

0002

*OK Outgoing
3/06/08/0045*

From: Pete Hess
To: Gina Rau
CC: Daron Haddock; Steve Christensen; Wayne Western
Date: 3/12/2008 10:56 AM
Subject: RE: COVOL Site February 2008 Inspection Report

No, we do not have a specific regulation which requires that ASTM standards must be implemented as far as material which is used for surfacing roads.

However, R645-301-527.210 requires that specifications for each road surface must be included in the "detailed description" for the primary roads within your proposed permit application.

Second, R645-301-534.320 requires that primary roads be surfaced with rock, crushed gravel, asphalt, or other material approved by the Division as being sufficiently durable for the anticipated volume of traffic and the weight and the speed of vehicles using the road.

It is obvious that all roads within your proposed permit area are "primary" roads, as all are used for transporting coal.

Kyle referred to the material along the edge of the road between the gate and Ridge Road as "aggregate" from the physical processing of the high ash coal you are receiving. Generally, most of the carbonaceous material which is in or adjacent to the coal seam being mined is bony coal, shales, or mudstones with very little rock. When these materials get wet, they break down, get soft, and have virtually no strength for supporting truck weights.

Also, the material between the gate and the road is being generated by a physical coal processing regimen, and is thus coal processing waste. A Permittee can not just classify coal processing waste as "aggregate" and start putting it on roads. All coal processing waste, if it is not to be stored within the permit area where it is being generated, must be stored in another permit area, based upon approval of the Division.

Based upon your activity with the West Ridge Mine high ash product, and the fact that the West Ridge Mine does not have a waste rock disposal facility, the material which is the coal processing waste would have to be shipped to the Wildcat Loadout facility (upon Division approval) and permanently disposed of according to the Division approved plan for that permit area.

The Division has been told that some of the coal processing waste generated by the air jigging or physical processing of the West Ridge high-ash material is being sent to the Sunnyside Co-generation facility for blending / utilization of that material. That is great as far as I am concerned, but both of those permits must have or should have a Division approved modification to send to, and to receive the material, based upon my interpretation of the coal rules.

I realize this will all be hammered out by you and the Division as your permit application package is reviewed and proceeds through the approval process. I just wanted you to be aware that using the coal processing "aggregate" for road surfacing is a bad idea until all the Division approvals are in place.

If you want to sample the "aggregate" material and have it analyzed for engineering characteristics for surfacing material (compressive strength, size analysis, percentage of "rock" would certainly be required), and can show that the material does qualify and meet the standards for "other material approved by the Division" then I would have no concern. I think I can confidently say that the Division engineer conducting that review would use ASTM or AASHTO standards for making the comparison between the coal processing "aggregate" and rock / crushed gravel.

Thanks for the information about the posted speed limit and that requirement within your AO.

If you have any questions, please call.

>>> "Gina Rau" <grau@headwaters.com> 3/10/2008 5:47 PM >>>
Pete,

I just wanted to follow-up with you on a couple of items in your report. Covol's air permit does have a requirement that limits the speed limit on our haul road. Condition #18 limits the speed to 10 mph. Speed limit signs are posted.

As for the ASTM standard for road gravel, what is the number of the

specific ASTM standard? I searched through UDOGM's regulations (R645) and couldn't find any references to an ASTM road gravel standard. Although, I may have searched a little too quickly and missed it. If it isn't referenced in the regulations, does UDOGM have a guidance document or fact sheet regarding this?

Thank you,
Gina

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-----Original Message-----

From: Pete Hess [<mailto:PETEHESS@utah.gov>]
Sent: Thursday, March 06, 2008 10:58 AM
To: Gina Rau; Mike Gipson
Cc: Angela Nance; Daron Haddock
Subject: COVOL Site February 2008 Inspection Report

Please print and retain a copy for your site records. Thank you.