

# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

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January 4, 2010

TO: Internal File

THRU: James D. Smith, Permit Supervisor  
April Abate, Team Lead

FROM: April Abate, Environmental Scientist III/Hydrologist. *(HCC) 1-27-10*

RE: Mid-Term Deficiency Response Review, Hiawatha Coal Company, Inc.,  
Hiawatha Mine, C/007/0011, Task #3459

### SUMMARY:

On October 21, 2009, the Division sent a deficiency letter to Hiawatha Coal Company (HCC) regarding the midterm permit review. A response was received from HCC on December 14, 2009 addressing the deficiencies brought forth by the Division. This memo addresses the adequacy of the hydrology-related responses.

The following is a summary of deficiencies based on the midterm review and the permittee responses:

**[R645.301.528.330] and [R645.301.528.332 & 334]:** The definition of noncoal waste includes abandoned mining machinery. Exhibits V-5, V-6 and V-7 need to be updated to show the current waste storage conditions. Non-coal waste areas should either be redesignated on the maps, or the waste should be relocated to designated noncoal waste storage areas in accordance with R645.301.521.124. Drums contained within the waste oil and grease storage adjacent to the truck maintenance shed should be evaluated for oil and/or hazardous substances and disposed of in a proper manner in accordance with R645.301.528.332 & 334.

*Permittee Response:* The Permittee is actively involved in scrapping operations of the old unused mining machinery located along South and Middle Fork Roads. However, updated maps listed in the original deficiency letter were not provided. Please provide updated maps showing the current waste storage areas. Secondly, the permittee explained that a hazardous materials evaluation was completed on the drums near the truck maintenance storage area in the latter half of 2007 and at that time all hazardous material were removed from the property. If that is the case, why not dispose of these remaining drums as part of the ongoing scrapping operations then?

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**[R645.301-742.200]:** The reclaimed ventilation portal area no longer requires the silt fencing to support sediment control in that area. The silt fences are recommended for removal.

*Permittee Response:* The permittee notified the Division that the silt fencing near the reclaimed ventilation portal has been removed. No further action required.

Additional maintenance is needed in the areas of Slurry Pond #4 on its northeast side where active down cutting has been evident. Ongoing erosion problems were noted where the addition of rip rap extending further to the west where the problems begin is needed. Smaller diameter rip rap boulders than the ones currently emplaced may be more effective in mitigating the erosion problem. Deep rilling was noted in an area situated between the Utah Rail right-of-way and the northwest corner of Slurry Pond #4 draining above the culvert into a catch basin above Miller Creek. Additional work appears to be needed to include building up and extending the berm along the catch basin in this area.

*Permittee Response:* The permittee indicated that corrective action was taken to fix the erosion problem along the north ditch of Slurry Pond #4 one week following the midterm inspection. Smaller diameter riprap was added to the ditch by the permittee.

*Division Response:* The Division acknowledges that the catch basin adjacent to the Utah Railway line is not the property of HCC; however, the problem is with the berm adjacent to the catch basin. In the past, HCC has repaired this berm because of its close proximity to the berm along the northwest side of Slurry Pond #4. The problem has been ongoing for decades and continues to appear because the berm is made up of coal fines. The permittee needs to be reminded that they have an obligation to prevent to the extent possible contributions of sediment to the stream flow or to runoff outside of their permit area and retaining sediment within their disturbed areas – this includes coal fines. A follow up inspection of the area is recommended to ensure that coal fines are not migrating off the disturbed area boundary, which will result in a violation in accordance with R645.742.111, 121, 750.

**RECOMMENDATIONS:**

**Conditional approval is recommended upon receipt of updated Exhibits V-5, V-6 and V-7.**