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# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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June 10, 2008

OK

TO: Internal File

THRU: Jim Smith, Permit Supervisor *JS 06/27/08*  
Steve K. Christensen *SKC*

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

RE: Permit Area Expansion- 240 Acres, Canyon Fuel Company, LLC, Dugout Canyon Mine, C/007/0039, Task ID #2958 (Previous Task ID #2873)

## SUMMARY:

On October 25, 2007, the Permittee submitted to the Division an application to expand the permit area by an additional 560 acres. The Division conducted a technical analysis of the application and sent the Permittee deficiencies.

On April 18, 2008, the Division received the Permittee's response to the deficiencies. The Permittee reduced the number of additional acres from 560 to 240. The 320 acres of State Lease ML-50582 was removed.

No additional surface disturbance is associated with this permit expansion application.

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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 Permittee listed the additional permit acres in Section 114 of the MRP.

**Findings:**

The Permittee met the minimum requirements of this section of the regulations.

**MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

**Analysis:**

**Mine Workings Maps**

The Permittee did not meet the minimum requirements of this section. The Permittee must include a map of all know active and abandoned mine workings within the permit boundary. Plate 5-1 does not include the additional 240 acres.

**Permit Area Boundary Maps**

The Permittee did not meet the minimum requirements of this section. The Permittee did not update all maps that show the permit boundaries

**Surface and Subsurface Ownership Maps**

The Permittee did meet the minimum requirements of this section. The Permittee update the surface and subsurface ownership maps.

**Findings:**

The information in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

**R645-301-521**, The Permittee must update the permit boundaries on all maps that show the permit boundary such as Plate 5-1. Without updating all the maps in the MRP a reader would not know which maps show the correct permit boundaries and which do not.

## OPERATION PLAN

### COAL RECOVERY

Regulatory Reference: 30 CFR 817.59; R645-301-522.

**Analysis:**

The Permittee meet the requirements of this section. The Permittee provided the Division with a copy of the modification to resource recovery protection plan prepared by the BLM. The Division relies on the R2P2 for making findings on coal recovery. The findings in the R2P2 indicate that the addition of the coal lease will enable the Permittee to maximize the amount of coal that they can recover.

**Findings**

The Permittee met the minimum requirements of this section of the regulations.

### SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

**Analysis:**

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### **Renewable Resources Survey**

The Permittee met the minimum requirements of this section. The Permittee conducted a renewable resource survey and determined that renewable resources exist in the subsidence area associated with the 240-acre expansion.

### **Subsidence Control Plan**

The Permittee did not meet the requirements of this section. The information in the amendment is not consistent. The panels shown on the map in Appendix 5-12 are not the same as those shown on Plate 5-7. In addition, there are no references the map in Appendix 5-12 to show the location of the panels (such as township, range and section locations.)

The Permittee met the minimum requirements of this section. The Permittee agreed to expand the existing subsidence control plan to include the 240-acre expansion.

### **Performance Standards For Subsidence Control**

The Permittee met the minimum requirements of this section. The Permittee is required to meet all performance standards for the 240-acre expansion.

### **Notification**

The Permittee met the minimum requirements of this section. The Permittee will notify all property owners at least six months before mine within the 240-acre expansion.

### **Findings:**

The information in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

**R645-301-525.460 and R645-301-121.200**, The Permittee must update the map in Appendix 5-12 to reflect the current condition such as the permit expansion is 240 acres not 600 acres. The information on the map in Appendix 5-12 must be consistent with the information in Plate 5-7, for example the panels and dates that the panels will be mined as well as the subsidence boundaries are not the same. In addition, the Permittee must place information on the map in Appendix 5-12 that allows the reader to easily identify the location such as by placing township, range and sections locations. In addition, the subsidence isopachs must be based on a general acceptable method of subsidence prediction and the supporting calculations must be included in the MRP.

## **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:**

#### **Mine Workings Maps**

The Permittee met the requirements of this section of the regulations. The Permittee update Plate 5-7 to show the location of the areas of future mining associated with the 240-acre expansion.

### **Findings:**

The Permittee met the minimum requirements of this section.

## **RECLAMATION PLAN**

### **BONDING AND INSURANCE REQUIREMENTS**

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

### **Analysis:**

#### **General**

Since the addition of the 240 acres does not change the reclamation plan, no changes were made to the reclamation plan or the reclamation cost estimate. Because there were no changes to the reclamation plan the Division found that there was no reason to change the bond amount.

### **Findings:**

The Permittee met the minimum requirements of this section.

### **RECOMMENDATIONS:**

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

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