

TECHNICAL MEMORANDUMUtah Coal Regulatory Program

July 15, 2009

TO: Internal File

THRU: James Smith, Permit Supervisor *JS 7/20/09*
April Abate, Lead

FROM: April A. Abate, Environmental Scientist II *AA 7-16-2009*

RE: Slurry Pond Abandonment, Hiawatha Coal Company, Hiawatha Mine,
C/007/0011, Task #3343

SUMMARY:

On June 25, 2009, Hiawatha Coal Company (Permittee) submitted copies of letters the Permittee received from the Mine Safety and Health Administration (MSHA) approving the abandonment of Slurry Ponds #1 and #5. The letters state that MSHA approves the abandonment of the slurry ponds and that inspection and reporting requirements no longer apply to the structures.

The Division previously approved an application for a permit amendment to abandon Slurry Cell #1 under Task #2831. The request came as a result of Citation #10006, which required: (1) Repair/maintain the embankment for Slurry Cell #1 in accordance with the approved designs in the mining and reclamation plan, or (2) Submit plans to the Division and/or MSHA for Slurry Cell #1 re-design and/or abandonment/reclamation.

RECOMMENDATIONS:

The amendment should be approved.

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TECHNICAL ANALYSIS:

OPERATION PLAN

SPOIL AND WASTE MATERIALS

Regulatory Reference: 30 CFR Sec. 701.5, 784.19, 784.25, 817.71, 817.72, 817.73, 817.74, 817.81, 817.83, 817.84, 817.87, 817.89; R645-100-200, -301-210, -301-211, -301-212, -301-412, -301-512, -301-513, -301-514, -301-521, -301-526, -301-528, -301-535, -301-536, -301-542, -301-553, -301-745, -301-746, -301-747.

Analysis:

Impounding Structures

Appendix V-16 in the MRP contains the information relative to the Slurry pond abandonment plan. The MSHA approval letters will be added to Appendix V-16 as was required during the initial approval of the slurry pond abandonment amendment under Task 2831. On page V16-3, the abandonment plan states that a detailed plan with cut and fill volumes and final surface contours will be submitted to the Division prior to final reclamation.

Findings:

The information submitted meets the minimum requirements of the regulations.

RECOMMENDATIONS:

The amendment should be approved.