State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining
JOHN R. BAZA
Division Director

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

June 21, 2016

Kirt Tatton, General Manager
Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542

Subject: Midterm Completion Response, Canyon Fuel Canyon, LLC, Banning Siding Loadout, C/007/0034, Task ID #5188

Dear Mr. Tatton:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application by no later than July 22, 2016.

If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/sqs
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GARY R. HERBERT
Governor
GREG BELL
Lieutenant Governor

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Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0070034
TaskID: 5188
Mine Name: BANNING SIDING LOADOUT
Title: MIDTERM COMPLETION RESPONSE

Environmental Resource Information

Fish and Wildlife Resource Information

Deficiencies Details:

The MRP does not meet R645-301-322.100, 322.230, and 333.300 requirements. The following deficiency must be addressed prior to final approval.

The Permittee must validate and verify that state sensitive species do not nest within 0.5 mile of disturbance areas in order to eliminate the need for protection measures. Since a survey for state sensitive species has not been conducted, it is not possible to determine if buffer zones or timing stipulations are needed for protection.

lreinhart

Reclamation Plan

Bonding Determination of Amount

Deficiencies Details:

Permittee has used a 2015 quote on the demolition of concrete; and another quote for the revegetation seeding material. In order for the Division to accept a quote the Permittee must provide three quotes in the midterm year dollars(2016).

rmedina