

October 2, 2003

Rick Olsen, General Manager
Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542

Re: Approval of As-Built of Sediment Pond Amendment, Canyon Fuel Company, LLC,
Dugout Mine, C/007/0039, Task ID #1708, Outgoing File

Dear Mr. Olsen:

The above-referenced amendment is approved effective October 2, 2003. A stamped incorporated copy is enclosed for your copy of the Mining and Reclamation Plan.

There were no deficiencies with the original submittal. That being the case, those federal agencies that received the amendment can simply incorporate it into their existing copy of the Mining and Reclamation Plan.

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

Sincerely,

Daron R. Haddock
Permit Supervisor

an
Enclosure

cc Ranvir Singh, OSM
Jim Kohler, BLM
Mark Page, Water Rights w/o
Dave Ariotti, DEQ w/o
Derris Jones, DWR w/o
Price Field Office

O:\007039.DUG\FINAL\AppOrig1708.doc

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Dugout Mine
As-Built of Sediment Pond
C/007/0039, Task ID #1708
Technical Analysis
October 2, 2003

TECHNICAL ANALYSIS

The Division ensures compliance with the Surface Mining Control and Reclamation Act of 1977(SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings, which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference, which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

INTRODUCTION

INTRODUCTION

The following is a review of information submitted to the Division on September 22, 2003. The current application addresses revisions to Chapter 7 and Plate 7-4 to reflect changes associated with the sediment clean-out process of the Dugout Canyon Mine sediment pond. Modifications to the Primary Spillway design were associated with required remedial action pursuant to Notice of Violation (NOV) N03-46-3-1, which included encasing the bottom portion of the Primary Spillway in concrete. The review is from a hydrologic perspective and addresses only regulations germane to hydrology. The information provided adequately addresses the minimum requirements of the regulations and incorporation into the currently approved Mine Reclamation Plan is recommended.

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:

Siltation Structures: Sedimentation Ponds

Text in Chapter 7 of the MRP (Pg. 7-75) has been modified to reflect as-built information for the Sediment Pond due to surveying conducted in July 2003. The text was also modified to indicate that stage-curve information for the Sediment Pond is available on Plate 7-4 instead of Appendix 7-8.

Findings:

The information provided adequately addresses the minimum requirements of the Operation Plan – Hydrologic Information section of the regulations.

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

Plate 7-4 was modified to include as-built information based on survey information collected in July 2003. The plate now also includes the Sediment Pond Stage Storage Curve graph. The plate also illustrates the location of the Sediment Clean-out marker that is located on the primary spillway riser.

During routine cleaning of the Sediment Pond in July 2003, the vertical pipe functioning as the Primary Spillway was breached sending coal fines into Dugout Creek. As a remedial action to avoid a similar occurrence in the future, the bottom 4-feet of the vertical pipe and approximately 14-feet of the horizontal pipe draining the vertical pipe have been encased in concrete. This encasement will serve as ‘armoring’ for the pipe to reduce the likelihood of the

pipes being breached by a backhoe during routine cleaning of the pond. This cement encasement is illustrated in Plate 7-4.

Certification Requirements

Plate 7-4 has been updated with as-built information. The plate has been stamped, dated, and certified as being correct by Professional Engineer David G. Spillman (State of Utah – No. 151610).

Findings:

The information provided adequately addresses the minimum requirements of the Operation Plan – Maps, Plans, and Cross Sections of Mining Operations section of the regulations.