

STIPULATIONS

Genwal Coal Company, Inc.
Crandall Canyon Mine
ACT/015/032, Emery County, Utah

NOTE: A written commitment to the stipulations preceded by an asterix (*) will satisfy the requirements for compliance with the performance standards as indicated.

Stipulation 817.21-.25-(1)-EH

- * 1. After examining the soil survey and chemical analysis for a proposed topsoil substitute, one requirement is in order. The B horizon of the TCR soil should be salvaged and stockpiled along with that from the JDE. This will insure that an adequate supply of plant growth medium will be available for reclamation of the steep slopes of 50 to 70 percent. A six-inch layer of topsoil on steep slopes may be lost to erosion and require replacement. The additional soil material from the TCR soil will afford the operator enough material if the need arises.

Stipulation 817.44-(1)-DWH

- 1. The applicant shall provide a topographic map which depicts all sections of road and channel embankment fills where erosion protection measures will be utilized (i.e., 100-year, 24-hour armored sections). The actual surveyed outslope limits must also be shown on the map. This map must be received within 30 days after final permit approval.

Stipulation 817.46-(1, 2, 3)-DWH

- * 1. The operator must provide at least one cut-off collar for both the sediment dewatering device and the principal spillway outlet pipe in the final construction design.
- * 2. The operator must ensure that the embankment outslopes will not be constructed within the confines of the active stream channel of Crandall Creek.
- * 3. Those slopes located within the 100-year, 24-hour flood plain must be adequately protected with riprap, revetment retaining walls, or by other suitable standard engineering practices (see TA, Section UMC 817.44, Stipulation #1). The final engineering designs for control of erosion of the embankment outslopes must be approved by the USFS and the Division prior to construction.

Stipulation 817.52-Surface Water-(1)-DWH

- * 1. The applicant will need to modify the proposed surface water monitoring plan to meet the following provisions:
 - A. Implement the specifics as outlined in the proposed plan for monitoring during the operational phase.
 - B. Additional sampling for TDS, TSS, pH, EC and water temperature on a monthly basis (minimum of one year).

Stipulation 817.52-Ground Water-(1, 2, 3)-DWH

- 1. The applicant shall implement a monitoring plan during the first year of operations to establish baseline flow and quality data for the spring upstream of the mining operation (see TA section UMC 817.52 for specifics). The plan must also include provisions for operational and postmining monitoring and be approved by the Division.

This plan must be received by the Division within 30 days after final permit approval and must be approved or implemented prior to the start of any mine development.

- 2. The applicant must submit the results of the 1982 spring and seep field survey of the mine permit area, as committed to on page 4 of the September 1981 ACR response document. If the survey has identified additional seeps and springs which have not been included in previous submissions, then an updated topographic map must be provided showing the locations of the seeps and springs.

Springs producing measurable flow must be included in the monitoring program outlined by Stipulation #1 of this section.

- * 3. The applicant must commit to the recommendations outlined in the compliance section for monitoring unpredicted ground water inflows during mining operations. This includes the use of continuous recording flow meter(s) on the main sump pump(s) with weekly on-site records and quarterly summaries of flow submitted to the Division. A quality analysis must be made immediately of any significant inflow. If an inflow continues for an extended time, additional analyses must be made semi-annually.

Stipulation 817.54-(1, 2)-DWH

- 1. The applicant must provide notification of or a copy of the final permit approval from the State Engineer's Office for the change of use and diversion point as soon as it is available to update the MRP.

2. An updated topographic surface facilities map must be provided which identifies the precise location of the approved diversion point and the specific methods and equipment to be utilized to divert the water from the creek. Any increases in surface disturbance that may result from the diversion implementation must be identified.

This map must be provided to the Division with 90 days of final permit approval.

Stipulation 817.55-(1, 2)-DWH

1. The applicant must provide written verification that the MSHA has approved the proposal for surface to underground discharge and storage location(s).

The verification must be received by the Division prior to actual on-site implementation of the proposal.

2. The applicant will need to provide an updated underground development map which indicates the general area where the underground water storage and treatment facilities are located, and a schematic overview of the general routing methods employed to transmit waters to the storage/treatment facilities areas.

This map should be received by the Division within 30 days of actual implementation.

Stipulation 817.59-(1)-TNI/(MMS)

1. The complete Roof Control and the Ventilation, Methane and Dust Control plans approved by Mine Safety and Health Administration (MSHA) are an integral part of the mining and reclamation plans and must be compatible.

The applicant shall submit complete approved copies of these plans to the appropriate agencies (Minerals Management Service, Office of Surface Mining, Division of Oil, Gas and Mining and the County Recorder's Office) as an addendum to the mining and reclamation plan. As these plans are updated and/or changed and approved by MSHA, complete copies of the updated and/or changed parts shall be submitted to update the formal mining and reclamation plan.

Stipulation 817.97-(1)-SCL

- * 1. The applicant must commit, in writing, to avoid the use of persistent pesticides and to prevent fires. Deadline: 30 days.

Stipulation 817.111-.117-(1, 2)-SCL

1. The applicant must submit a detailed plan for monitoring revegetated areas. This must include specific methods for collecting data on cover, productivity and shrub and tree density, as well as a time table for all monitoring activity. Deadline: 60 days after final approval.
- * 2. Transects will be done the second year after reseeding to determine emergence and survival of shrubs. If shrub density is much lower than the established standards (1,336 shrubs/acre), shrubs will be planted. At such time as the need to plant shrubs becomes evident, the regulatory authority must be consulted to determine density and spacing of plantings.