

HIAWATHA COAL COMPANY

P.O. Box 1240
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June 10, 2013

Steve Christensen
Utah Division of Oil, Gas & Mining
1954 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801



Re: Response To Deficiencies Task 4333, Hiawatha Coal Company, C/007/0011

Dear Mr. Christensen:

Attached is a response to your letter dated May 29, 2013. The deficiencies noted in your letter have been corrected and responded to as follows:

R645-301-244.200 – Page 3-55 has been added revising the application rate of mulch to 1.5 tons/acre.

R645-301-521.165 & 270 – Appendix 5-17 addresses the deficiencies in these sections. Exhibit 8-1A has also been updated to clarify the reclaimed area boundary.

R645-301-521.251 – A commitment has been added to Appendix 5-17.

R645-301-533.700 – A commitment has been added to Appendix 5-17.

R645-301-527.200 – Exhibit 8-1A and Appendix 5-17 have been revised to address the confusion under this section.

R645-301-121.200 – Appendix 5-17 has been added showing design information.

I appreciate the expedited review of the previous submittal on the part of the Division, and request that the review of the additional information submitted be expedited, also. The google drive directory “Amendment06102013” for the revised submittal has been updated to include all pages and plates associated with the amendment, including exhibits and pages which did not require any revision in response to the deficiencies.

If you have any further questions, please feel free to contact me at (801) 857-0399.

Sincerely,

A handwritten signature in black ink that reads "Charles Reynolds".

Charles Reynolds, PE
Mine Manager

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: Pond 5A Temporary Access Road

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

Access Road to allow for the extraction of Coal Fines from Slurry Pond 5A

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.

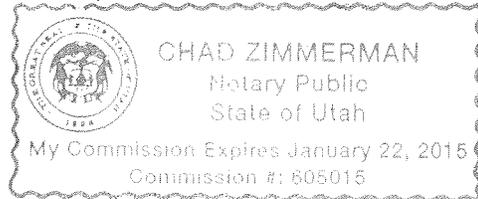
Elliott Finley
Print Name

E. Finley, Pres. 5/14/13
Sign Name, Position, Date

Subscribed and sworn to before me this 14th day of May, 2013

[Signature]
Notary Public

My commission Expires: _____ } ss:
Attest: State of Utah }
County of Utah



341.230 Mulching Techniques

Various mulching techniques will be used at the mine plan sites during final reclamation. The technique to be used depends on the site, slope, and method by which the seed is applied and other variables.

In one case, at the mine yards, the existing culverted stream diversions will be restored to open channels. After the channel has been re-established, riprapped and reseeded using seed mix number 4, the area will be mulched using tacked hay to prevent excessive erosion of the newly restored channel.

When applying mulch to the regraded area at the borrow sites the mulch will be crimped in or tackified to the soil after seeding and fertilizing. Mulching of the roadways leading to the borrow sites will be done in the same manner or applied by hydroseeding. In both cases mulch will be applied at a rate of 2,000 pounds per acre. This rate will be used in all areas to receive mulch for consistency.

Any site that will be mulched by crimping will not be scarified beforehand so as to minimize the number of passes, the amount of compaction, and loss of soil structure.

On steep slopes at the mine sites, after seeding is conducted either a hydromulch with internal chemical binders (Conwed-2000) will be applied to the site or a hay or straw mulch will be staked down with netting material for stability or crimped into the soil by discing.

Reclamation plans at the preparation plant and associated facilities call for mulch (either hydromulch, straw or native grass hay) to be applied at a rate of 1.5 tons per acre. If hydroseeding is implemented, ~~a binder adhesive additive will be utilized to ensure that the mulch remains in place~~ 1500 pounds of wood fiber mulch will be added with the hydro-seeder. In either case the recommended application is critical to reducing the erosion potential, controlling runoff and re-establishing vegetation. Hiawatha notes that during the reclamation of Pond 5 main cell an application rate of 1.0 tons per acre was used successfully in connection with the surface roughening applied.

Where areas are seeded and fertilized by broadcasting, the seed will be raked into the soil. No mulch will be applied to these areas unless specific conditions warrant the need for additional organic material. Where necessary, a rate of 1.5 tons per acre will be used.

