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

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September 9, 1998

To: File

Thru: Joe Helfrich, Permit Supervisor, Compliance

From: Stephen J. Demczak, Reclamation Specialist

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

SUMMARY:

Proposed change to Banning Loadout was received on August 28, 1998 at the PFO. The waste rock is being developed by the Dugout Mine. Currently, the mine has permission to store 1,500 cubic yards of waste rock temporary at the Dugout Mine site. The permittee wishes to store waste rock temporarily at Banning instead of transporting the material to an approved site at SUFCO or Skyline waste rock sites.

The information found in the proposal is not considered adequate to meet the requirements of the R645 Coal Rules.

The permittee should make the requisite changes to the proposal as necessary and resubmit the proposal to meet the requirements of the R645 Coal Rules.

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.

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, and 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 not made a commitment to do the required inspections during construction and the regular quarterly inspections.

Finding:

No information has been given to meet the requirements of inspection of refuse piles. Therefore, this section of the amendment is not considered adequate. Prior to approval, the permittee must provide the following in accordance with:

R645-301-514.210 thru R645-301-514.230, The permittee will inspect the refuse pile during construction by a professional engineer or specialists experienced in the construction of similar earth and waste structures.

COAL MINE WASTE

Regulatory Reference: R645-301-536

Analysis:

Coal Refuse Pile Designs

The permittee has stated on page 3 and 4 that, "As stated earlier, the waste rock from Dugout Canyon Mine will be removed before final reclamation of the site." This indicates that the refuse pile could be at the Banning Loadout for many years. This being the case, it is not a temporary or short term refuse pile but a long term pile. The permittee must address the R645-301-536 which deals with designs of refuse piles.

Finding:

Information provided in the proposed amendment does not address all of the R654-301-536 Coal Rules. Prior to approval, the permittee must provide the following in accordance with:

R645-301-536 thru R645-301-536-420, submit information by regulation, the requirements of the refuse pile coal rules as it applies to Banning Loadout refuse pile.

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 moneys for this project is set forth in the bond. Thus, the bond would be inadequate for reclamation.

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.

RECOMMENDATION:

Prior to approval, the permittee must address R645-301-514.140, R645-301-514.210 thru R645-301-514.230, R645-301-536 thru R645-301536.420, and R645-301-812.700.

It is my recommendation that the development waste from the Dugout Mine can only be at the Banning Loadout for one year from the approval of this amendment.

It is my recommendation that the re-submittal of this amendment increase the amount of mine waste material from 15,300 cubic yards to 40,000 cubic yards.

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.

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