



Suzanne Steab <suzannesteab@utah.gov>

2020 Annual Report Review Completion

1 message

Suzanne Steab <suzannesteab@utah.gov>

Tue, Jun 8, 2021 at 7:14 AM

To: "Madsen, Karin" <kmadsen@acnrinc.com>

Cc: "Christensen, Steve" <stevechristensen@utah.gov>, Justin Eatchel <jeatchel@utah.gov>

The Division staff have completed the review of the 2020 Annual Report for the Horse Canyon Mine.

Attached is a copy of the review with comments.

Thank you for your diligence in completing the Annual Report.

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 **Horse Canyon.pdf**
44K

2020 ANNUAL REPORT

Submit the completed document and any additional information identified to the Division by March 31, 2021.

GENERAL INFORMATION

Company Name	UtahAmerican Energy	Mine Name	Horse Canyon Mine
Permit Number	C/007/0013	Permit Expiration Date	5-6-2026
Operator Name	UtahAmerican Energy / Emery County Coal Resources	Phone Number	+1 (435) 888-4000
Mailing Address	PO Box 910	Email	kmadsen@acnrinc.com
City	East Carbon		
State	UT	Zip Code	84520

DOGM File Location or Annual Report Location

Excess Spoil Piles	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required	Not required
Refuse Piles	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required	Not required
Impoundments	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	Annual pond certifications included for ponds 1 and 2
Other:		

OPERATOR COMMENTS

REVIEWER COMMENTS Met Requirements Did Not Meet Requirements

4th Quarter impoundment inspection reports for the Sed. Pond #1 Large, and Sed. Pond #2 Small are included. The results are as follows:

Pond #1
60% cleanout level = 5843.6'
Current sediment level = 5837.9'

Pond #2
60% cleanout level = 5847.0'

Current sediment level = 5844.2'

No signs of instability or hazardous conditions existed in either pond as reported by Ware Surveying LLC on 12/6/2020. PE certification was provided by J. Thomas Paluso, Professional Engineer in the State of Utah. (JE - 6/1/2021)

COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the Mining and Reclamation Plan and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If additional written response is required, it should be filed as an attachment to this report.

Title: RAPTOR SURVEY & PROTECTION

Objective: Identify and monitor all raptors and nests. For possible subsidence impacts to raptor nests, develop a mitigation plan that must be submitted and approved. Apply for 'take permit' through USFWS 2 years prior to subsidence of the nests. Maintain escarpment barrier of at least 200' to prevent cliff habitat loss. **The text of Chapter 3, pg. 13, sect 332 (1) needs to be revised or clarified to demonstrate how the 200' barrier will be measured**

Frequency: Annually

Status: Ongoing since 2005. The map must clearly show raptor nests in relation to mining and subsidence.

Reports: Annual Reports

Citation: MRP, Part B, Section 322.220, page 10, Section 330, page 20, Section 358.100 page 38, Sec. 332 P.13.

OPERATOR COMMENTS

The 2019 raptor survey was completed by EIS and the report is included in the Confidential folder. The required text change to chapter 3 requested above was completed in 2017 and approved in January of 2018. Please remove this requirement from the annual requirements.

REVIEWER COMMENTS



Met Requirements



Did Not Meet Requirements

A raptor survey for 2020 was included in the report. The survey did not determine any of the known raptor nests were active for the 2020 season.

The Ch. 3 text was revised and approved as part of Task #5512 so that phrase can be removed from the annual report.

TM 5/19/21

Title: COLORADO RIVER ENDANGERED FISH RECOVERY PROGRAM

Objective: Report water depletion for the CO River Endangered Fish Recovery Program

Frequency: Annually

Status: Ongoing

Reports: Annual

Citation: MRP, Section 322.220, page 11

OPERATOR COMMENTS

The Water Depletion Calculations for the Colorado River Endangered Fish Recovery Program is included.

REVIEWER COMMENTS



Met Requirements



Did Not Meet Requirements

Total consumptive use for 2020 was 113.30 ac-ft of water. This figure will be reported to the USFWS. TM 5/19/21

Title: VEGETATION MONITORING

Objective: Submit color infrared photography. Submit and implement a mitigation plan, if results indicate impact from mining operations.