341.240 Irrigation, Pest and Disease Control

Because native seed species suitable for long term growth have been selected for each site, no irrigation should be necessary. Transplants will be irrigated by hand for the first season after planting and during exceptionally dry seasons.

No pest and disease control are anticipated, however, the Division will be notified and consulted if they are needed.

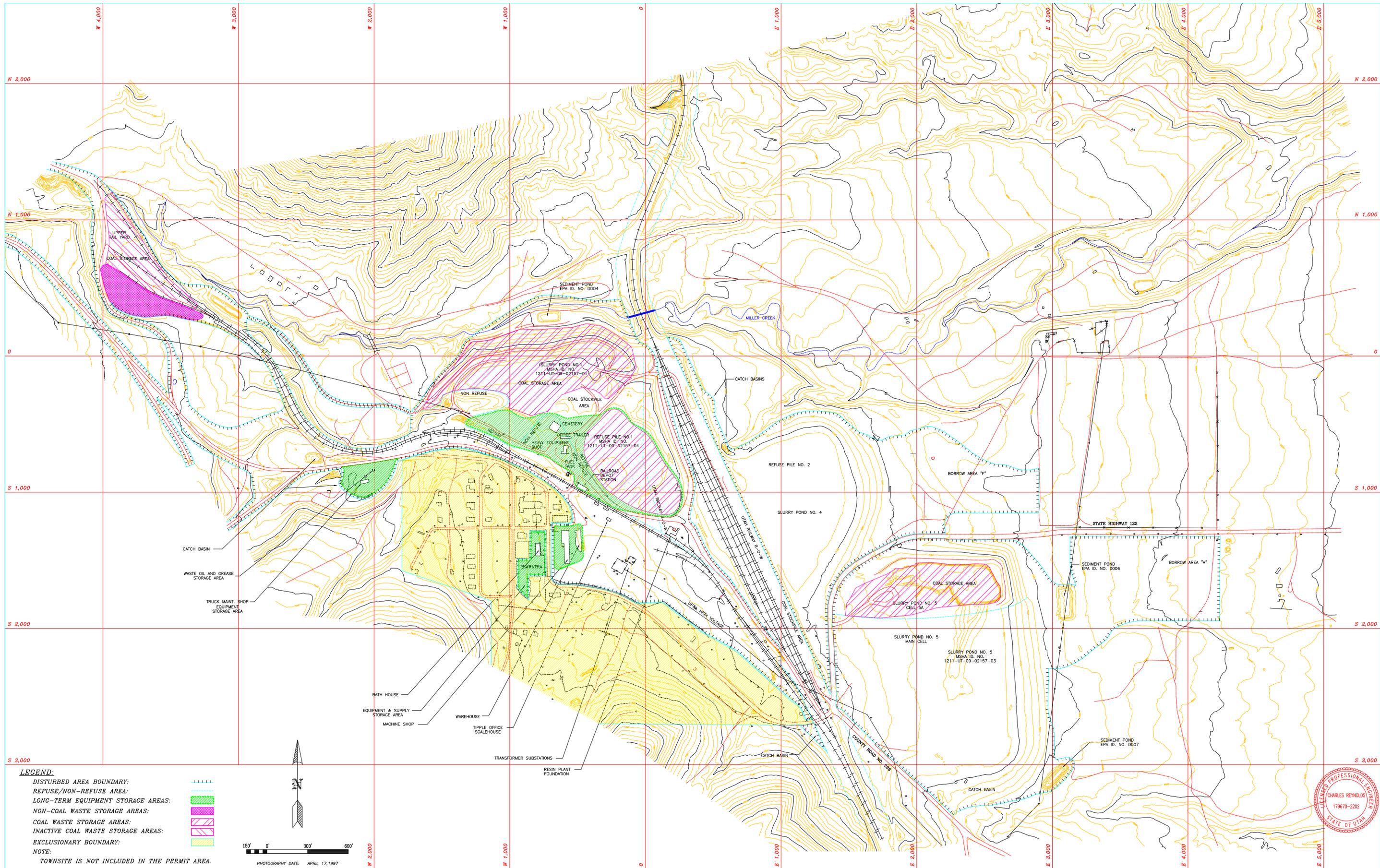
TABLE OF CONTENTS (Continued)

