0006

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

August 24, 1998

Chris Hansen
Canyon Fuel Company, LLC
P.O. Box 719
Helper, Utah 84526

Re: Deficiencies for Permit Renewal, Canyon Fuel Company, LLC, Banning Loadout, ACT/007/034 -98PR, Folder #2, Carbon County, Utah

Dear Mr. Hansen:

The changes to the permit renewal have been reviewed and one deficiency is outstanding. It is recommended that Canyon Fuel Company, LLC maintain the coal sampling as required, unless there is a period of temporary cessation (see memo dated August 12, 1998).

Please respond to the Division by September 21, 1998. If you have any questions, please call me.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor

tam
Enclosure: Memo
O:\007034.BAN\FINAL\PRDEF.WPD

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

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

August 12, 1998

TO: File

THRU: Joe Helfrich, Permit Supervisor

FROM: Priscilla Burton, Soils Reclamation Specialist PB

RE: Five Year Permit Renewal., Canyon Fuel Co., Banning Loadout, ACT/007/034-RN98, Folder #2, Carbon County, Utah

SUMMARY:

Canyon Fuel Co. has proposed changes to the Banning Loadout MRP for the next five year permit term. The proposed changes were received on July 6, 1998. The new plan would eliminate the annual grab sample of coal refuse which has been analyzed for Acid/Base Potential, Selenium, Boron, SAR, EC and pH.

The permittee could, under application for temporary cessation, make temporary changes to their monitoring plan without changing the operations portion of the MRP.

TECHNICAL ANALYSIS:

OPERATION PLAN

ACID AND TOXIC FORMING MATERIALS

Regulatory Reference: R645-301-731.100 *et seq.* and -731.300 *et seq.*

Analysis:

Quarterly grab samples of the coal stored at the Banning Loadout were taken in 1989. However, the results of the quarterly sampling conducted in 1989 could not be located in the MRP, DOGM files or DOGM archives.

The Mining and Reclamation Plan indicated that annual grab samples would be analyzed from 1990 to the present. Sample analyses could be found in the annual reports dated 1990, 1991, 1993, 1994, 1995, and 1997. The sampling indicates that the coal onsite is neutral in pH with little acid producing potential and with a comparatively low SAR value. Selenium and Boron are not at high levels.

Presently, Canyon Fuels Co. Would like to eliminate the annual grab sampling of the coal stored on site due to the consistent nature of the coal. However, during active status the site may receive coal from a number of different mine locations and coal seams. Annual sampling of the coal during operations would seem a minimal effort to expend to protect the groundwater resource.

The 1997 Annual Report indicates that Banning Loadout was placed on idle status as of September 9, 1997. It is recommended that Canyon Fuels Co. proceed with a temporary cessation reporting to the Divsion as required by R645-301-515.320 and as described on page 5-11 of vol. 2 of the MRP. Under temporary cessation, environmental sampling could be modified, without changing the MRP.

Findings:

The request to eliminate annual coal sampling is not considered prudent in regard to the R645-301-731.100 *et seq* and -731.300 *et seq.*

RECOMMENDATION:

It is recommended that Canyon Fuels Co. proceed under the conditions of their present MRP to notify the Division of a temporary cessation as required by R645-301-515.320. Modification of environmental sampling during the period of temporary cessation could occur without alteration of the MRP.