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Hiawatha Coal Company

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James D. Smith  
Utah Division of Oil, Gas & Mining  
1954 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, UT 84114-5801

October 21, 2008

RECEIVED  
OCT 22 2008  
DIV. OF OIL, GAS & MINING

Re: Deficiencies for Bath House Parking Lot Expansion, Bear Canyon Mine, C/015/0025, Task ID #3016

Dear Mr. Smith:

This letter is in response to our phone conversation on October 21, 2008, as you requested please find two (2) complete hard copies of the Parking Lot Expansion. In addition I have enclosed 1 additional digital copy. Also, each page on the C2 form was confirmed within the current MRP on file here. The only exceptions are the Chapter 8, Appendix A changes, which were requested by Mr. Western, these are currently under review as the Bear Mid-Term Review as the Division Calculation sheets.

If you have any questions, please call me at (435) 687-5777 (X-2501).

Sincerely,



Cliff Baker  
Environmental Coordinator

file in: C/015/0025 2008 Incoming

Refer to:

Confidential

Shelf

Expandable

Date: 10/21/2008 For additional information

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

**Permittee:** CO-OP MINING COMPANY

**Mine:** BEAR CANYON MINE

**Permit Number:** ACT/015/025

**Title:** Parkinglot

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

To expand the shower house parking lot

**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: 0.35 Disturbed Area: 0.36  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 # \_\_\_\_\_
- 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.

Elliot Finley  
Print Name

E. Finley, Pres. 10-21-08  
Sign Name, Position, Date

Subscribed and sworn to before me this 21 day of October, 2008

Notary Public

My commission Expires:

Attest: State of

County of

Mark Reynolds  
Utah 6-4- 2010  
Emery



**For Office Use Only:**

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**OCT 22 2008**

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



**Deficiency Response List**  
**Task ID #3016**  
**Bath House Parking Lot Expansion**

**R645-301-521.190,**

- D. The Permittee must update the permit area acreage in Chapter 1, Page 1-5. In addition, the permittee must also include information on the acreage of the disturbed area.**
- R. Please find Page 1-5 attached to this response.

**R645-301-120,**

- D. The Permittee must address the apparent pagination discrepancy with Page 7-135 of the submittal. Page 7-135 of the submittal appears to correspond to page 7-106 in the approved MRP.**
- R. Hiawatha Coal's MRP does not show this discrepancy, page 7-106 describes diversions (742.300). Page 7-135 describes "Area AD-8 Drainage, 1993" and "Ditch D-8D Water Bar/C-14D" specifically.

**R645-301-120,**

- D. The Permittee needs to modify the language on page 7-135 that describes culvert C-14D. The Language should make it clear to the reader as to what is currently in use at the site. Future tense is utilized in describing the 8" concrete slab associated with the removed water bar.**
- R. Please find the revised page 7-135 with the corrected language attached to this response.

**R645-301-120,**

- D. The C2 form indicates Plates 2-2B was part of the submittal, but that plate was not in either the hard copy or the electronic version on the CD's. The Permittee needs to correct the C2 form for the next submittal.**
- R. Please find the corrected C2 Form attached to this response.

**R645-301-521.151,**

- D. The permittee must provide the Division with a map that clearly indicates sufficient slope measurements or surface contours to adequately represent the existing land surface configuration of the proposed permit area for at least 100 feet beyond the limits of mining disturbance.**
- R. Please refer to the revised Plate 2-3B, which shows extended topography to the west and a cross-section E-E' located on Page 51-78 also included in this response.

**R645-301-512.100,**

- D. The permittee must provide the Division with a certified copy of Plate 5-2B, Surface Facilities**
- R. Hiawatha Coal will provide the Division with certified copies of all plates included in this submittal upon approval.

**R645-301-526.200,**

- D. The permittee must update the MRP to show that additions that they made to the surface facilities. The information in Appendix 5-A to include the new structures, start dates and estimated completion dates.**
- R. Hiawatha Coal Company is not adding any new structures with this submittal. Rather we are just adding cut-fill volumes and some asphalt removal which have been addressed on Page 8-5 and 8-20 in this submittal.

**R645-301-231.100,**

- D. The plan must provide information on topsoil sampling in accordance with Table 2-4 and indicate volumes of topsoil salvaged from the expansion.**
- R. The soil samples are located in Appendix 2-A for the DZE soil types. Hiawatha Coal proposes that the soil samples taken along the Tank Seam access road are indicative of the TR type soils located in the area of Bear Canyon Mine and are identified as TSA-1 and TSA-2 located in Appendix 2-A.

**R645-301-231.100,**

- D. South of the existing shower house pad, in DZE soils, the plan needs to indicate a minimum of ten inches will be salvaged.**
- R. Hiawatha Coal Company fully intends to follow the topsoil recovery plan already outlined in the MRP under Sec R645-301-231, page 2-14 and R645-301-232, page 2-30.

**R645-301-232.200,**

- D. The plan must indicate that six inches of topsoil will be salvaged from the TR soil on the slopes west of the shower house pad.**
- R. Hiawatha Coal Company fully intends to follow the topsoil recovery plan already outlined in the MRP and will recover a minimum of 6" of topsoil and or subsoil where ever possible along the western slopes of the proposed expansion area.

**R645-301-231.400,**

- D. The plan must describe the construction or modification of existing topsoil storage areas for placement of the topsoil salvaged.**
- R. Hiawatha Coal Company fully intends to follow the topsoil Plan already in the approved MRP. Hiawatha Coal Company intends to place any recovered topsoil in either one or both of the Main or the Wild Horse Ridge Tank Seam Topsoil piles. Hiawatha Coal proposes that the affected topsoil pile Plates be updated after final placement of the topsoil.

**R645-301-121.200,**

**D. Page 8-20 of this application seems to indicate that Sediment Pond "A" cut and fill requirements are reduced by approximately 40,000 cu yds. The plan must explain how this expansion impacts Sediment Pond "A".**

R. The Proposed plan does not impact Sediment Pond "A". Page 8-20 was updated in the TS-4 area to simply add the "Subtotal" statement to clean the page up and the difference is a conversion from cu-ft to cu-yds. The actual changes pertaining to this submittal are in the TS-9 Subtotals for the Shower House and Sediment Pond "C".

**D. Table 2-7 (page 2-34) records acreage disturbed for each reclamation area. TS-9 acreage must be updated to include this post-law disturbance.**

R. Please find the revised Table 2-7, page 2.34 attached to this response.

**D. Table 2-8 must be updated with information from this expansion.**

R. Please find the revised Table 2-8, page 2.35 attached to this response.

**R645-301-742.220, -221.31, -221.3 and -221.33,**

**D. The permittee must update the Sediment Pond "C" calculations within Appendix 7-F of the MRP. The Permittee must demonstrate that Sediment Pond "C" has the storage capacity to handle the increase in storm water volume that will be generated from the parking lot expansion.**

R. Please find the revised Sediment Pond "C" Calculations for Storage Capacity included in this response.

**R645-301-542.300,**

**D. The permittee must provide the Division with a certified copy of Plate 2-3B, Reclamation Area.**

R. Hiawatha Coal will provide the Division with certified copies of all plates included in this submittal upon approval.

**R645-301-830.140,**

**D. The permittee must update the Bond Calculation in Appendix 8-A.**

R. Please find the appropriate Calculation sheets for the associated areas attached to this response. Please be aware these are subject to an approval on the Bear Mid-Term Review, Task # 2935.