CHAPTER 5 PERMIT APPLICATION REQUIREMENTS: ENGINEERING

LIST OF APPENDICES

Appendix 5-1	Slurry Pond Design and Construction Plans
Appendix 5-2	Hiawatha No. 2 Reservoir Structural Analysis and Hazard Assessment Information
Appendix 5-3	Refuse Pile Design and Construction Plans
Appendix 5-4	Plan for Extinguishing Fires on Refuse Piles and Slurry Ponds
Appendix 5-5	Program for Inspection and Correction of Hazardous Conditions on Slurry Impoundments
Appendix 5-6	King 4 MSHA Approved Roof Control and Ventilation Plans
Appendix 5-7	Plans for Construction of North Fork Ventilation Portal
Appendix 5-8	Small Area Exemptions
Appendix 5-9	Middle Fork Truck Runaway Road Upgrade Plans
Appendix 5-10	Non-Coal Waste Storage Sites
Appendix 5-11	Mohrland Pipeline Upgrade
Appendix 5-12	Calculations for Stream Crossing to Access Topsoil Borrow Areas
Appendix 5-13	Middle Fork Road Drainage and Erosion Control
Appendix 5-14	Design of North Fork Diversion
Appendix 5-15	Earth Work Area-Volume Balance Sheets
Appendix V-16	Slurry Pond Abandonment
Appendix V-17	Pond 5A Temporary Haul Road

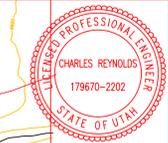
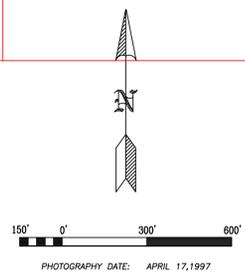
In 2013, Hiawatha Coal Company proposes to construct a temporary primary haul road extending from Highway 122 into Slurry Pond Cell 5A. This road is shown on Plate 5-2X. The purpose of this road is to allow trucks and equipment to enter Slurry pond 5A for the purpose of extracting the coal fines contained in the pond for sale and shipment to Hiawatha Coal Company customers. A description of the Operation and Reclamation plan for this road is contained in Appendix 5-17.



LEGEND:

- DISTURBED AREA BOUNDARY: [Symbol]
- REFUSE/NON-REFUSE AREA: [Symbol]
- LONG-TERM EQUIPMENT STORAGE AREAS: [Symbol]
- NON-COAL WASTE STORAGE AREAS: [Symbol]
- COAL WASTE STORAGE AREAS: [Symbol]
- INACTIVE COAL WASTE STORAGE AREAS: [Symbol]
- EXCLUSIONARY BOUNDARY: [Symbol]

NOTE:
TOWNSITE IS NOT INCLUDED IN THE PERMIT AREA.



