TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

January 6, 2009

TO: Internal File

THRU: Joseph Helfrich, Lead
James D. Smith, Permit Supervisor DS 03/16/09

FROM: April Abate, Environmental Scientist II aabs

RE: Bath House Parking Lot Expansion, CO-OP Mining Company, Bear Canyon Mine, C/015/0025, Task ID #3097

SUMMARY:

On July 21st, 2008 the Division of Oil, Gas and Mining (the Division) received an amendment to the Bear Canyon Mine Mining and Reclamation Plan (MRP) from CO-OP Mining Company (the Permittee). The amendment (previous Task ID #s 2978 and 3016) proposed to expand its current parking area to accommodate its work force proposing to expand the parking lot to the west and south so as to minimize the potential for impacts to the drainage. The parking lot expansion will increase the disturbed area by 0.36 acres. The amendment was returned to the Permittee with the following ***hydrology*** deficiencies:

R645-301-120: 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.

R645-301-120: The Permittee should 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.

R645-301-742.220, -221.31, -221.3 and -221.33: 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.

On December 9, 2008, the Permittee re-submitted the application with responses to the deficiencies outlined in a letter from the Division dated September 23, 2008. This memo will specifically address the Permittee's responses to the above deficiencies in the initial application.

RECOMMENDATIONS:

The Permittee has addressed the hydrology deficiencies previously outlined by the Division in the prior submittal of this amendment. However, page 7-135 in its present form cannot be incorporated into the MRP because the Permittee did not resolve the pagination discrepancy initially identified in original submittal. This amendment application should be conditionally-approved at this time with the commitment from the Permittee that the Hiawatha version of the MRP be evaluated more closely to ensure that this is the same version on file with the Division.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

Analysis:

Page 7-135 of the submittal is page 7-106 in the Division's copy of the MRP. The Permittee did not resolve the pagination discrepancy and responded that no such discrepancy was present in the Hiawatha Coal version of the MRP and resubmitted the page as is.

R645-301-120: The Permittee modified the language on page 7-135 describing culvert C-14D replacing the water bar located in Ditch D-8D.

Findings:

Regardless of what is stated in the Hiawatha Coal version of the MRP, the fact remains that that there is a discrepancy in the pagination with the official Division copy of the MRP located in the public information center in Salt Lake City, Utah. If the Permittee's copy of the MRP does not match the Division copy of the MRP, this is an issue that needs closer examination and requires resolution.

OPERATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Siltation Structures: Sedimentation Ponds

R645-301-742.220, -221.31, -221.3 and -221.33: The Permittee updated the Sediment Pond C calculations within Appendix 7-F of the MRP to reflect the increase in storm water volume that Sediment Pond C has the storage capacity to handle that will be generated from the parking lot expansion.

Findings:

The application meets the Siltation Structures requirements of the State of Utah R645-Coal Mining Rules.

RECOMMENDATIONS:

The Permittee has addressed the hydrology deficiencies previously outlined by the Division in the prior submittal of this amendment. Page 7-135 in its present form cannot be incorporated into the MRP, this amendment application should be conditionally-approved at this time with the commitment from the Permittee that the Hiawatha version of the MRP be evaluated more closely to ensure that this is the same version on file with the Division.

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