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

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Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

September 24, 1998

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

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

Dear Mr. Hansen:

The referenced amendment has been reviewed by Senior Reclamation Specialists Steve Demczak and Jim Smith. Their analyses and a summary of minor deficiencies are provided for your review and response.

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. Although the proposal is for temporary storage the site would need to be inspected quarterly to ensure stability.

Findings:

No information has been provided to meet the requirements of refuse pile inspections. 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, the permittee would need to address the minimum requirements of R645-301-536 et sec. which pertains to the design requirements of refuse piles.

Finding:

Information provided in the proposed amendment does not address the design requirements for refuse piles. 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:

As there is no date certain for the reclamation of the proposed storage site the development material could remain at the Banning Loadout indefinitely. The Dugout Canyon permit at this time does not provide for a permanent coal refuse storage facility. A revised reclamation cost estimate for the Proposed site would need to be provided to demonstrate reclamation coverage for the refuse material.

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.

RECOMMENDATIONS:

Prior to approval, the permittee must address R645-301-514.140.

The proposed amendment could be approved in its present form with a few minor deficiencies to allow for the temporary storage of coal refuse material at the Banning Loadout for a period not to exceed one calendar year from date of approval of the amendment. For permanent storage the following regulations should be addressed , R645-301-514.210 thru R645-301-514.230, R645-301-536 thru R645-301536.420, and R645-301-812.700.

The amount of mine waste material should be increased from 15,300 cubic yards to 40,000 cubic yards.

The SUFCO and/or Skyline permanent disposal sites should be referenced as final storage

locations until a permanent site is developed at the Dugout mine.

TECHNICAL ANALYSIS

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR Sec. 783., et. al.

GEOLOGIC RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.22; R645-301-623, -301-724.

Analysis:

No new or additional geologic information is included in this proposed amendment. Reference is made to current Banning Loadout MRP for geologic information.

Findings:

Information in the geologic resource section is considered adequate to meet the requirements of this section.

HYDROLOGIC RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 701.5, 784.14; R645-100-200, -301-724.

Analysis:

Baseline cumulative impact area information.

The proposed amendment to the Banning Loadout MRP will not require a new CHIA or revision of the existing CHIA.

A technical analysis was not done for the following Hydrologic Resource Information sections because they are not involved in or affected by the proposed amendment.

- **Sampling and analysis.**
- **Baseline information.**
- **Modeling.**
- **Alternative water source information.**
- **Probable hydrologic consequences determination.**
- **Ground-water monitoring plan.**
- **Surface-water monitoring plan.**

Findings:

Information in the hydrologic resource section is considered adequate to meet the requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Existing Structures and Facilities Maps.
Surface and Subsurface Manmade Features Maps.

Exhibit 5-2 shows existing structures, facilities, and manmade features. There are currently no areas of spoil, waste, coal development waste, or noncoal waste disposal; no dams or embankments; and no water treatment or air pollution control facilities within the permit area. There are no major electric transmission lines, pipelines, and agricultural drainage tile fields.

Existing Surface Configuration Maps.
Contour Maps.

Exhibit 5-2 adequately represents the existing land surface configuration of the area, except that where the waste-rock storage pile is planned the radial-stacked coal pile has blocked westward drainage and created a low spot where rainwater and snowmelt ponds.

Certification.

Exhibit 5-2 is certified by a registered professional engineer.

A technical analysis was not done for the following maps, plans, and cross sections of resource information because they are not involved in or affected by the proposed amendment.

- **Affected Area Boundary Maps.**
- **Archeological Site Maps.**
- **Coal Resource and Geologic Information Maps.**
- **Existing Structures and Facilities Maps.**
- **Existing Surface Configuration Maps.**
- **Cultural Resource Maps.**
- **Mine Workings Maps.**
- **Monitoring Sampling Location Maps.**
- **Permit Area Boundary Maps.**
- **Subsurface Water Resource Maps.**
- **Surface and Subsurface Ownership Maps.**
- **Surface Water Resource Maps.**

- **Vegetation Reference Area Maps.**
- **Well Maps.**

Findings:

Maps, plans, and cross sections of resource information are not considered adequate to meet the requirements of this section. Prior to approval the permittee must provide the following information:

R645-301-722.500 - Exhibit 5-2 adequately represents the existing land surface configuration of the area except where the coal pile from radial-stacked has blocked westward drainage and created a low spot where rainwater and snowmelt ponds.

OPERATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Acid and toxic-forming materials.

Waste rock brought to the Banning Loadout will be sampled at a rate of 1 sample for every 2000 tons. If acid- or toxic-forming material is found, it will be buried within the storage pile under 4 feet of non-acid- and toxic-forming material.