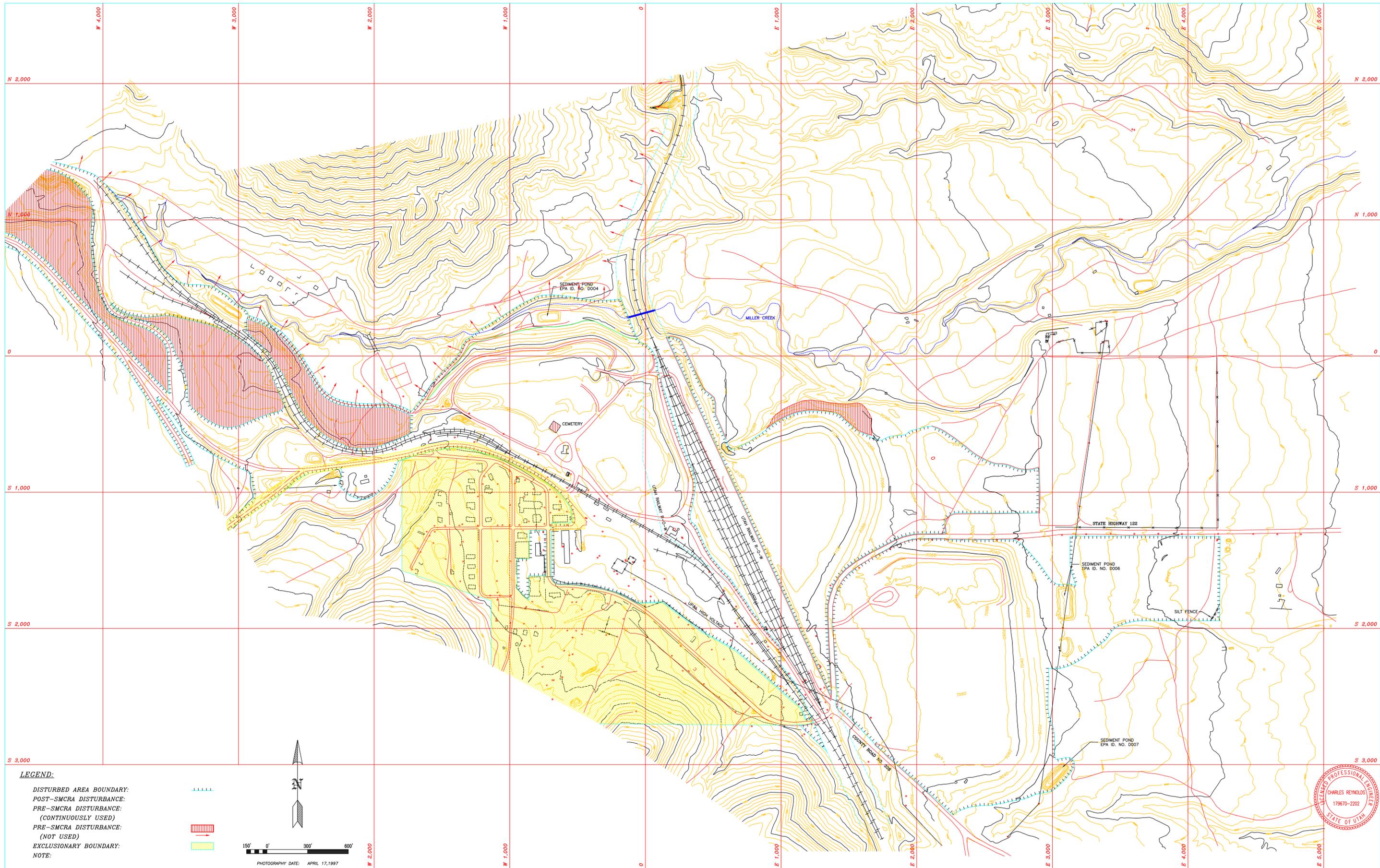
REVISION DATE:	
MAY 1998	May 18, 2013
AUG 1999	
OCT 1999	
DEC 2008	

HIAWATHA COAL COMPANY
HIAWATHA, UTAH

**HIAWATHA PROCESSING PLANT
AND WASTE DISPOSAL SITES**

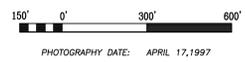
STORAGE & REFUSE FACILITIES

**EXHIBIT
V-9**



LEGEND:

- DISTURBED AREA BOUNDARY:
- POST-SMCRA DISTURBANCE:
- PRE-SMCRA DISTURBANCE:
(CONTINUOUSLY USED)
- PRE-SMCRA DISTURBANCE:
(NOT USED)
- EXCLUSIONARY BOUNDARY:
- NOTE:



