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

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Michael O. Leavitt
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August 20, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor *DH*

THRU: Joe Helfrich, Permit Supervisor *JH*

FROM: Wayne H. Western, Senior Reclamation Specialist *WHW*

RE: New Temporary Waste Rock Site, Canyon Fuel Company, LLC, Dugout Canyon Mine, ACT/007/039-98C, File #2, Carbon County, Utah

SUMMARY:

On August 7, 1998, the Division received amendment 98C for the Dugout Canyon Mine. The Applicant's proposes changes to the temporary and permanent waste rock storage sites. The Division found the amendment inadequate to meet the minimum regulatory requirements.

TECHNICAL ANALYSIS:

OPERATION PLAN

General

Regulatory Reference: R645-301-521

The Applicant wants to amend the waste rock disposal plan. The proposed changes are:

- Ship underground development waste from the Dugout Canyon Mine to unnamed waste-rock disposal facilities provided the unnamed facilities are permitted to receive waste rock from the Dugout Canyon mine.
- Delete plans in the approved MRP to use waste rock as fill.
- Increase how much material that can be stored at the temporary waste rock storage site and the holding time.

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The R645 regulations do not list specific requirements for shipping waste rock to an offsite disposal facilities. R645-301-521 states that the applicant will have a plan with a narrative stating how the relevant requirements are met. The plan must describe how waste rock will be disposed. The Division requires all permittees that ship waste rock offsite to name the receiving site. That information is needed to track the waste rock from cradle to grave. The Division finds the Applicant's commitment to ship waste rock to unnamed sites is inadequate to meet the requirements of R645-301-521.

The Division approved the use of waste rock as fill material provided all regulations concerning waste rock disposal are met. In the August 7, 1998 amendment the Applicant proposed amending the MRP so that all references to the use of waste rock as fill material are removed. That action would prohibit the Applicant from using waste rock as fill unless the Division later granted approval. The Division approves the Applicant request to remove the use of waste rock for fill material from the MRP.

The Applicant wants to change the procedures for temporarily storing waste rock on the site. The Applicant wants to allow waste rock to be stored on site for 4 months or until approximately 1,500 cubic yards of material is on the surface whichever comes first. The approved plan allowed the Applicant to store waste rock for 3 months or until one truck load is accumulated whichever comes first.

The Division will approve the Applicant to store waste rock for upto 4 months or until 1,500 cubic yards of material is on the surface whichever comes first. The Division has concern of the word approximate when used to describe the maximum amount of waste rock that can be stored on the site. To avoid confusion the Applicant must remove the word approximate from the description of the maximum amount of waste rock that can be stored on the site. See R645-301-121.200.

On the page number 5-41 of the August 7, 1998 submittal, the Applicant added the words "or use" to the first sentence of the last paragraph. In a phone conversation the Applicant told the Division that the words "or use" were added by error and would be removed. The Applicant must remove the words "or use" from the page number 5-41.

Findings:

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

R645-301-521, the Applicant must list the offsite locations where waste rock from the Dugout Canyon mine will be sent.

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Coal Mine Waste

Disposal of Coal Mine Waste in Special Areas

Underground Disposal

Regulation Reference R645-301-536.520

The Applicant proposes to remove the plan to dispose of waste rock underground. For Phase I the Division granted the Applicant permission to dispose of waste rock underground subject to MSHA approval. The Division approves the Applicant's request to remove underground disposal from the MRP.

Findings:

The Applicant has met the minimum requirements of this section.