

C/007/045 Incoming

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**EarthFax**

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January 25, 2012

Mr. Daron Haddock  
Coal Regulatory Program  
Utah Division of Oil, Gas and Mining  
1594 West North Temple  
Suite 1210  
Salt Lake City, UT 84116

Subject: Wellington Dry Coal Cleaning Facility  
COVOL Engineered Fuels  
Order No. C/007/0045DO-12B  
Submittal of Updated Plate and Text

**RECEIVED**  
**JAN 25 2013**  
**DIV. OF OIL, GAS & MINING**

Dear Mr. Haddock:

On behalf of COVOL Engineered Fuels and in response to DO-12B, we are pleased to submit the enclosed updates that form a part of the operating permit for the Wellington Dry Coal Cleaning Facility. The text is submitted in redline/strikeout version for your easy review of the changes that have been made. We are also submitting herewith the appropriate C1 and C2 forms.

Please contact Tom Schmalz of COVOL (706-549-7903) if you have any questions. Thank you for your assistance.

Sincerely,

Richard B. White, P.E.  
President  
EarthFax Engineering, Inc.

Enclosure

File in:

- Confidential
- Shelf
- Expandable

Date Folder 01/25/2013 CI 0070045

*Incoming*

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

**Permittee:** COVOL Engineered Fuels, LC

**Mine:** Wellington Dry Coal Cleaning Facility **Permit Number:** C/007/0045

**Title:** Addition of alternate sediment control areas

**Description,** Include reason for application and timing required to implement:  
Add alternate sediment control areas to the facility plan

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- |   |   |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# <u>DO-12B</u>  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?  |
| <i>Explain:</i> _____   |   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)                                |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities?   |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures?  |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities?   |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

MICHAEL MILDENHALL  
 Print Name

[Signature], SECRETARY, JAN 25, 2013  
 Sign Name, Position, Date

Subscribed and sworn to before me this 25 day of January, 2013

[Signature]  
 Notary Public

My commission Expires: Oct. 8, 2014  
 Attest: State of Utah } ss:  
 County of Salt Lake



<p><b>For Office Use Only:</b></p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas &amp; Mining</p> <p style="font-size: 2em; color: red; font-weight: bold;">RECEIVED</p> <p style="font-size: 1.5em; color: red; font-weight: bold;">JAN 25 2013</p> <p style="color: red; font-weight: bold;">DIV. OF OIL, GAS &amp; MINING</p>
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#### Plate

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### APPENDICES

#### Appendix

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- 1-2 Environmental Compliance Assessment
- 1-3 Property Warranty Deeds
- 1-4 Zoning and Conditional Use Permit Information
- 1-5 Affidavit of Publication of Administrative Completeness
- 2-1 Pre-Disturbance Photographs
- 2-2 Published Soil Survey Information
- 3-1 Biological Survey of the Permit and Adjacent Areas
- 3-2 Resume of Project Biologist
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- 7-8 Drainage Channel and Culvert Hydrology Calculations
- 7-9 ~~Alternate Sediment Control Area Calculations~~
- 8-1 Reclamation Bond Cost Estimate
- 8-2 Certificate of Insurance

**Other Treatment Facilities.** No other water treatment facilities are located within the permit area.

**Exemptions.** ~~No exemptions to the requirements of R645-301-742.200 and R645-301-763 are being sought by this application.~~ Two alternate sediment control areas exist at the locations shown on Plate 7-2. These areas will be bounded by a minimum 6-inch high berm or fiber roll as indicated, each installed on the inside of the facility fence. Calculations to support the design of these alternate sediment control areas are provided in Appendix 7-9.

Fiber rolls will be installed in accordance with manufacturer's instructions. Approximately half of the roll will extend below the ground surface and individual sections of fiber roll will be overlapped horizontally to preclude bypass of sediment. Each fiber roll will be staked into the ground on centers that do not exceed 4 feet. Although the junction point of the berm and fiber rolls may vary somewhat from that indicated on Plate 7-2, a barrier with a minimum height of 6 inches will be maintained in the indicated locations.

#### 7.4.2.3 Diversions

**General Requirements.** The diversions within the permit area consist of drainage ditches and culverts. All diversions within the permit area have been designed to minimize adverse impacts to the hydrologic balance, to prevent material damage outside the permit area, and to assure the safety of the public. They have been designed, located, constructed, maintained, and used to:

- Be stable
- Provide protection against flooding and resultant damage to life and property
- Prevent, to the extent possible, additional contributions of suspended solids to stream flow outside the permit area
- Comply with all applicable local, state, and federal laws and regulations

Peak discharge rates from the drainages within the permit area were calculated for use in determining the adequacy of the existing diversion ditches and culverts. Since the diversions will remain in place for the future landowner following cessation of COVOL operations, runoff was calculated assuming permanent diversion structures based on the 100-year, 6-hour precipitation event of 1.74 inches. Curve numbers were based on those defined in Appendix 7-7. A description of the methods used to determine the peak discharge rates is presented in Appendix 7-8.

Watershed boundaries for the facility are presented on Plate 7-2. The disturbed area boundary is surrounded by a berm along the upstream edge and its sides in order to divert runoff

COVOL Engineered Fuels, LC  
| Dry-Coal Cleaning Facility

Permit Application  
Revised ~~October 2010~~ January 2013

APPENDIX 7-9

Alternate Sediment Control Area Calculations

COVOL WELLINGTON PLANT  
ASCA DETERMINATION

ASCA-1

Bone yard with minimally-disturbed ground  
Partially vegetated with weeds

$$\left. \begin{array}{l} CN = 80 \\ P_{10,24} = 1.57 \text{ in} \\ \text{Arec} = 2.38 \text{ ac} \end{array} \right\} \begin{array}{l} Q = 0.321 \text{ in} \\ = 0.76 \text{ ac-in} \\ = 2770 \text{ ft}^3 \end{array}$$

Arec of elev. 5510 contour inside fence = 5540 ft<sup>2</sup>

The above runoff will be contained with a fiber roll with a height of ≥ 6 inches.

ASCA-2

Conditions as above

$$\left. \begin{array}{l} CN = 80 \\ P_{10,24} = 1.57 \text{ in} \\ \text{Arec} = 0.12 \text{ ac} \end{array} \right\} \begin{array}{l} Q = 0.321 \text{ in} \\ = 140 \text{ ft}^3 \end{array}$$

Arec of elev. 5908 contour inside fence = 610 ft<sup>2</sup>

The above runoff will be contained if the fiber roll has a height of ≥ 6 inches.