Frequency: Prior to any mining, and every 5 years after.

Status: Ongoing

Reports: Annual Report

Citation: MRP, Part B, Section 332, page 14

OPERATOR COMMENTS

Not required in 2020. Infrared photography will be done in 2021.

REVIEWER COMMENTS



Met Requirements



Did Not Meet Requirements

Vegetation monitoring was not required in 2020. It is due to be done again in 2021. TM 5/19/21

Title: MAINTAIN RECORDS OF SOIL SALVAGE

Objective: Records of soil salvage will be maintained and included in the annual report. A soil specialist will oversee the soil removal. Soil pedestals will be left to verify soil removal depths.

Frequency: During phase 1 and 2 construction, the soils specialist will record topsoil salvaged and placed in the topsoil stockpile and number of acres salvaged.

Status: Ongoing, Topsoil salvage will resume in 2012.

Reports: Provide an update to the number of acres salvaged and volumes salvaged in the Annual report "Topsoil Movement and Construction Record" and include a map of salvaged and undisturbed acreage.

Citation: R645-301-232.500 and R645-301-232.100 and N10045 abatement.

OPERATOR COMMENTS

No soil salvage was completed in 2020.

REVIEWER COMMENTS



Met Requirements



Did Not Meet Requirements

PB, 04/05/2021. The last salvage activity was in the Fall of 2019 during the warehouse pad expansion and construction of the New Shop Area (Internal 06232020.doc). The 7,520 CY topsoil salvaged was seeded on April 8, 2020 and the seed mix was sent to file (Internal 04082020.doc).

Title: SUBSOIL USED FOR CONSTRUCTION FILL

Objective: To record location of subsoil placement for use in reclamation. The location of subsoil with suitable reclamation characteristics will be mapped for ease of recovery and replacement during reclamation.

Frequency: During construction

Status: Ongoing

Reports: Annual report, Submit As built maps showing where subsoil materials have been used as fill material.

Citation: MRP, Section 232.500, Section 241, and Section 242.100

OPERATOR COMMENTS

The subsoil location will be tracked when it is relocated and the project is complete.

REVIEWER COMMENTS



Met Requirements



Did Not Meet Requirements

PB, 4/05/2021. This commitment is no longer relevant and has been removed from the annual report. See comments made on the 2019 annual report.

Title: MEXICAN SPOTTED OWL

Objective: Conduct two-year calling survey at least two years but no more than four years prior to undermining identified habitat. Results will be submitted to USFWS, DWR, and the Division immediately following each nighttime survey. If owls are observed, the agencies will immediately coordinate to determine appropriate measures.

Frequency: Dependent on habitat and mine plan

Status: Please keep confidential map 5-3 updated with correct mine workings to indicate when mining will occur under MSO habitat.

Reports: Submit final reports in annual report.

Citation: MRP, Part B, Section 333, page 17

OPERATOR COMMENTS

MSO Surveys were completed in 2020 by EIS. The report is included in the Confidential Binder.

REVIEWER COMMENTS



Met Requirements



Did Not Meet Requirements

Mexican spotted owl (MSO) surveys were completed by EIS over 5 weeks in May-June 2020. For the second year no MSOs were recorded or observed. Data sheets were included in the report. TM 5/19/21

Title: GENEVA MINE/ LILA CANYON FAN PORTAL BARRICADES**Objective:** Inspect the Geneva Mine fan portal Barricades annually and report findings to Division and BLM.**Frequency:** Annually**Status:** Ongoing**Reports:** Annual Report.**Citation:** MRP, Part B, Chapter 5, Section 529, page 54 and 55**OPERATOR COMMENTS**

EIS completed this survey and the report is included.

