

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

February 27, 2008

OK

TO: Internal File

THRU: Daron Haddock, Permit Supervisor *DH*
Karl Houskeeper, Team Lead *KRH by an*

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

RE: Refuse Drainage to Pond 8 – Citation #10005 Consol Coal Company, Emery Deep, C/015/0015, Task ID #2929

SUMMARY:

The Division issued the Permittee a violation related a temporary storage facility for coal mine waste. Karl Houskeeper issued the violation (#10005) upon observing the limited capacity of the receiving drainage channels that accept storm runoff from the refuse pile.

On September 10th, 2007, the Permittee submitted information in response to the violation. On October 31st, 2007, the Division concluded it's first technical review of the submittal and mailed a letter to the Permittee that identified several deficiencies that needed to be addressed (Task ID #2852). The Permittee submitted a response to those deficiencies on November 9th, 2007. This memo deals with the engineering aspects of the proposal.

On February 25, 2008, the Division received additional information. Part of the additional information dealt with reclamation costs. The Division determined that the Permittee must post an additional \$440,000 in bond.

The Division should approve the amendment and then give the Permittee 60 days to post the bond. If the Permittee does not fail to post the additional bond amount of \$440,000 within 60 days of the receipt of the approval letter then the Division must take additional enforcement action.

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TECHNICAL ANALYSIS:

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

The Permittee meet the requirements of this section. The Permittee give a narrative that states the maximum amount of coal mine waste that will be stored in the temporary storage facility and when that material will be move to the permanent storage facility.

The Permittee committed to not place more than 600 cubic yards of new material in the refuse pile. The total volume of coal mine waste at time of reclamation should be a maximum of 37,600 cubic yards.

Findings:

The information provided in the proposed amendment is considered adequate to meet the requirements of this section.

SPOIL AND WASTE MATERIALS

Regulatory Reference: 30 CFR Sec. 701.5, 784.19, 784.25, 817.71, 817.72, 817.73, 817.74, 817.81, 817.83, 817.84, 817.87, 817.89; R645-100-200, -301-210, -301-211, -301-212, -301-412, -301-512, -301-513, -301-514, -301-521, -301-526, -301-528, -301-535, -301-536, -301-542, -301-553, -301-745, -301-746, -301-747.

Analysis:

Coal Mine Waste

The Permittee meet the minimum requirements of this section of the regulations. In Chapter II, page 10, the Permittee states:

The material will be moved to the proposed permanent development waste disposal site within 12 months after cessation of mining.

The refuse pile identified as No. 31 on Plate II-1 is a temporary location for coal mine waste. At final reclamation, the Permittee will move the coal mine waste to a permanent disposal facility.

Findings:

The information provided in the proposed amendment is considered adequate to meet the requirements of this section.

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:

Mining Facilities Maps

The Permittee meet the requirements of this section. The Permittee included a map and cross sections that depicted the temporary coal mine waste storage facility at full capacity. The Permittee showed the contours of the refuse pile on Plate II-1 and on Chapter IV,C4 Figure 1.

Certification Requirements

The Permittee committed meet the requirements of this section. The Permittee committed have Plate Chapter IV.C4 Figure 1 certified by a registered professional engineer.

Findings:

The information provided in the proposed amendment is considered adequate to meet the requirements of this section.

RECOMMENDATIONS:

The Division should approve the amendment on the condition that the clean copies contain certified maps.