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DEPARTMENT OF NATURAL RESOURCES
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Technical Analysis and Findings

Utah Coal Regulatory Program

January 26, 2017

PID: C0150015
TaskID: 5350
Mine Name: EMERY DEEP MINE
Title: PHASE II ADDITIONAL PERMIT BOUNDARY

General Contents

Right of Entry

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Right of Entry. The following deficiency must be addressed prior to final approval:

R645-301-114: The Permittee must revise the amendment to comply with R645-301-114. R645-301-114, Right of Entry Information, requires a description of the documents upon which the applicant bases their legal right to enter and begin coal mining and reclamation operations. The Permittee does not currently have the legal right to enter Federal Coal Lease U-5287 and initiate the mining plan depicted on Plate IV-2, UG Operations Plan. The Permittee must provide a commitment within the approved MRP that a revised R2P2 will be obtained from the Bureau of Land Management in 2017. The commitment must be provided in Chapter 1, page 7a, Section UMC 782.15 and in Appendix 1-2.

schriste

Environmental Resource Information

Soils Resource Information

Deficiencies Details:

R645-301-121.100, The application does not meet the requirements of R645-301-220 and R645-301-121.100, because the disturbed area information in the soil survey map legend still does not agree with that introduced into the MRP on Table III-2 of Chap III p.2, as the result of a ground survey.

pburton

Probable Hydrologic Consequences Determination

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Hydrologic Resource Information. The following deficiency must be addressed prior to final approval:

R645-301-728.350: The Permittee must provide documentation from the State of Utah Division of Water Rights that sufficient water rights have been obtained to facilitate the mining operation during operation. Pages VI-21 and VI-22 discuss

how a temporary right to divert water from Quitchupah Creek or leasing water from a user with an existing right on Quitchupah Creek will be required in order to facilitate the initiation of mining operations. In order to evaluate the potential for impacts to State-appropriated water, the Division must confirm that sufficient water rights have been obtained for the mining operation prior to final approval of the amendment.

schriste

Maps Surface and Subsurface Manmade Features

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Surface and Subsurface Manmade Features.

R645-301-521.123, R645-301-521.133: The Permittee shall provide a narrative in Chapter 2 page 18 detailing basic information regarding the jeep trail called out on various Plates. The Permittee must control access to the mine and establish if the jeep trail will be replaced upon the cessation of mining operations. The basic information regarding the jeep trailâ€™s access controls during mining operations, and if the trail will be restored after mining operations are required for the Division to show R645-301-521.133.1 does not apply.

cparker

Operation Plan

Relocation or Use of Public Roads

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Surface and Subsurface Manmade Features.

R645-301-521.123, R645-301-521.133: The Permittee shall provide a narrative in Chapter 2 page 18 detailing basic information regarding the jeep trail called out on various Plates. The Permittee must control access to the mine and establish if the jeep trail will be replaced upon the cessation of mining operations. The basic information regarding the jeep trailâ€™s access controls during mining operations, and if the trail will be restored after mining operations are required for the Division to show R645-301-521.133.1 does not apply.

cparker

Air Pollution Control Plan

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Air Pollution Control Plan. The following deficiency must be addressed prior to final approval:

R645-301-420, -422: The Permittee must update Chapter X, Part C: Air Quality to reflect the mine expansion. The update must include the revised Approval Order (AO) issued from the State of Utah Division of Air Quality as well as revisions to the supporting text/narrative found in Chapter X Part C (i.e. contain a description of coordination and compliance efforts which have been undertaken by the applicant with the Utah Division of Air Quality).

schriste

Coal Recovery

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Coal Recovery. The following deficiency must be addressed prior to final approval.

R645-301-522: The Permittee provide their response to the Divisionâ€™s Technical Analysis and Findings of Task 5299 that mining will not occur in the Federal Coal Lease U-5287 until 2019 within Chapter 4. This narrative must be included within the MRP as it is paramount to describing measures to be used to maximize the use and conservation of the coal resource.

cparker

Topsoil and Subsoil

Deficiencies Details:

R645-301-231.400 and R645-301-121.100, Plate II-1A provides the location of 8 subsoil stockpiles. Some of these stockpiles are likely topsoil stockpiles and are namd T-6 through T-9. The legend should be corrected accordingly. Chap. IV p. 8c describes the placement of topsoil into topsoil stockpile T-2. This stockpile is shown on Plate II-1, but should also be shown in relation to other immediately adjacent stockpiles shown on recently submitted Plate II-1A. The Plate must also include existing topsoil stockpiles T-1 and existing subsoil stockpile S-1 and the outline of the waste disposal site, all of which are within the frame of Plate II-1A.