REVIEWER COMMENTS

Met Requirements



Did Not Meet Requirements

The Lila Canyon fan portals were inspected by personnel from EIS Environmental & Engineering Consulting on June 6, 2020. The results of that inspection revealed no signs of vandalism had occurred to either of the two breakouts. The rock slide that had closed the southern portal in 2015 remains in place with no signs of tampering or damage. The sites were accessed on foot and photographs were taken. A report with photos is included for both fan portals. JE - 6/1/2021

Title: SUBSIDENCE MONITORING**Objective:** Aerial subsidence monitoring will be done annual while the significant subsidence is taking place. The subsidence monitoring will be initiated in an area prior to any 2nd mining being done within that area. Initial 12-16 control points, once per year a follow up aerial will be performed to determine the extent and degree of active subsidence for a minimum of 5 years. If any of the 3 prior years measures more than 10% of highest annual subsidence, monitoring will continue until 3 consecutive years less than 10%. A ground survey of the mine permit area where secondary extraction has occurred over the last year will be conducted in conjunction with the quarterly water monitoring program. Survey's will identify items listed within MRP Chapter 5 Section 525.440**Frequency:** Annual/Quarterly**Status:** Ongoing during 2nd mining or longwall mining**Reports:** Annual Report**Citation:** MRP Chapter 5 page 43**OPERATOR COMMENTS**

Subsidence survey was completed by Ware Surveying. Report included.

REVIEWER COMMENTS

Met Requirements



Did Not Meet Requirements

A report compiled by Ware Surveying outlines the extent of subsidence above the permit area and especially above the most recently mined out longwall panels. The subsidence was based on the results of aerial photography conducted by Olympus Aerial Surveys on September 15, 2020, and supplemented by additional GPS monitoring points placed directly over Longwall Panels 1, and 5-8. Based on the monitoring data, it appears there is a downward trend over panels 4-8. One point over panel 7 recorded a maximum of 5.75 feet of downward movement. The report states there was also minor cracking observed over panels 6 and 7. A subsidence map compiled from the results of the aerial flight data has also been included. The GPS monitoring points were collected and the subsidence report written by Cody Ware, Professional Land Surveyor. (JE 6/4/2021)

FUTURE COMMITMENTS AND CONDITIONS

The following commitments are not required for the current annual report year, but will be required by the permittee in the future as indicated by the "status" field. These commitments are included for information only, and do not currently require action. If you feel that the commitment is no longer relevant or needs to be revised, please contact the Division.

Title: WILDLIFE

Objective: Adhere to wildlife exclusionary periods: raptors (Feb 1 - July 1), bighorn sheep lambing, (May 1 - June 15), and pronghorn (May 15 - June 20).

Frequency: Prior to construction of any new facility projects, structures, and roads; and prior to reclamation.

Citation: MRP, Part B, Sec. 330, p. 20.

Title: LILA CANYON MINE SALVAGE OF CRYPTOGRAMS ON TOPSOIL PILE PRIOR TO RECLAMATION.

Objective: Salvaged cryptograms will be added to the wood fiber mulch and hydrosprayed on the surface of the reclaimed site.

Frequency: Immediately after seeding of the reclaimed site.

Status: During reclamation of the Lila Canyon Mine.

Reports: Success of cryptogamic establishment will be evaluated (by Division and Permittee) prior to collection from topsoil stockpile.

Citation: MRP, Part B, Section 232.100, and Section 234.230

REPORTING OF OTHER TECHNICAL DATA

Please list other technical data or information that was not included in the form above, but is required under the approved plan, which must be periodically submitted to the Division.

Please list attachments:

Annual Opacity Survey was completed by Barr Engineering and the report is included.

REVIEWER COMMENTS

Met Requirements

Did Not Meet Requirements

A report documenting the annual opacity monitoring at the Lila Canyon Mine has been included in this report. The report details the results of an emission survey conducted by Joelle Dickson from Barr Engineering on November 5, 2020. The report concluded that visible emissions from viewed sources were less than half of the applicable limits and the Lila Canyon Mine is in compliance with the current Approval Order. (JE, 6/1/2021)

MAPS

Copies of mine maps, current and up-to-date, are to be provided to the Division as an attachment to this report in accordance with the requirements of R645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential.

Map Name	Map Number	Included		Confidential	
		Yes	No	Yes	No
Annual Subsidence Map		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mine Map		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Raptor Map	Confidential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REVIEWER COMMENTS Met Requirements Did Not Meet Requirements

A mine map detailing where current mining activities has progressed and where planned mining will occur in the next 10 years has been included. Also included is a detailed topographic map that highlights where Raptor surveys were conducted in 2019. The raptor surveys were conducted by Mel Coonrod of EIS on May 2, 2020. (JE, 6/1/2021)