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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

May 29, 2013

Elliot Finley, Resident Agent  
Hiawatha Coal Company  
P.O. Box 1240  
Huntington, Utah 84528

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

Dear Mr. Finley:

The Division has reviewed your application to construct the Pond 5A Temporary Access Road at the Hiawatha Mine. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The initials of the deficiencies authors are provided so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application *by no later than June 28, 2013*.

If you have any questions, please call me at (801) 538-5350 or James Owen at (801) 538-5306.

Sincerely,

Steve Christensen  
Permit Supervisor

SKC/JCO/ss  
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**Deficiency List**  
**Task No. 4333**  
**Pond 5A Temporary Access Road**

Members of the review team are:

Amanda Daniels (AD)  
James Owen (JO)  
Priscilla Burton (PB)

Deficiencies:

**R645-301-244.200**, The amount of mulch applied to the reclaimed site should be increased, based upon documented erosion of reclaimed sites using the 1 ton/acre mulch application. The Division recommends the application of 1.5 ton/acre hay mulch incorporated into the soil with surface roughening and 1500 pounds of wood fiber mulch applied with a hydro-seeder. (PB)

**R645-301-521.165 and R645-301-521.270**, Clarify if any portions of the reclaimed Pond 5 will be re-disturbed. If any areas are re-disturbed within the reclaimed slurry pond area, the cover soil should be removed and stockpiled. Locations of the topsoil stockpile should be shown on a map and marked with a sign. (PB)

**R645-301-521.251**, Include a commitment to place Disturbance Area markers along the reclaimed slurry pond 5 to protect the phase 1 bond release area from construction or mining activity. (PB)

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

**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. (JO)

**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. (JO)