

# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

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September 2, 2009

TO: Internal File

THRU: David Darby, Lead *DD*  
Jim Smith, Permit Supervisor *JS ca/12/09*

FROM: April A. Abate, Environmental Scientist II *AAA by SES*

RE: New Sedimentation Overflow Pond, Canyon Fuel Company, SUFCO Mine C/041/0002, Task #3370

### SUMMARY:

On June 22, 2009, the Division of Oil, Gas and Mining (the Division) received an application from Canyon Fuel Company (the Permittee) to construct a new sediment overflow pond approximately 800 feet downstream from the existing primary sediment pond. The purpose of the new overflow pond is to allow for increased volume, flood control and extra sediment settling from the disturbed mine facilities and to capture run off from the 10-year, 24-hour storm event. The new overflow pond will also allow runoff to bypass the primary sediment pond thereby facilitating regular sediment removal and maintenance of the primary pond.

On August 26, 2009, the Permittee resubmitted the application under Task #3370 with responses to the list of deficiencies.

The application was returned deficient based on the following:

**[R645-301-532,742.120]:** No discussion of how sediment from the disturbed area will be controlled during the construction of the new overflow sediment pond is included in the application

*The Permittee added language to 7-63 of the application addressing sediment control measures to be implemented during the construction phase of the overflow pond.*

**[R645-301-742.323]:** On page 7-78 of the application, it states that the channels to be constructed on the east and west flanks of the overflow sediment pond were designed for the 100-year, 6-hour storm. The application incorrectly references regulation R645-746-330. No calculations for the 100-year, 6-hour storm are included in Appendix 7-23, nor are they required. Furthermore, R645-746-330 relates to coal mining waste impoundment structures. The Permittee should remove this language from the application.

*The Permittee removed this language from the text of the application on page 7-78.*

**[R645-301-760 thru 64]:** The application states that the reclamation of the overflow sediment pond will be performed in accordance with the reclamation plan outlined in Sections 5.4 of the MRP. However, Sections 5.4.2.2 and 5.4.2.5 of the MRP only discuss the primary sediment pond and does not specifically provide any information on the removal, timetable and reclamation relating to the overflow sedimentation pond. The reclamation information does not appear to have been updated to include the additional sediment overflow pond and the waste rock site sediment pond. The Permittee should review and update this section of the MRP accordingly and provide a reference in the application that the reclamation plan for the overflow pond has been addressed in the reclamation sections of the MRP.

*The Permittee updated the MRP with added details of the reclamation of the overflow sediment pond along with a plan for interim sediment control.*

#### **RECOMMENDATIONS:**

The above-mentioned deficiencies have been addressed and the application should be approved.