

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

February 5, 2007

JK

TO: Internal File

THRU: Priscilla Burton, Team Lead *PWBryan*
Pamela Grubaugh-Littig, Supervisor *PL*

FROM: Wayne H. Western, Environmental Scientist III *WHW*

RE: Disturbed Area Expansion, Canyon Fuel Company, Dugout Canyon Mine,
C/007/0039, Task ID #2705

SUMMARY:

On November 22, 2006, the Division received an application to expand the Dugout Mine by 0.5 acres at the confluence of the right and left forks of Dugout Creek. The Permittee requested the expansion in order to removal and storage topsoil stripping to prevent impacts to topsoil currently within the disturbed area and to allow potential for expansion of the coal storage piles. No information on coal storage pile expansion was included in the amendment.

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TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

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

PERMIT AREA

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

Analysis:

The Permittee met the requirements of this section. The permit area will not change but the disturbed area will increase by 0.5 acres.

Findings:

The Permittee met the minimum requirements of the regulations.

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

The Permittee met the requirements of this section by stating in Section 331 of the amendment that they want to add an additional 0.5 acres to the disturbed area. The disturbed area expansion will not contain any new buildings or facilities.

Findings:

The Permittee met the minimum requirements 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

The Permittee did not meet the minimum requirements. The cover letter refers to the potential expansion of the coal piles, but no further information was included. The Permittee did not show that the site will be stable during operations and that the site could be reclaimed at reclamation.

Findings:

The information provided in the application is not considered adequate to meet the minimum requirements of the regulations. Before approval, the Permittee must provide the following in accordance with:

R645-301-528, The cover letter refers to the potential expansion of the coal piles, but no further information was included. Please provide the Division with construction and reclamation plans for the proposed expansion, including changes to cross-sections TT' and SS', if appropriate. [WHW, PWB]

R645-301-553.100, The application must demonstrate that the sandstone ledge and slopes in the 0.5-acre area will be stable during operations and after reclamation, if it includes additional cutslopes. [WHW, PWB]

RECLAMATION PLAN

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

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Analysis:

The Permittee met the minimum requirements for the approximate original contour restoration and backfilling and grading. The reclamation plan in the MRP is adequate to insure that the 0.5 acres in the expansion can be reclaimed to standards.

Findings:

The Permittee met the minimum requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

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

Analysis:

Reclamation Backfilling And Grading Maps

The Permittee did not meet the requirements of this section. The Permittee needs to update the reclamation maps and cross sections to show the updated disturbed area. The system used to identify cross sections must be consistent on Plate 5-2 and Plate 5-3.

Findings:

The information provided in the application is not considered adequate to meet the minimum requirements of the regulations. Before approval, the Permittee must provide the following in accordance with:

R645-301-542, The Permittee must update all reclamation maps and cross sections to show the additional 0.5 acres that will be added. In addition, the system used to identify cross sections must be consistent on Plate 5-2 and Plate 5-3. For example UU - UU' is not the same on Plate 5-3 as it is on Plate 5-5.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of Bond Amount

The Permittee did not meet the minimum requirements of this section. The Permittee must include reclamation cost estimates for the additional 0.5 acres. The Division needs that information to keep the bond estimate up to date.

Terms and Conditions for Liability Insurance

Findings:

The information provided in the application is not considered adequate to meet the minimum requirements of the regulations. Before approval, the Permittee must provide the following in accordance with:

R645-301-830.140, The Permittee must update the reclamation cost estimate to show the cost of reclaiming the additional 0.5 acres. While the amount may be small the reclamation cost estimate must be accurate and up to date.

RECOMMENDATIONS:

The Division should deny the application until all of the above mentioned deficiencies have been addressed.