

From: Pam Grubaugh-Littig
To: Jaymarshall@sisna.com
Date: 8/19/2005 12:33:47 PM
Subject: Deficiency List for Lila Canyon Proposal

Jay - here's the final list of deficiencies. In order to expedite the process, we have scheduled time next Tuesday (8/23) and Wednesday (8/24) for you to work with the staff to respond to these deficiencies.

I have reserved the Copper Room both days and you are welcome to use that room as your office. Please bring your laptop with the requisite information and a printer. We would like to have you print four pages of each correction, three for our use and one copy for you.

Please be prepared to compile updated C1/C2 forms for **all** of the changes. You will also need to write a single cover letter that responds to the deficiency list (attached).

Also, please bring your PE stamp if you need to update maps, tabs and other items you may need to finalize and update the plan.

We will issue a Technical Analysis (TA) by September 15. At that time, we will send the TA to SUWA, UtahAmerican Energy, Inc., and Emery County. Those parties will have 15 days to review. If one of the parties requests, a "meeting" may be held within 30 days.

If you have any questions, please let me know.

Pam

CC: Angela Nance; Dana Dean; David Darby; ddragoo@swlaw.com; Jerriann Ernstsens; Jim Smith; Joe Helfrich; Karl Houskeeper; Mary Ann Wright; Priscilla Burton; Sheila Morrison; Steve Demczak; Wayne Hedberg; Wayne Western

Deficiency List
Horse Canyon Mine
Lila Canyon Extension
C/007/0013
August 19, 2005

R645-301-112.300, The Permittee must provide social security (or other unique identifying) numbers for all owners and controllers of the Permittee (UtahAmerican Energy, Inc., Coal Resources, Inc. and Murray Energy).

R645-301-121.200, The MRP-Part B does not meet the requirements of Permit Application Format and Contents for the Biology Chapter and Archeology Section because of the following issues: Paragraphs of relocated pages resulted in partial paragraphs in the narrative as well as in the Confidential Binder. • Page numbers and referenced page numbers are incorrect in Volume 3 of 7 and in Confidential Binder. • Paragraphs in Volume 3 of 7, page 16-17 are no longer accurate. • The last sentence in Confidential Binder, page 14 is not correct.

R645-301-121.200, The MRP-Part B does not meet the requirements of Permit Application Format and Contents for the Biology Chapter and Archeology Section because of the following issues: Portions of the following pages, in Volume 2 of 7, are no longer correct: pages 4, 10, and Appendix 3-3. • There are inconsistencies in the proposed declared disturbed acreage throughout the proposed plan: at least pages 5, 9, 13, and 18. • Certain pages, in Volume 2 of 7, are not entirely clear concerning the BLM-lead mitigation project: pages 10, 11, and 19. • Portions of Volume 2 of 7 are not entirely clear or clearly presented concerning the protection/enhancement plan: pages 12, 13, 16, 19, and 21. • Portions of Volume 2 of 7 are not entirely clear or clearly presented concerning the reclamation plan: pages 23 and 26.

R645-301-121.300, The MRP-Part B does not meet the requirements of Permit Application Format and Contents for the Biology Chapter and Archeology Section because of the following issues: Raptor maps illustrating nest locations and historic resource information are not clearly presented or identified in the Confidential Binder with related tabs that follow the format in the MRP (table of contents, narrative, Plates, Appendices). • There is not a reference page for Plate 4-3 in the Volume 3 of 7.

R645-301-521.141, UEI must include a map that shows the boundaries of all areas proposed to be affected over the estimated total life of the underground mining activities, with a description of size, sequence, and timing of the mining of subareas for which it is anticipated that additional

permits will be sought.

R645-301-526.115 and R645-301-121.200, UEI must clarify whether the existing 48" and 60" culverts will be removed and/or replaced by the County or by EUI. If the County removes or replaces the culverts as part of the road upgrade then the Division considers that a County project. The information in the PAP is not consistent about who will do the work. In Section 526.112, UEI state the culverts will be removed during construction of the mine site but Map 5-1A shows that the culvert at least partially outside the permit area.

R645-301-525.420, UEI must state in Section 525.420 and other sections that deal with subsidence control that partial mining will also be used to control subsidence from occurring outside the permit boundary.

R645-301-525.530, UEI states that there are no structures that are covered by this regulation in the subsidence zone. In Section 526 and in Section 525.120, UEI mention the Little Park Road. In Section 525.120, UEI state that if subsidence should damage Little Park Road then UEI would repair the damage. To avoid confusion, UEI must state in Section 525.530 that the Little Park Road exists in the subsidence zone and that that if the road is damaged by subsidence UEI will repair the damage.

R645-301-512.200, R645-301-521.170 and R645-301-527.200, UEI must • submit a detailed design for the Coal Pile Road • remove the comment in Section 520 about how the slope between the coal pile road and the portal access road will be evaluated after road construction and be labeled either disturbed or undisturbed, the comment is confusing.

R645-301-232.100 UEI must remove the statement from Plate 5-2 and Plate 5-6 about the area between the Coal Pile Road and the Portal Access Road being disturbed but no topsoil removed. UEI must remove the topsoil from all disturbed areas.

R645-301-542.200, UEI must correct the inconsistencies in the PAP about final contours and state in the engineering section where the Phase I bond release contours can be found in the PAP. • The final configuration of the sediment pond is not consistent in the PAP. The post-mining contours on Plate 5-6 are not consistent with cross section 4+00 on Plate 5-7A-2 or on Plate 7-6. On the map, UEI shows the minimum elevation at the sediment pond would be 5,835 ft. while on Plate 5-7A-2 and Plate 7-6 the minimum elevation is 5,845. • The configuration of the topsoil stockpile area on Plate 5-6 and Plate 7-7 are inconsistent. The topographic lines on Plate 7-7 are the same as those on the Plate 5-1A, Premining Contours. • The Plate 7-7, the contour lines in and around the sediment pond are inaccurate. The contour lines are the same as those on Plate 5-1A,

Premining Contours.

The sediment pond contours are overlaid on the premining contours. • UEI needs to state in the engineering reclamation section that Plate 7-7 shows the surface configuration for the area at Phase I bond release. At Phase I bond release, the area will be backfilled and graded to the final configuration except for the sediment pond. The sediment pond will be removed after UEI demonstrates that vegetation adequately controls erosion.

R645-301-830.140, UEI must include enough information about each structure and facility in order for the Division to determine the demolition cost. • UEI must supply additional data on the Slope Access Road and Coal Pile Road. • UEI must provide productivity data for each piece of earthmoving/compaction equipment. • In both Chapter 5 and Chapter 8 of the PAP, UEI must provide tables that show how much material will be moved during reclamation (topsoil, subsoil, coal mine waste.) • UEI must include a copy of the Division reclamation cost estimate in the MRP. The Division will supply UEI with the information upon request.