PHOTOGRAPHY DATE: APRIL 17, 1997

REVISION DATE:	
JULY 1997	
JULY 2008	
May 18, 2013	

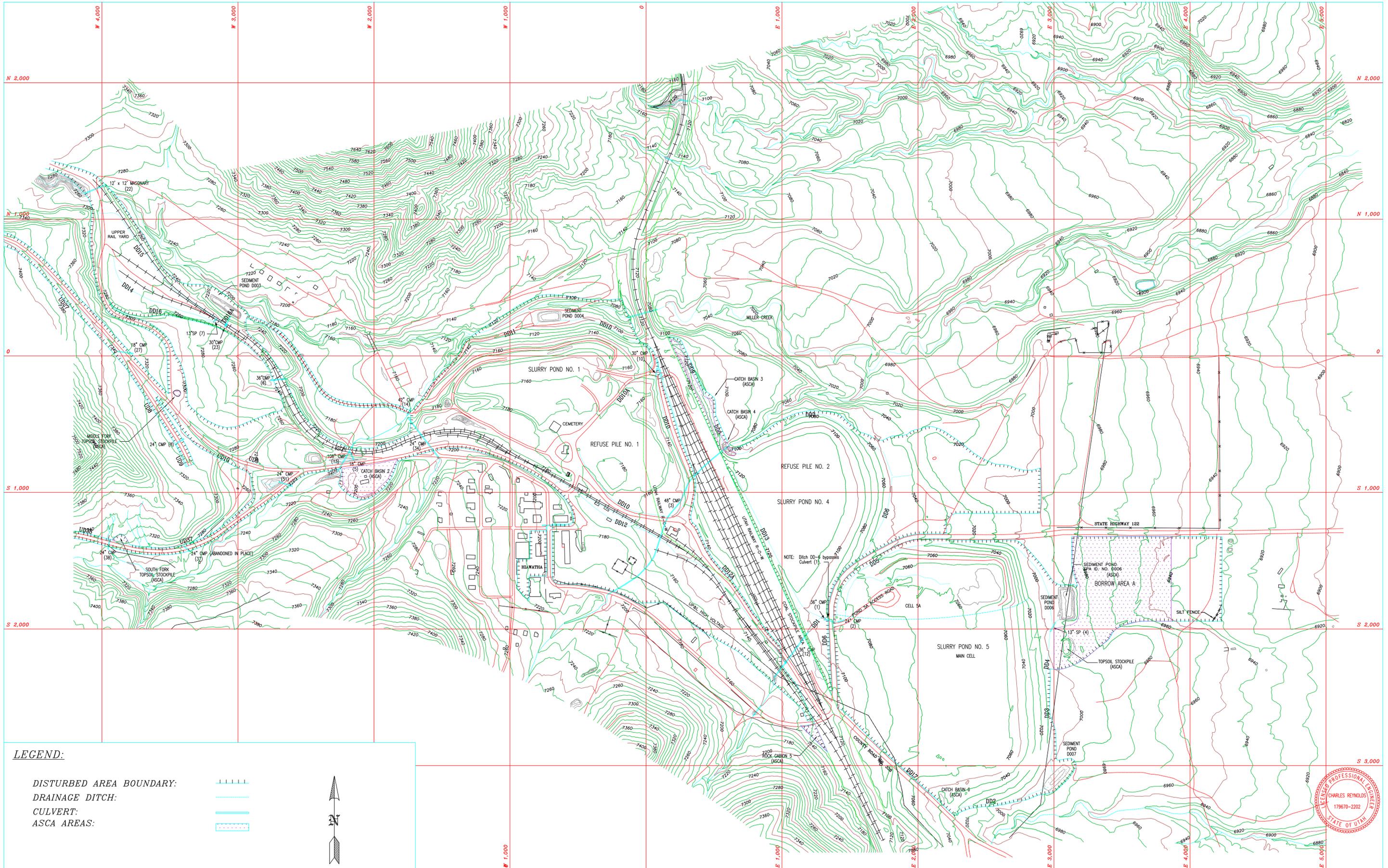
HIAWATHA COAL COMPANY
HIAWATHA, UTAH

HIAWATHA PROCESSING PLANT
AND WASTE DISPOSAL SITES

POST AND PRE-LAW

EXHIBIT
V-9A





LEGEND:

- DISTURBED AREA BOUNDARY:
- DRAINAGE DITCH:
- CULVERT:
- ASCA AREAS:

