

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

OK

March 7, 2007

TO: Internal File

THRU: Jim Smith, Lead *JS*

FROM: Priscilla Burton, CPSSc, Environmental Scientist III *PWB by ar*

RE: Loadout Expansion, CO-OP Mining Company, Bear Canyon Mine, C/015/0025, Task ID # 2739, Outgoing File

SUMMARY:

On March 5, 2007, the Division received a response to deficiencies outlined in the review of the Loadout Expansion (Task #2469). This application to expand the loadout area at the Bear Canyon will provide for three, **paved** lanes for ingress and egress. A small portion of a pad outslope previously designated as substitute topsoil will be cut in the process. The area to be cut is the slope between the loading pad and the stacking tubes in reclamation area TS 5 (shown on Reclamation Area Map Plate 5-2C, cross sections 5+00 through 9+00). A retaining wall (max. height 10 ft.) will support the cut slope.

Mr. Mark Reynolds indicated that the Permittee will provide an update of the contemporaneous reclamation completed to date in the 2006 Annual Report (in accordance with R645-301-532.100).

One [previously identified] deficiency with the amendment remains to be addressed, as follows:

R645-301-412.200, The county road agreement (referenced on page 5F-5) must be included in the MRP, because this document establishes whether the road remains for the post mining land use which has implications on the reclamation cut/fill balances. • A statement from the landowner concerning the retention of the access road during final reclamation is requested.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Section's 507(b), 508(a), and 516(b), 30 CFR 783., ET. al.

OPERATION PLAN

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-230.

Analysis:

The surface 27 inches of the outslope has been designated as a source of substitute topsoil under R645-301-233.100. The available 678 yd³ substitute topsoil from this location will be stockpiled in reclamation area TS 7, up canyon from the loadout. Seeding and revegetation of the stockpile will be as described in Chapter 2 (personal communication with Mark Reynolds 03/09/07).

Table 2-3 indicates that the 678 yd³ of available substitute topsoil will be hauled to reclamation area TS 7, for storage (pg. 5I-61). This volume of substitute topsoil is not included in the required topsoil volumes laid out in Table 5I-6 for Area TS-7. Consequently, Table 5I-1 does not modify the required quantity of fill or topsoil in TS 7 or TS 8, by 678 yd³, although the Cut and Fill volume description on page 5I-6 has been revised accordingly.

The plan reduces the volume of salvageable substitute topsoil from the TS-5 area by 678 yd³, but Table 5I-1 indicates that there is still adequate fill to provide 1,000 yd³ of material from TS-5 for use during reclamation of Wildhorse Ridge area TS-17 (as described on pages 5I-13 and 5K-7). Appendix Q describes the loadout expansion.

Findings:

The information provided meets the requirements of this section of the regulations.

RECLAMATION PLAN

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General

Plates 2-3 C, E & G illustrate the location of reclamation areas TS 5, TS 7, TS 8, TS 15 and TS 17 under discussion.

- TS 8 will require 952 cu yds of imported fill from TS 5.
- **Notes from Inspection Report dated September 21, 2005 concerning reclamation in TS 7 and 8:** "The installation of erosion control matting on the backfilled #2 Mine (Tank seam) road is approximately 85% complete. Although matting has been placed to where the backfill ends, small areas remain to be completed. The Division suggested that the Permittee install more rock on the matting to help hold it in place. At present, canyon winds may place the matting in disarray. Pictures of the reclaimed road were taken.....A pile of backfill material remains on the storage pad where the Permittee intends to store longwall components, (pad inby the #1 Mine de-energized electrical substation). The Permittee intends to utilize this by extending the backfill on the Tank seam access road further down the canyon. The area will be used to store components for the longwall when they arrive."
- The Blind Canyon tunnel area (TS 15) was backfilled with 1,000 cu yds of soil from the Wild Horse Ridge TS 17 area.
- Additional material generated from the Wild Horse Ridge development was hauled to TS-7 and TS-8 for reclamation of those areas. So the use of TS 5 soils may have been reduced even further. If so, the cut/fill balance plan must reflect the change.

Thus, a 1,000 cu yd deficit was created in TS 17. The cuts of TS 17 will be partially filled with 1,000 cu yds of material from the TS 5. The loadout expansion plan (App. Q) reduces the volume of salvageable substitute topsoil from the TS-5 area by 678 yd³, but Table 5I-1

TECHNICAL MEMO

indicates that there is still adequate fill to provide 1,000 yd³ of material from TS-5 for use during reclamation of Wildhorse Ridge area TS-17 (as described on pages 5I-13 and 5K-7).

Mr. Mark Reynolds indicated that the Permittee will provide an update of the contemporaneous reclamation completed to date in the 2006 Annual Report (in accordance with R645-301-532.100).

Findings:

The plan meets the requirements of the Backfilling and Grading R645 Rules.

POSTMINING LAND USES

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133, R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

Analysis:

The main access road will remain in place for the post-mining land use. The application indicates that the road will remain as part of the County road system. There is a reference to an agreement between the county and the mine (page 5F-5). The county road agreement must be included in the MRP, because in addition to establishing whether the road remains, this document is important for the purposes of defining reclamation cut/fill balances.

Findings:

The information provided is not adequate to meet the requirements of this section of the regulations. Prior to approval the applicant needs to provide the following in accordance with:

R645-301-412.200, The county road agreement (referenced on page 5F-5) must be included in the MRP, because this document establishes whether the road remains for the post mining land use which has implications on the reclamation cut/fill balances. • A statement from the landowner concerning the retention of the access road during final reclamation is requested.

RECOMMENDATIONS:

The Loadout Expansion amendment cannot be approved for insertion into the MRP until the deficiencies described above are addressed satisfactorily.