



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

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July 21, 1999

TO: File

THRU: Daron Haddock, Permit Supervisor *DQH*

THRU: Joe Helfrich, Permit Supervisor *JH*

FROM: Robert Davidson, Sharon Falvey, Bill Malencik, Wayne Western *WFW SEE RAO*

RE: Response to Division Order 99B, Received June 18, 1999, Loadstar Energy, Inc. Horizon Mine, ACT/007/020, Folder # 2, Carbon County, Utah

**Summary:**

The Division recommends that the amendment responding to Division Order 99B (DO99B) be returned to the applicant. The amendment contains inadequate responses to DO99B. In addition, other unnecessary items and extraneous materials were presented within the amendment. Chapter 7, Probable Hydrologic Consequence Assessment was submitted without any red line strikeout indicating change. Although the amendment was not identified as a significant revision, Chapter 2 included information for incorporating a new lease area relative to underground mine sequence changes and a proposed additional portal entry. Information to vacate N99-26-2-1 was submitted with the DO99B amendment. These issues were discussed with Vicky Miller, Consultant for Earth Fax Engineering, in a meeting at the Division on July 14, 1999.

**Analyses:**

The following analyses is specific to the items listed in DO99B ordered May 12, 1999. Items from the order are identified in bold text and followed by discussing inadequacies of the amendment.

**ITEM 1a. Update the text of the operation plan of the current MRP to accurately describe the coal conveyance system, separation facilities, coal storage areas, coal mine waste handling and storage facilities area, other materials handling and storage areas, snow storage areas and all haulage areas; and to clearly show on a map all of the preceding in accordance with R645-301-500.**

Several requirements outlined under Order 1a are deficient: 1) Coal conveyance system and separation facilities descriptions were incomplete: The ash analyzer was not shown on the map nor was it described in the text; the three coal drop points were not shown. 2) The coal storage area is located adjacent to the public road and creates potential problems to public safety not assessed in earlier approvals. The coal storage location is so close to the public road that it becomes a public safety issue. Measures to protect the public safety in this 100 foot zone must be provided. 3) The application discusses coal waste as being blended or shipped; this is contrary to calling the coal "coal waste". The application also describes underground waste as being temporarily stored on the surface prior to returning the waste underground. This proposal requires a plan to be approved by MSHA (513.300). The narrative is conflicting as it also describes the site as having no coal processing waste. 4) The snow storage location cannot be approved as presented. The storage location does not drain to the sedimentation pond and would require snow from the operations being transported along the county road to reach the location identified.

**ITEM 1b. Update the text and maps to show the reclamation plans for each of the preceding items if different than the current reclamation plan, or if the current plan does not include the preceding items in 1.a. in accordance with R645-301-500.**

The reclamation plan's text and maps are not adequate for describing and showing the coal conveyance system, separation facilities, coal storage areas, coal mine waste handling and storage facilities area, other materials handling and storage areas, snow storage areas and all haulage areas.

In addition, the reclamation plan does not discuss or contemplate reclamation for non-marketable coal. Bonding needs to be updated to reflect reclamation and disposal of non-marketable.

**ITEM 2. If coal mine waste is to be produced at the Horizon Mine, state the location and volume of temporary and final storage of coal mine waste at the Horizon Mine in accordance with R645-301-500.**

Coal rules define a refuse pile as a surface deposit of coal mine waste. An area approved as temporary refuse pile is not defined in the regulations; however, if a temporary refuse pile is approved it needs to be designed by prudent engineering practices (R645-301-521). The coal waste storage site is in a location where topsoil is not protected from contamination and it would be operationally difficult to maneuver heavy machinery without disturbing the topsoil pile and adjacent contemporary reclamation areas.

**ITEM 3. Amend the text of Chapter 3 of the Horizon MRP, Section 3.3, p. 3-6 and 3-7, to clarify Horizon Mining's current MRP designations of "coal", "rocky coal", "high ash coal", "waste rock" and "coal waste materials" as to how they fall**

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**under Utah Coal Mining Rules R645 et seq of "coal", "coal mine waste", "underground development waste", or "coal processing waste".**

The applicant did not supply designations for the terms "coal", "rocky coal", "high ash coal", "waste rock" and "coal waste materials" and did not describe how these terms fall under the Utah Coal Mining Rules R645 et. seq. More specifically, the applicant needs to designate how "coal", "rocky coal", and "high ash coal" meet ASTM standards. No designations were provided for distinguishing coal from coal waste or underground development waste.

**ITEM 3a. Horizon Mining must further clarify its criteria for underground development waste, specifically referencing a) Mine Safety and Health Administration (MSHA) standards regarding storage of underground development waste in the Horizon Mine workings prior to bringing the waste to the surface.**

The applicant did not reference MSHA standards for storage of underground waste.

**ITEM 3b. Horizon Mining must further clarify its criteria for underground development waste, specifically referencing b) ASTM standards distinguishing high ash coal from underground development waste.**

The applicant did not distinguish high ash coal from underground development waste according to the ASTM standards.

**ITEM 4. Demonstrate that plans provided in response to Items 1 and 2 of this Order are in compliance with Horizon Mine's Utah Air Quality Permit.**

The air quality permit does not cover the quantity of coal retained on the surface.

**Recommendation:**

This amendment should be denied. The applicant should resubmit the information that addresses N99-26-2-1 as a separate application. The applicant needs to resubmit an amendment to meet the terms of DO99B.

cc: Lowell Braxton  
Mary Ann Wright  
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