Impoundments.

Exhibit 5-2 indicates that the waste-rock storage pile is to be located where rainwater and snowmelt ponds because the radial-stacked coal pile blocks natural westward drainage. Saturation of the waste by this water could result in spontaneous combustion if the coal content in the waste were high enough.

The permit application needs to include a description of measures to be employed to ensure that materials constituting a fire hazard are disposed of in accordance with the Coal Mining Rules, and a description of the contingency plans which have been developed to preclude sustained combustion of such materials. Placing the waste in another area with better drainage, such as west of the radial stacked, would reduce the possibility of spontaneous combustion.

A technical analysis was not done for the following Hydrologic Operation Plan Information sections because they are not involved in or affected by the proposed amendment.

- **Ground-water monitoring.**
- **Surface-water monitoring.**
- **Transfer of wells.**
- **Discharges into an underground mine.**
- **Gravity discharges.**
- **Water quality standards and effluent limitations.**
- **Diversions.**
- **Stream buffer zones.**
- **Sediment control measures.**
- **Siltation structures.**
- **Sedimentation ponds.**
- **Other treatment facilities.**
- **Exemptions for siltation structures.**
- **Discharge structures.**
- **Casing and sealing of wells.**

Findings:

Hydrologic operations information in the operation plan is not considered adequate to meet the requirements of this section. Prior to approval the permittee must provide the following information:

R645-301-528.350, -536.230 - The permit application needs to include a description of measures to be employed to ensure that materials constituting a fire hazard are disposed of in accordance with the Coal Mining Rules, a description of the contingency plans which have been developed to preclude sustained combustion of such materials, and that the waste will be placed in a controlled manner to prevent combustion.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Mining facilities maps.

Exhibit 5-2 adequately represents the existing land surface configuration of the area, except that where the waste-rock storage pile is planned the radial-stacked coal pile has blocked westward drainage and created a low spot where rainwater and snowmelt ponds. Saturation of the waste by this water could result in the waste pile's burning if the coal content in the waste were high enough.

Certification Requirements.

Exhibit 5-2 is certified by a registered professional engineer.

A technical analysis was not done for the following maps, plans, and cross sections of mining operations because they are not involved in or affected by the proposed amendment.

- **Affected area maps.**
- **Mine workings maps.**
- **Monitoring and sample location maps.**

Findings:

Maps, plans, and cross sections of mining operations are considered adequate to meet the requirements of this section.

RECLAMATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 784.14, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-301-512, -301-513, -301-514, -301-515, -301-532, -301-533, -301-542, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-733, -301-742, -301-743, -301-750, -301-751, -301-760, -301-761.

Analysis:

The waste rock is to be removed from the site before the site is reclaimed.

Findings:

Hydrologic information in the reclamation plan is considered adequate to meet the requirements of this section.

CUMULATIVE HYDROLOGIC IMPACT ASSESSMENT

Regulatory Reference: 30 CFR Sec. 784.14; R645-301-730.

The Division has prepared a CHIA that includes the Banning Loadout. The proposed modification to the top-soil storage will not require a new CHIA or revision of the existing CHIA.

SUMMARY of DEFICIENCIES

- Prior to approval, the permittee must address R645-301-514.140. The permittee has not made a commitment to do the required inspections during construction and the regular quarterly inspections. Although the proposal is for temporary storage the site would need to be inspected quarterly to ensure stability and address any hazardous conditions.

- Temporary storage of coal refuse material at the Banning Loadout is for a period not to exceed one calendar year from date of approval of the amendment. For permanent storage the following regulations should be addressed , R645-301-514.210 thru R645-301-514.230, R645-301-536 thru R645-301536.420, and R645-301-812.700.

- The amount of mine waste material should be increased from 15,300 cubic yards to 40,000 cubic yards.

- The SUFCO and/or Skyline permanent disposal sites should be referenced as final storage locations until a permanent site is developed at the Dugout mine.

- Prior to approval the permittee must provide the following information:

R645-301-722.500 - Exhibit 5-2 adequately represents the existing land surface configuration of the area except where the coal pile from radial-stacked has blocked westward drainage and created a low spot where rainwater and snowmelt ponds.

- Prior to approval the permittee must provide the following information:

R645-301-528.350, -536.230 - The permit application needs to include a description of measures to be employed to ensure that materials constituting a fire hazard are disposed of in accordance with the Coal Mining Rules, a description of the contingency plans which have been developed to preclude sustained combustion of such materials, and that the waste will be placed in a controlled manner to prevent combustion.

Your response by October 1, 1998 is appreciated. If you have any questions, please call.

Sincerely,

Joseph C. Helfrich

Joseph C. Helfrich
Permit Supervisor

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