



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

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Division Director

cc: Aaron

December 16, 1999

To: Internal File \* 2

Thru: Pam Grubaugh-Littig, Permit Supervisor *PL*

From: Wm. J. Malencik, Reclamation Specialist *WJM*

RE: Division Order, Lodestar Energy, Inc., Horizon Mine, ACT/007/020-DO99B

**SUMMARY:**

The applicant responded on November 10, 1999 to the Division's deficiencies. This is a follow-up to the November 10, 1999 submission.

This letter identifies Division comments which need to be addressed by the permittee.

**TECHNICAL ANALYSIS:**

**OPERATION PLAN**

**SURFACE FACILITIES**

Regulatory Reference: R645-301-512.120

**Analysis:**

**Text**

The permittee, on pages 3-4 and 3-5 listed the omitted equipment and facilities in red.

**Findings:**

The requirement on pages 3-4 and 3-5 this section of the regulations are considered adequate and meets the intent of the Utah Coal Rules.

**Analysis:**

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On Plate 3-1 the same hatch marks that are used to identify the coal storage areas and the topsoil storage area. The hatch marks for either the coal storage areas or topsoil storage area must be changed to avoid confusion. The new hatch marks must be identified in the legend.

The Permittee used a dotted and dashed line on Plate 3-1 to show the snow storage area. That line must be identified on the legend.

**Findings:**

This deficiency must be corrected as noted above.

**EXCESS SPOIL**

Regulatory Reference: R645-301-528. and -745.

**Analysis:**

**Excess Spoil**

The permittee states, on pages 3-10 and 3-11 that there will not be any excess spoil associated with this permit. However, on page 3-10, he states that sediment pond, ditch, and other clean out material will be placed in two areas as shown on the map or the company may elect to take the material to ECDC. The permittee also stated that they will take samples of the clean out material as dictated by the intended use and approved by the Division.

**Findings:**

The permittee needs to state the maximum amount of sediment pond/ditch clean out material that will be stored. The Division needs that information to calculate the reclamation cost for shipping the material to a state approved disposal site. The material will be placed on the designated areas not to exceed a 2:1 slope, bermed, and seeded in the Fall of 2000.

**UNDERGROUND DEVELOPMENT WASTE**

Regulatory Reference: R645-301-528. and -746.

**Analysis:**

The company, on pages 3-14 and 3-35, currently has an approved amendment to take development waste to Sunnyside Cogeneration. This was approved by the Division in October 1998. At the subsequent administrative hearing and ultimately before a hearing before the

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board, the material that the Division referred to as waste was reconsidered. At the board hearing the Division ruled what was called "coal waste" was "coal". The Board Chairman so ruled. Therefore, the material currently on site is coal and not coal waste. Sunnyside Cogeneration, in their permit, has a provision that they can acquire coal to supplement their refuse. Should the coal material go to Sunnyside Cogeneration, Lodestar will have to pay \$.15 per ton AML fees.

**Findings:**

The mine is not mining coal nor coal waste. Therefore, the statement about coal waste is not apropos. As related to future mining, the company states that future development waste may be brought to the surface. This is denied until such time that a temporary storage area is approved and a permanent coal waste site is approved by the Division.

**AIR QUALITY**

Regulatory Reference: R645-301-420.

**Analysis:**

The permittee did not show that they are in compliance with the air quality permit. In the air quality permit dated 1991, the permittee is allowed to store up to 2,000 tons of coal on the surface.

**Findings:**

The permittee must show how the coal storage program will be in compliance with the air quality permit. The permittee needs to give the Division a copy of the approved air quality permit. The permittee must state in the MRP the maximum amount of coal that can be stored on the site.

**RECOMMENDATION:**

I recommend that the permittee respond to the foregoing deficiencies.

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cc: Vicky Miller, EarthFax, SLC/Helper  
Sharon Falvey, DOGM, SLC