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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

August 18, 2010

TO: Internal File

THRU: James D. Smith, Permit Supervisor *DS 015 Sept 2010*
April Abate, Team Lead *(GCA) 8-31-2010*

FROM: April Abate, Environmental Scientist III/Hydrologist

RE: Mid-Term Deficiency Response Review, Hiawatha Coal Company, Inc.,
Hiawatha Mine, C/007/0011, Task #3596

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.

The Permittee submitted up to date drawings of South Fork and Middle Fork storage and waste facilities as Exhibits V-6 and V-7. The updated figures depict the removal of the short and long term equipment staging areas and revised temporary coal storage areas.

[R645.301-742.200]: During the technical inspection that occurred in fall 2009, additional maintenance was needed in the areas of Slurry Pond #4 on its northeast side where active down cutting has been evident. A follow up inspection was completed and the Permittee has indicated that the berm adjacent to the catch basin has received additional work and reinforcement to prevent erosion.

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RECOMMENDATIONS:

Conditional approval is recommended upon receipt of clean copies of Exhibits V-6 and V-7.

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