-10). Division records dated March 17, 1997 indicate that soil analysis from topsoil on Slurry pond #5 were received. The analyses resulted in a fertilizer recommendation. The bond release application should confirm methods of fertilization of the reclaimed sites (slurry, refuse, and borrow areas). •The application should provide information on further testing, if any, done since 1997, on the east half of slurry pond five. • 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 excavated horizon at borrow area A was ripped and seeded or whether the lowest horizon excavated was covered with stockpiled surface soil and then seeded. • The bond release application should also settle questions of depth and volume cut from Borrow Area A as recorded in Table II-12 and on p. 2-10. [pwb]

R645-301-880.110, This Appendix should be adjusted to reflect the completion of Slurry pond 5 and the separate reclamation of slurry pond 5A. [pwb]

R645-301-880.110, 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 application on each site. [pwb]