

EarthFax Engineering Group, LLC

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C/007/0045 Incoming

4888



EarthFax

April 20, 2015

Mr. Daron Haddock
Coal Program Manager
Utah Division of Oil, Gas and Mining
1594 West North Temple
Suite 1210
Salt Lake City, UT 84114-5801

RECEIVED

APR 21 2015

DIV. OF OIL, GAS & MINING

Subject: BRC Wellington Notice of Violation No. 13155,
Wellington Dry-Coal Cleaning Facility (C/007/0045),
Task ID #4787

Dear Daron:

On behalf of BRC Wellington, LLC I am pleased to enclose one redline/strikeout copy of a proposed modification to the permit application for the Wellington Dry-Coal Cleaning Facility. This modification addresses issues raised in Notice of Violation No. 13155 and subsequent comment from the Division with respect to a prior submittal. Also enclosed is a copy of the C1 and C2 forms associated with the proposed modification.

Please feel free to contact me (801-561-1555) or Troy Francisco of Bowie Refined Coal (502-855-5175) if you have any questions regarding this submittal. Thank you for your assistance.

Sincerely,

Richard B. White, P.E.
President
EarthFax Engineering Group, LLC

Enclosure

APPLICATION FOR COAL PERMIT PROCESSING

RECEIVED

APR 21 2015

DIV. OF OIL, GAS & MINING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: BRC Wellington, LLC

Mine: Wellington Dry Coal Cleaning Facility

Permit Number: C/007/0045

Title: Coal dust permit modification, Task ID #4787, NOV #13155

Description, Include reason for application and timing required to implement:

Permit modification to address coal dust outside permit area

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

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # 13155
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes 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.

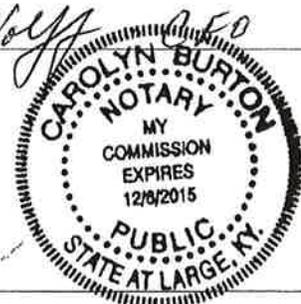
JAMES J WOLFF
Print Name

James Wolff
Sign Name, Position, Date

Subscribed and sworn to before me this 17 day of April, 2015

Carolyn Burton
Notary Public

My commission Expires: 12/06, 2015
Attest: State of Kentucky } ss:
County of Jefferson



For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining

7.4.8 Casing and Sealing of Wells

The groundwater monitoring well to be installed in the permit area will be cased and sealed at the surface to prevent potential acid or other toxic drainage from entering groundwater via the well. The surface will be completed with a lockable steel casing to protect the well and ensure the safety of people, livestock, wildlife, and machinery.

7.50 Performance Standards

All operations and reclamation will be conducted to minimize disturbance to the hydrologic balance within the permit and adjacent areas, prevent material damage to the hydrologic balance outside the permit area, and support approved post operations land uses.

7.5.1 Water Quality Standards and Effluent Limitations

Discharges of water from disturbed areas will be in compliance with all applicable Utah and federal water quality laws and regulations and with applicable effluent limitations for coal mining contained in 40 CFR Part 434. The area outside of the permit-area fence line will be inspected at least once each calendar quarter for the presence of wind-blown coal dust. Accumulations of coal dust more than ½-inch thick will be cleaned within seven days of discovery using shovels or vacuum trucks. Coal dust thus removed will be placed within the permit area at a location that drains to a sedimentation pond.

7.5.2 Sediment Control Measures

All sediment control measures will be located, maintained, constructed and reclaimed according to plans and designs presented in Sections 7.3.2, 7.4.2, and 7.6.0.

7.5.2.1 Siltation Structures and Diversions

Siltation structures and diversions will be located, maintained, constructed and reclaimed according to plans and designs presented in Sections 7.3.2, 7.4.2, and 7.6.3.

7.5.2.2 Road Drainage

All roads will be located, designed, constructed, reconstructed, used, maintained and reclaimed according to plans and designs presented in Sections 7.3.2.4, 7.4.2.4, and 7.6.2. All roads have been designed to:

- Control or prevent erosion and siltation by maintaining or stabilizing all exposed surfaces in accordance with current, prudent engineering practices;
- Control or prevent additional contributions of suspended solids to stream flow or runoff outside the permit area;
- Neither cause nor contribute to, directly or indirectly, the violation of effluent standards given under Section 7.5.1.
- Minimize the diminution to or degradation of the quality or quantity of surface- and ground-water systems;
- Refrain from significantly altering the normal flow of water in streambeds or drainage channels.

7.5.3 Impoundments and Discharge Structures

Impoundments and discharge structures will be located, maintained, constructed and reclaimed as described in Sections 7.3.3, 7.3.4, 7.4.3, 7.4.5, and 7.6.0.

7.5.4 Disposal of Excess Spoil, Coal Mine Waste and Noncoal Mine Waste

Handling and disposal of coal mine waste and noncoal mine waste is described in Sections 7.3.6, 7.3.7, 7.4.6, 7.4.7, 7.6.0 and Chapter 5.

7.5.5 Casing and Sealing of Wells

When no longer needed, the groundwater monitoring well in the permit area will be abandoned in accordance with R645-301-765 and the requirements of the Utah Division of Water Rights.

7.60 Reclamation

7.6.1 General Requirements

A detailed reclamation plan for the facility is presented in Section 5.40. In general, BRCW will ensure that all temporary structures are removed and reclaimed. Permanent diversions will be maintained properly and will meet the requirements of the approved reclamation plan for permanent structures and impoundments. BRCW will renovate the diversion structures if necessary to meet the requirements of R614-301 and R614-302 and to conform to the approved reclamation plan.

7.6.2 Roads

All site roads will be retained for use under the operational industrial land use.

7.6.2.1 Restoring the Natural Drainage Patterns

The facility does not interfere with natural drainage patterns that require restoration.

7.6.2.2 Reshaping Cut and Fill Slopes

No cut and fill slopes are located at the facility.