R645-301-234.240, The plate shows placement of topsoil and subsoil storage piles on top of an escarpment potentially exposed to wind blow coal fines from proposed raw coal storage piles. Since topsoil and subsoil piles should be placed where they will not be re-disturbed, is this the best placement for the long term piles T-8, S-9, T-9, and T-10?

R645-301-141, Plate II-IA must show contour lines with two foot intervals, such that the as built survey can be meaningfully interpreted.

pburton

Hydrologic General

Deficiencies Details:

The amendment does not meet the State of Utah R645 General Hydrologic Information requirements. The following deficiency must be addressed prior to final approval:

R645-301-731: The Permittee must revise Appendix XI-21 with a comprehensive narrative that describes the routing of the surface drainage system.

schriste

Hydrologic Diversion General

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Diversions. The following deficiency must be addressed prior to final approval:

R645-301-742.300: The Permittee must revise Plate VI-11B, Emery 2 Drainage Details. Please clarify the culverts that the depicted culvert inlet/outlet trash rack detail applies to.

schriste

Hydrologic Siltation Sedimentation

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Hydrologic Siltation Sedimentation Measures. The following deficiencies must be addressed prior to final approval:

R645-301-742.220, -742.221.36, -; The Permittee must revise the design information of Sediment Pond 3 to include the installation of a sediment marker within the pond. Plate VI-15B, Pond 3 Modifications must be revised to clearly show the installation of a sediment and how it will identify the 60% design sediment capacity (i.e. the point at which the pond must be cleaned). The sediment marker must be shown on the plan and cross-sectional view.

R645-301-743.130, -743.131: The Permittee must revise the spillway information and design information for Sediment Pond 3 to comply with R645-301-743.130 which requires either a combination of principal and emergency spillway or a single spillway that complies with R645-301-743.131. The secondary spillway inlet elevation is a foot lower than the top of the primary spillway. Please clarify. Additionally, identify the length of the 12â€• diameter CHDPE culvert of the secondary spillway and its grade (i.e. provide outlet elevation where the culvert daylights on the downgradient side of the embankment).

R645-301-731,-740: In order to facilitate inspection of the site, the Permittee must provide a detailed design and supporting narrative (Appendix VI-21) as to how the sump located in the portal area of the box cut will be constructed, maintained etc.

schriste

Explosives Preblasting Survey

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Preblasting Survey. The following deficiency must be addressed prior to final approval.
R645-301-524.300: The Permittee shall include a copy of the preblast survey notification sent to all partied identified on Plate I-1 and copies of the notifications the signed waivers of preblast surveys to meet the requirements R645-301-524.300 preblast survey described in the permit application. Plate I-1 shall be modified so that all surface ownership information is shown within the half mile buffer.

cparker

Reclamation Plan

Mine Openings

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Mine Openings. The following deficiency must be addressed prior to final approval.

R645-301-513.500, R645-301-529, R645-301-532.100 and R645-301-551: To meet R645-301-532.100 regulations the Permittee must include a more detailed reclamation timing sequence in Chapter III Section III.A.2. that includes reducing the disturbed area to the smallest practicable at any one time during mining operations through the reclamation of the 4th east portals area.

cparker

Road System Reclamation

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for General Road Reclamation plan. The following deficiency must be addressed prior to final approval.

R645-301-521.123, R645-301-521.133, R645-301-542: The Permittee shall provide a narrative in Chapter 2 page 18 detailing basic information regarding the jeep trail called out on various Plates. The Permittee must control access to the mine and establish if the jeep trail will be replaced upon the cessation of mining operations. The basic information regarding the jeep trailâ€™s access controls during mining operations, and if the trail will be restored after mining operations are required for the Division to show R645-301-521.133.1 does not apply.

cparker

Maps Bonded Area

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Bonded Area Map. The following deficiency must be addressed prior to final approval.

R645-301-800: To meet R645-301-121.200 and R645-301-800 Plate I-1 shall be modified so that all surface ownership information is shown within the half mile buffer.

cparker

Bonding Determination of Amount

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Determination of Bond Amount. In accordance with the requirements of R645 the Permittee is responsible to provide detailed estimated cost sheets to support the reclamation cost estimate.

R645-301-542.800 & R645-301-830.140: The Permittee shall correct the earthwork sheets so that the updated CLAB and FAO of $37.90 and $51.90 facilitate through all the earthwork sheets and not just on the unit rate cost sheet.

bwiser

Special Categories

Operations Alluvial Protectioin of Agricultural

Deficiencies Details:

R645-302-322.250, Updated Plate V-5 shows SR 10 being the end of the stream buffer zone on the West. This manmade feature should not interfere with the illustration of the stream buffer zone. In addition, the application does not provide coal seam elevation or coal seam thickness isopachs west of the highway on plates V-17 through 25. Of immediate concern is the elevation and thickness isopachs shown on Plates V-19 through V-22 which illustrate the seams to be mined in the proposed five year mining plan.

pburton