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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 21, 1997

TO: File
THRU: Daron Haddock, Permit Supervisor *DH*
FROM: Jess Kelley, Reclamation Specialist *JK*
RE: Abatement of Notice of Violation N96-35-1-2, Horizon Coal Company,
Horizon Mine, ACT/007/020-97C, Folder 2, Carbon County, Utah

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SUMMARY:

The Division issued Notice of Violation (NOV) No. N96-35-1-2 on November 1, 1996. Part 2 of this NOV was for the operator's having failed to follow the approved plan by placing coal mine waste in a proposed reclamation drainage area in Portal Canyon. As remedial action, the NOV required; 1) that the permittee provide a map showing where coal mine waste was to be placed, and 2) that the permittee provide a plan for the identification and removal of coal mine waste material during final reclamation.

On February 10, 1997, the permittee submitted revised text and maps to satisfy the requirements of the NOV. This memorandum constitutes this writer's review of the February 10 submittal. It has been written in a form in which it can be incorporated directly into the the current technical analysis (TA) of the approved plan.

TECHNICAL ANALYSIS:

OPERATION PLAN

SPOIL AND WASTE MATERIALS

Regulatory Reference: 30 CFR Sec. 701.5, 784.19, 784.25, 817.71, 817.72, 817.73, 817.74, 817.81, 817.83, 817.84, 817.87, 817.89; R645-100-200, -301-210, -301-211, -301-212, -301-412, -301-512, -301-513, -301-514, -301-521, -301-526, -301-528, -301-535, -301-536, -301-542, -301-553, -301-745, -301-746, -301-747.

Analysis:

Coal Mine Waste

The facilities pad will be constructed using material available onsite, including material from the embankment in the mouth of Portal Canyon. Test pits indicate that this material might include up to 2700 cubic yards of coal and coal mine waste left from past mining operations. This material will be removed from the embankment, placed in the facilities pad, and permanently covered with at least 4 feet of clean backfill material.

On November 1, 1996, the Division issued Notice of Violation (NOV) No. N96-35-1-2. Part 2 of this NOV was for the operator's having failed to follow the approved plan by placing coal mine waste in a proposed reclamation drainage area in Portal Canyon. As remedial action, the NOV required; 1) that the permittee provide a map showing where coal mine waste left from past mining operations was to be placed, and 2) that the permittee provide a plan for the identification and removal of this coal mine waste material during final reclamation.

On February 10, 1997, the permittee submitted revised text and maps to satisfy the requirements of the NOV. The permittee created Appendix 3-8 and put in it a new plate, Plate A--Buried Waste Locations. Plate A shows 4 areas, the total of which is 0.52 acres, in which old coal mine waste material is to be placed during the construction of the main facilities pad. These areas are located above the main drainage and against the side of the canyon, well away from the main drainage. If the maximum estimated volume of 2700 cubic yards is placed in these areas, it will be approximately 3 feet deep. The coal mine waste material will be buried permanently during the construction of the main facilities. When the main drainage is reestablished during final reclamation, this material will not be disturbed but will remain in place beneath at least 4 feet of cover.

Findings:

The plan fulfills the requirements of this section.

RECOMMENDATION:

It is recommended that the February 10, 1997 submittal be approved as fulfilling the requirements of Part 2 of Notice of Violation No. N96-35-1-2 and incorporated into the approved plan.