PHOTOGRAPHY DATE: APRIL 17, 1997

REVISION DATE:	
AUGUST 1998	
Jan. 26, 1999	
JULY 2008	
May 18, 2013	

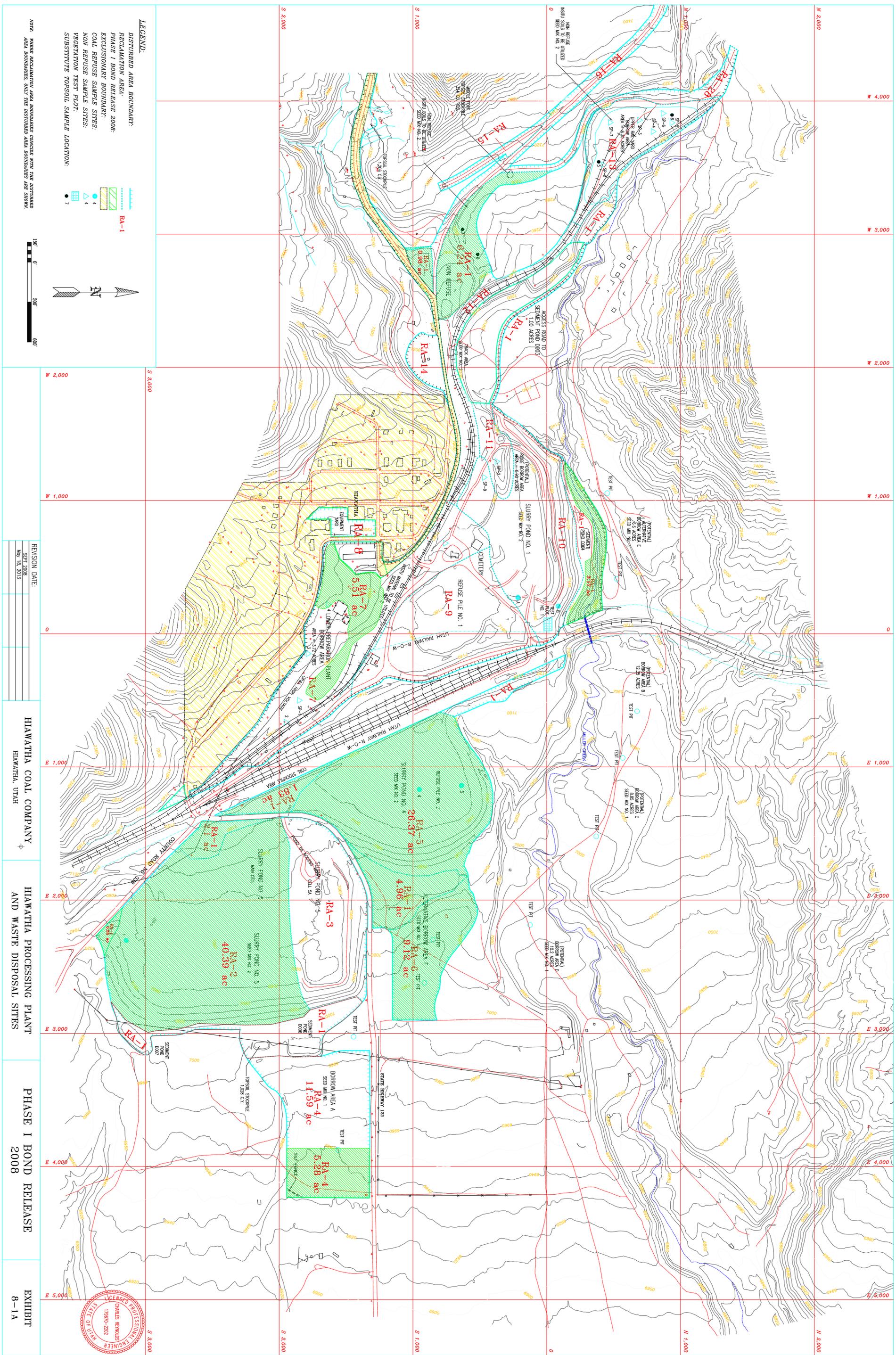
HIAWATHA COAL COMPANY
HIAWATHA, UTAH

**HIAWATHA PROCESSING PLANT
AND WASTE DISPOSAL SITES**

HYDROLOGY MAP

**EXHIBIT
VII-18A**





LEGEND:

