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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

May 29, 2013

TO: Internal File

THRU: Steve Christensen, Permit Supervisor *SCC*

FROM: James Owen, Team Lead *JO*

RE: Pond 5A Temporary Access Road, Hiawatha Coal Company, Hiawatha Complex, Permit C/007/0011, Task ID #4333

SUMMARY:

On May 14, 2013, the Utah Division of Oil Gas & Mining received an application for an amendment to the Mining & Reclamation Plan (MRP) of the Hiawatha Mine. The application seeks approval to construct a temporary access road to allow truck access to the interior of the Slurry Pond Cell 5A for the purpose of extracting coal fines.

This memo addresses the application's compliance with the administrative (R645-301-100) engineering (R645-301-500) and bonding (R645-301-800) sections of the Utah Coal Mining Rules. Contents and information provided are not sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. The following deficiencies were identified:

R645-301-533.700, Include a commitment to submit as-built drawings of Pond 5A once mining activities have been completed.

R645-301-527.200, Provide a more detailed map and description of the encroachment area at the intersection of Highway 122 and Pond 5A Access Road. In Exhibit 8-1A, the road appears to cross a Phase I Bond Release boundary.

R645-301-121.200, Include the missing information from Appendix 5-17 including the description of the operation and reclamation plan for the temporary road.

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TECHNICAL ANALYSIS:

GENERAL CONTENTS

COMPLETENESS

Regulatory Reference: 30 CFR 777.15; R645-301-150.

Analysis:

Page 5-10 includes an additional line indicating the inclusion of Appendix V-17: Pond 5A Temporary Haul Road. Also, page 5-70A states that a description of the operation and reclamation plan for the road is contained in Appendix 5-17. However, Appendix V-17 does not appear to be included with the submittal.

Findings:

Contents and information provided are not sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. The following deficiency was identified:

R645-301-121.200, Include the missing information from Appendix 5-17 including the description of the operation and reclamation plan for the temporary road.

OPERATION PLAN

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

Analysis:

The application seeks to construct a temporary haul road extending from Highway 122 into Slurry Pond Cell 5A. The road is depicted on Plate 5-2X. The purpose of the road is to allow trucks and equipment to enter the pond for the purpose of extracting the coal fines for sale and shipment.

Findings:

Contents and information provided are not sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. The following deficiency was identified:

R645-301-527.200, Provide a more detailed map and description of the encroachment area at the intersection of Highway 122 and Pond 5A Access Road. In Exhibit 8-1A, the road appears to cross a Phase I Bond Release boundary.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

The application included updated versions of Exhibit V-9, Exhibit V-9A, Exhibit VII-18A, and Exhibit 8-1A. All plates were submitted electronically. All plates were stamped by a licensed professional engineer. No commitments were made to provide as-built drawings of Pond 5A after mining activities have been completed.

Findings:

Contents and information provided are not sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. The following deficiencies were identified:

R645-301-533.700, Include a commitment to submit as-built drawings of Pond 5A once mining activities have been completed.

RECLAMATION PLAN

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

Analysis:

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Information on the reclamation of the road (Appendix V-17) was erroneously left out of the permit application. Therefore, there is no information on the reclamation of the road.

Findings:

Contents and information provided are not sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules. The following deficiencies were identified (same as deficiency above):

R645-301-121.200, Include the missing information from Appendix 5-17 including the description of the operation and reclamation plan for the temporary road.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

There is no bonding analysis with this amendment, nor will there be the necessity to adjust the bond for this permit application.

Findings:

Contents and information provided are sufficient enough to meet the minimum requirements of this section of the Utah Coal Mining Rules.

RECOMMENDATIONS:

Approval is not recommended at this time, deficiencies must be addressed.