

0045

Outgoing *OK*  
9/18/2007 10:39

**From:** Pam Grubaugh-Littig  
**To:** vmiller@archcoal.com  
**Date:** 9/18/2007 3:57 PM  
**Subject:** Dugout - Access Road and Methane Degassification Wells G-18 and G-31, Task ID #2846  
**Attachments:** Conditionsonly.doc

**CC:** Chansen@archcoal.com; Jerriann Ernstsens; Kade Minchey; Mary Ann Wrigh...  
This is an emergency approval to begin construction of the access road to the degas wells that are included in Task ID #2846. You explained to me in the conference call this morning (with Dave Spillman, Chris Hansen and yourself) that the contractor would leave the site today and may not be available for the construction of the access road for up to six weeks. You also stated that if these degas wells are not drilled in a timely manner, there is a distinct possibility that the mine could shut down.

It is my understanding that you are able to respond adequately to all of the conditions identified by the technical staff by Thursday, September 20 (see attached).

## **Task #2846 Conditions**

### **PROBABLE HYDROLOGIC CONSEQUENCES**

**R645-301-728.300- R645-301-728.300-**The Permittee should provide specific discussion as to the flow characteristics (i.e. ephemeral, intermittent or perennial) of both the drainage adjacent to the proposed road alignment, the five drainages intersected by the construction (to be diverted with culverts) as well as Pace Creek. Due to the steepness of the topography and resulting flow velocities and volumes to be encountered at the sites, as well as the close proximity of the proposed road alignment with area drainages, there is clearly a potential for increased sediment loading to the aforementioned drainages including Pace Creek. The Permittee should provide a reference or discussion as to the general flow characteristics of the potentially impacted drainages. (SKC)

### **SURFACE WATER MONITORING**

**R645-301-731-** The application does not meet the requirements for surface water monitoring as required by R645-301-731.220. The Permittee should establish a surface water monitoring point on Pace Creek. The monitoring point should be established immediately down gradient from the confluence of the ephemeral drainage located adjacent to the proposed access road and Pace Creek. The relevant portions of the MRP (including Table 7-5, Plate 7-1 and text) will need to be updated to reflect this additional monitoring point. (SKC)

### **PLANS AND DRAWINGS**

**R645-301-521.170, R645-301-527.200 and R645-301-527.210-** The application does not meet the Plans and Drawings requirements for road systems. The Permittee should update Figure 1, Typical Road Cross Section, located in Attachment 5-4 to reflect the 1-2% slope/canting of the road towards the uphill side of the road as depicted in Figure 3, Road Runoff Culvert Plan, in Attachment 7-1 and discussed on page 7-7 of the application. The originally submitted Figure 1 in Attachment 5-4, Typical Road Cross Section, does not reflect this change in the road prism geometry. In addition, Figure 3 of Attachment 7-1 should provide clarification on the silt fence design drawing that the fence will be trenched a minimum of 6" into the ground. (SKC)

The Permittee should provide a commitment to notify the Division in the event of a failure of the road and/or drill pads. The commitment should be included in the discussion of the maintenance plan on page 5-10 of the application. (SKC)

## **DIVERSIONS**

**R645-301-732.300-** The application does not meet the Diversions: General requirements as outlined in the R645-State of Utah Coal Mining Rules. Page 7-10 of the application states, “No surface or ground water will be diverted as a result of this project”. Page 7-12 states, “No stream channel diversions are planned at the well sites.” However, the proposed drainage system involves the installation of 5 culverts at ephemeral drainages that intersect the proposed access road. Culverts are considered ‘diversions’ as outlined in the regulations. The Permittee should revise the aforementioned sections of the application to make it clear to the reader that the 5 ephemeral streams will be diverted with the installation of the culverts. (SKC)

## **PERMIT APPLICATION FORMAT AND CONTENTS**

**R645-301-121.200,** The TES table (pg. 3-11/12) headings do not correctly describe the associated list. The Permittee must correct the headings of the tables to clearly reflect the intent of the accompanying lists. • The Permittee must correct the references for the NSO and northern goshawk exclusionary periods (pg. 3-6, 3-13). (JAE)

## **VEGETATION AND WILDLIFE RESOURCES**

**R645-301-321.100,** The Permittee must characterize (as previously requested) the approximate percentage of previously disturbed area and the percentage of area that has experienced natural recovery for the degas wells and AMV road. The September 4<sup>th</sup> submittal breaks the road into portions (A, B, and C) and explains that portion B has been previously disturbed. The Permittee does not clarify whether A and C have been previously disturbed. The Division would have to maintain that these stretches of road have never been previously disturbed. The Permittee must clarify as requested. Note: These requirements are particularly important for this project because they would provide qualitative insight as to the reclamation potential for the road that would be approximately 1.36 miles and disturb approximately 14 acres of land. This road is planned to be constructed in a very steep area that would require extreme protective measure during construction and operations as well as during reclamation. (JAE)

**R645-301-322.200,** The statement in the MRP (e.g., pg. 3-7) does not support the

findings from the 2005 report, which is more accurate than the 2007 report. The Permittee must change the statement in the MRP to reflect the more accurate description of bat presence, diversity, and habitat. The Permittee is welcome to call Jerriann Ernstsen for more information on the bats and their habitat in that area. (JAE)

Note: The Division did not require a bat survey for the proposed 2007 degas projects. The Division will rely on the 2005 report instead of the 2007 report for making decisions for the 2007 and possible future amendments. One questionable part of the 2007 report was that the sampling locations for the survey were too far to the north of the proposed disturbances. The sampling locations would have been better positioned 1) along Pace Creek, 2) at the disturbed sites, or 3) two along Pace Creek and two along the upper jeep trail. Other questionable parts of the report include 1) the choice to only survey for two nights and 2) stating that there is limited habitat given the results of the 2005 report and the field observations.

## **SOILS INFORMATION**

**R645-301-121.100**, Attachment 5-4, Plate 1 should include the disturbed area boundary of site G-19 and identify G-19 topsoil stockpiles. (PWB)

**R645-301-222**, Using the C1C2 form, the Permittee must include with the soil report, the soil consultants credentials. ● The Attachment 2-1 sketch of the pad sites soil must have a scale! ● The Permittee has created a soil map of a scale 1"= 100 ft., however this map does not show the "several near-vertical bedrock outcrops" described in the narrative on page 5-10. Please ensure that the soils map is accurate. (PWB)

**R645-301-234.210**, The Division requests that AS-BUILT cross-sections of the stockpiles are drawn with horizontal and vertical scales equal and that two perpendicular cross sections are provided for each topsoil stockpile. This request is made to ensure stability of topsoil stockpile placement. These AS-BUILT cross-sections are required within 30 days of construction. (PWB)

**R645-301-240**, The Table in Attachment 5-2 indicates the planned year for reclamation work to begin, but no plans are disclosed for sites G-15 - G-19 or G-31 in Attachment 5-2. Please provide some indication as to the life of the well sites. ● As discussed during a meeting with the Permittee on August 15, 2007, a road profile showing the road gradients, must be provided prior to construction. ● Cross sections of the road were provided in Plates 2 and 3. These cross sections do not provide an adequate horizontal scale for the Division to evaluate the reclamation of the road. AS-BUILT cross sections with horizontal and vertical scales equal must be provided within 30 days of construction, along with an AS-BUILT road profile.

(PWB)