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

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

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

November 12, 1998

To: File

Thru: Joe Helfrich, Permit Supervisor, Compliance *JH*

From: Stephen J. Demczak, Reclamation Specialist *SR*

Re: Temporary Waste Rock Storage, Canyon Fuel Company, LLC, Banning Loadout, ACT/007/034-98A, Folder #2, Carbon County, Utah

SUMMARY:

The second proposed change to Banning Loadout was received at the Price Field Office on November 5, 1998. The waste rock is being developed by the Dugout Mine. The mine has requested permission to store 36,300 cubic yards or 65,890 tons of waste rock temporary (one year) at the Banning Loadout.

The information found in the proposal is considered adequate to meet the requirements of the R645 Coal Rules as related to the engineering section.

TECHNICAL ANALYSIS:

OPERATION PLAN

MAPS, PLANS, CROSS SECTION

Regulatory Reference: R645-301-512.120, R-645-521.165

Analysis:

Mining Facilities Maps

The permittee has submitted an updated surface facilities map to show the location of the refuse pile.



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Findings:

The surface facilities map has been submitted in the proposed amendment. Therefore, this section of the amendment is considered adequate.

MAPS, PLANS, CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: R645-301-512

Analysis:

Certification

The permittee has certified the complete package; therefore, complies with the certification requirements in the R645 Coal Rules.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of this section.

INSPECTION REPORTS

Regulatory Reference: R645-301-514.140

Analysis:

Refuse Piles

The permittee has made a commitment to do the required inspections during construction and the regular quarterly inspections.

Finding:

The permittee has made all necessary commitments concerning the inspections of the refuse pile during construction and the quarterly inspections. Therefore, this section of the amendment is considered adequate.

COAL MINE WASTE

Regulatory Reference: R645-301-536

Analysis:

Coal Refuse Pile Designs

The permittee has committed that the refuse pile will not be at Banning for more than a year.

Finding:

Information provided in the proposed amendment addresses all of the R654-301-536 Coal Rules.

BONDING AND INSURANCE

Regulatory Reference: R645-301-812.700

Analysis:

The development material could be stored at the Banning Loadout for an undetermined amount of time before being moved permanently to the Dugout permanent refuse pile. The Dugout permanent refuse pile amendment has not been approved nor submitted to the Division. If forfeiture takes place, the Division would either move the development waste to a permitted site or reclaim the material on site. No monies for this project is set forth in the bond. Thus, the bond would be inadequate for reclamation.

There is no where in the R645 Coal Rules were cross-over for bonding from one permit to another is permitted. Bonding is to stand alone for each permit.

Findings:

The information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the permittee must provide the following in accordance with:

R645-301-812.700, the Division will require the permittee to keep in effect adequate bond coverage at all times.

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RECOMMENDATION:

Prior to approval, the permittee must address R645-301-812.700 with a demonstration.

It is my recommendation that the permittee includes SUFCO and/or Skyline to handle the development material from Banning Loadout if the permanent waste rock site at Dugout is not approved. This would be a back-up to the Dugout permanent refuse pile.

sd

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