

C/007/045 Incoming

#4888



**EarthFax**

## EarthFax Engineering Group, LLC

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May 19, 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

Subject: BRC Wellington Notice of Violation No. 13155,  
Wellington Dry-Coal Cleaning Facility (C/007/0045),  
Task ID #4788, Clean Copy Submittal

Dear Daron:

On behalf of BRC Wellington, LLC I am pleased to enclose two clean copies of a conditionally-approved modification to the permit for the Wellington Dry-Coal Cleaning Facility. Also enclosed are the C1 and C2 forms associated with this submittal.

Please feel free to contact me (801-561-1555) or Kyle Edwards of BRC Wellington (435-613-1631) 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

cc: Kyle Edwards (BRC Wellington)

**RECEIVED**

**MAY 20 2015**

**DIV. OF OIL, GAS & MINING**

## APPLICATION FOR COAL PERMIT PROCESSING

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 #4788, NOV #13155, clean copy submittal

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

Permit modification to address coal dust outside permit area - clean copy submittal

**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.

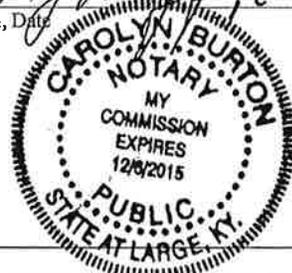
James J Wolff  
Print Name

James J Wolff CFO 5/20/15  
Sign Name, Position, Date

Subscribed and sworn to before me this 20th day of May, 20 15

Carolyn Burton  
Notary Public

My commission Expires: Dec. 6, 20 15  
Attest: State of Kentucky ) ss:  
County of Jefferson



**For Office Use Only:**

Assigned Tracking Number:

Received by Oil, Gas & Mining

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**MAY 20 2015**

**DIV. OF 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. **INCORPORATED**

**MAY 21 2015**

### **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.