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# State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

Outgoing  
C0410002  
#3341  
OK

August 18, 2009

Kenneth E. May, General Manager  
Canyon Fuel Company, LLC  
597 South SR24  
Salina, Utah 84654

Subject: Technical Review of New Sediment Overflow Pond, Task ID #3341, Canyon Fuel Company, LLC, SUFCO Mine, C/041/0002

Dear Mr. May:

The Division conducted a technical review of your application for the above-noted permit change. Deficiencies prevent approval of the amendment at this time. A list of deficiencies are included in this correspondence. The initials at the end of the deficiency identify the reviewer; Priscilla Burton [pwb] and April Abate [aaa]

The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call David Darby at (801) 538-5341 for further details.

Sincerely,

James D. Smith  
Permit Supervisor

JDS/DWD/sqs  
cc: Price Field Office  
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**Deficiency List**  
**Task# 3341**  
**August 18, 2009**

The application should not be approved until the following deficiencies are adequately addressed:

**R645-301-222**, This site is 900 feet downstream from the existing soil survey. The existing soil survey information was reviewed and provides variable information on depth to lithic contact and depth of the surface horizon. Please gather site specific soil survey information prior to disturbance. Information to be gathered should be that required for soil survey, i.e. soil pedon description including slope, aspect, rock cover, vegetation, horizonation, depth to lithic contact etc.; field analysis of each horizon for pH, EC, texture and color; soil sample collection from each soil horizon for analysis; followed by analysis of soil samples. A commitment to gather the soil survey information prior to disturbance and to utilize the site specific information in determining topsoil salvage depth and to provide the soil survey information in an as-built addendum to Appendix 2-2 would suffice. This information may be gathered a day before disturbance by a qualified professional who will be directing the soil salvage operation. [pwb]

**R645-301-232.100**, Applying the available information to the overflow pond suggests that in general a minimum of 12 inches of soil could be salvaged from the site before disturbance. The salvaged soil will likely have a high percentage of stones and rock, which is highly desirable for the channel reclamation. The area to be affected appears to be approximately 1.5 acres. The application describes the stockpile size based upon an estimate of 6 inches of topsoil salvage over 1.14 acres for a total of 925 cu yds. The available soil information would suggest that 12 – 15 inches of soil might be obtained from the drainage with rock forming >35% of the salvage volume. Absent a soil survey for the exact location, the application should plan for the stockpile to hold 1,800 cu yd.

**R645-301-121.200**, Provide information on a potential boulder stockpile as described in the MRP, Sec. 2.3.1.1. Will the outslope of the overflow pond dam be used as substitute topsoil at final reclamation as described in Sec. 2.2.4? If so, what is the quality of the material to be imported to be used for the overflow pond dam?

- No topsoil salvage is planned for the installation of the bypass culvert. Please estimate the acreage to be disturbed by the culvert installation such that the Division may determine whether this disturbance is exempt from topsoil salvage under R645-232.400. [PWB]

**R645-301-231.400**, A commitment to report as built topsoil stockpile volumes and construction details of the topsoil stockpile is requested. [PWB]

**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. [aaa]

**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. [aaa]

**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 discusses 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. [aaa]