DISTURBED AREA BOUNDARY:

RECLAMATION AREA:

PHASE I BOND RELEASE 2008:

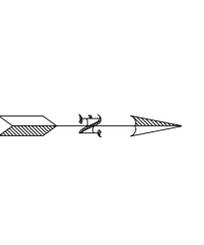
EXCLUSIONARY BOUNDARY:

COAL REFUSE SAMPLE SITES:

NON REFUSE SAMPLE SITES:

VEGETATION TEST PLOT:

SUBSTITUTE TOPSOIL SAMPLE LOCATION:



REVISION DATE:

SEPT 2008
MAY 18, 2013

HIAWATHA COAL COMPANY
HIAWATHA, UTAH

HIAWATHA PROCESSING PLANT
AND WASTE DISPOSAL SITES

PHASE I BOND RELEASE
2008

EXHIBIT
8-1A



Appendix V-17

Pond 5A TEMPORARY HAUL ROAD

In Order to facilitate the removal of coal fines from Slurry Pond 5a, a haul road will be constructed as shown on Exhibit VII-18A to allow truck traffic to enter the pond for loading.

CONSTRUCTION AND MAINTENANCE

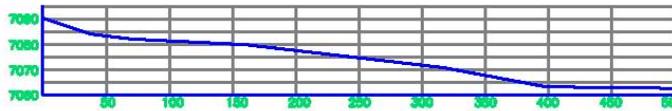
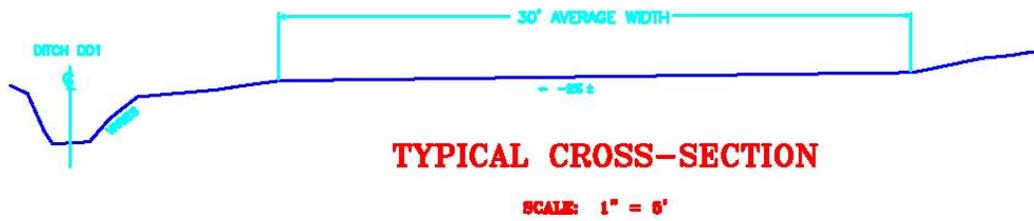
The road will be constructed along the edge of the pond 5 reclaimed area within the existing disturbed area which currently contains coal coal refuse with no topsoil, so no topsoil will need to be recovered. Photos of the disturbed area have been included in this section showing the disturbed area in relation to the reclaimed area. Hiawatha Coal Company will place markers along the edge of the reclaimed area to insure that no disturbance occurs. Since the entire road will be contained within the disturbed area draining into Slurry Pond 5A, sediment control will be obtained using the existing runoff and treatment control facilities, including total runoff containment within the Slurry Cell 5A. The road will be sloped as shown in Figure V-17A so as to allow runoff to flow downhill into Ditch DD1, providing total containment and treatment of runoff from the road. Due to the relatively level grade, the road will be constructed along existing contours and no cut and fill will be required. Construction will consist of using a dozer blade to remove the existing sagebrush and rabbit brush and smooth and level the road to allow truck traffic to travel on it. Road will be maintained to adequately handle the truck traffic. Gravel will be placed on the surface in areas where the in situ soil does not provide an adequate surface for the road. Following removal of the coal fines, updated as-built drawings will be submitted for Pond 5a showing the new configuration.

RECLAMATION

When the road is no longer needed, the surface will be ripped and scarred to allow contemporaneous reseeding. Contemporaneous seeding will be completed in accordance with Section R645-301-331. Upon final reclamation, the road will be reclaimed in conjunction with the existing reclamation plan contained in R645-301-500. Since no contours are being changed as a result of the construction of the road, the existing bond calculations already account for reclamation of the road area. Therefore, no additional bond will be required. Reclaimed contours are shown on Exhibit V-9D. In the event that the removal of the coal fines result in a material change in the cut-and-fill volume calculations for reclamation, revised reclaimed contours and cut-and-fill calculations will be submitted along with the as-built drawings described on the previous page.

Figure V-17A

Pond 5A Access Road Design



PROFILE



