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DEPARTMENT OF NATURAL RESOURCES

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Division of Oil, Gas and Mining

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September 18, 2020

John Byars, General Manager
Canyon Fuel Company, LLC
597 South SR24
Salina, Utah 84654

Subject: Additional Pines East Panel, Canyon Fuel Company, LLC, Sufco Mine, C/041/0002, Task #6184

Dear Mr. Byars:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application by no later than October 19, 2020.

If you have any questions, please call me at (385) 290-9937.

Sincerely,

Steve Christensen
Coal Program Manager

SKC/sqs

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Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0410002
TaskID: 6184
Mine Name: SUFCO MINE
Title: ADDITIONAL PINES EAST PANEL

Environmental Resource Information

Historic and Archeological Resource Information

Analysis:

The amendment does not meet the State of Utah R645-301-411 requirements for Historic and Archeological Resource Information.

There is no documentation of clearance from SHPO in the application. A cultural resources report titled "A Cultural Resource Survey for Canyon Fuel Company, LLC's SUFCO Mine 2020 Pine East Tract Subsidence Project, Sevier County, Utah" is found in the amendment. In it, no NRHP-eligible sites were found in the area of the panel. As such a recommendation of No Historic Properties Affected was made.

Deficiencies Details:

The amendment does not meet the State of Utah R645-301-411 requirements for Historic and Archeological Resource Information. The following deficiency must be addressed prior to final approval:

R645-301-411: The Permittee must provide evidence of project clearance by the SHPO.

tmiller

Fish and Wildlife Resource Information

Analysis:

The amendment does not meet the State of Utah R645-301-322 requirements for Fish and Wildlife Resource Information.

The amendment contains a raptor survey completed in the spring of 2020 which does not indicate any known raptor nests in the area of the proposal. As part of the approval process, consultation and coordination with associated agencies is required. Consultation with the U.S. Fish and Wildlife Service (through the IPaC website) did not reveal any wildlife issues in the area. One plant was noted in the Species List, Last Chance townsendia (*Townsendia aprica*), however, due to the nature of the proposal, with no surface disturbance, there is no impact anticipated to the plant.

Consultation with other agencies is ongoing and until that consultation is complete, the application cannot be approved.

Deficiencies Details:

The amendment does not meet the State of Utah R645-301-322 requirements for Fish and Wildlife Resource Information. The following deficiency must be addressed prior to final approval:

R645-301-322: Consultation with state and federal agencies must be completed prior to final approval. The Permittee is not obligated to do anything at this point; however, depending on the results of the consultations, additional tasks may be required.

tmiller

Hydro Baseline Information

Analysis:

The amendment meets the State of Utah R645 requirements for Baseline Information.

The amendment and information within the MRP includes narratives and maps outlining baseline hydrologic, geologic, and climatological information. Information on the Pines lease was first incorporated into the MRP when it was permitted for mining in the late 1990's. The permittee has kept up on lease commitments within the MRP keeping baseline information relevant and up to date for the three proposed panels along the eastern extent of the lease. Baseline groundwater, surface water, and climatic information is up to date. The Permittee has monitored surface and groundwater sites within and adjacent to the Pines lease since the mid- to late-1990's up to the present. Plate 7-10 shows operational monitoring sites which are monitored as outline in Table 7-2 of the Water Monitoring Program. These monitoring data have been uploaded to the Division's water monitoring database on a quarterly basis that continues through to the present. The correlation of climate and surface and groundwater quantity in the Pines lease has been analyzed in annual reports and submitted to the Division. These reports provide baseline climatic information extending back to the early 2000's.

adaniels

Probable Hydrologic Consequences Determination

Analysis:

The amendment meets the State of Utah R645 requirements for Probable Hydrologic Consequences.

The Pines Tract is the eastern most coal lease at the Sufco mine. Springs are scarce within the lease area and mostly located in Box Canyon and the East Fork of Box Canyon. Previously, 3 panels were approved for mining in 2019, and the current amendment proposes an additional panel south of the 3 approved panels. The PHC for these area was updated in 2019 and covers the area of the proposed panel. This original PHC for the Pines lease is located in Appendix 7-18 in the MRP. The hydrogeologic function of probable mining impacts within the lease area outlined in this PHC is still relevant.

adaniels

Hydro GroundWater Monitoring Plan

Analysis:

The amendment meets the State of Utah R645 requirements for baseline Groundwater Monitoring.

The MRP outlines groundwater monitoring in the Water Monitoring Program. Groundwater discharge is monitored at multiple spring locations within the lease. The data for these springs extends back to the mid- to late-1990's providing a robust baseline for groundwater within the lease area.

adaniels

Hydro SurfaceWater Monitoring Plan

Analysis:

The amendment meets the State of Utah R645 requirements for baseline Surface Water Monitoring.

The MRP outlines surface water monitoring in the Water Monitoring Program. Surface water is monitored at multiple stream locations within and adjacent to the lease area. The data for these stream monitoring points extends back to the mid- to late-1990's providing a robust baseline for surface water resources within the lease area.

adaniels

Operation Plan

Subsidence Control Plan Subsidence

Analysis:

The amendment does not meet the State of Utah R645 requirements for Subsidence Control Plans.

The amendment proposes to add a fourth Longwall panel in the Pines East section of Lease UTU-76195. The lease for this portion of the Pines Tract was acquired in October 1999. The narrative on Page 5-25 states that only the Upper Hiawatha coal seam will be mined, and the expected overburden will range between 750 - 1,000 feet.

Plate 5-10 illustrates the orientation of the Longwall panels as well as the limit of potential subsidence within the 15-degree draw angle. Also depicted on Plate 5-10 are the locations of survey control points and aerial targets above the proposed longwall panels. There are no structures, dwellings, impoundments, roads, or utility corridors on the surface above the proposed Longwall panels, and the expected subsidence across the panels is 5 feet or less. The longwall panel under consideration in this application is approximately half the size of the previously approved panels in the Pines tract, and is located at the southern end of the lease, beneath the Pines East mains. All of the longwall panels in Plate 5-10 are bordered by a heavy dashed line that depicts the limit of potential subsidence with the exception of the newest panel under consideration.

Deficiencies Details:

The amendment does not meet the State of Utah R645 requirements for Subsidence Control Plans. The following deficiency must be addressed prior to final approval:

R645-301-521.142 - The Permittee must illustrate the limits of potential subsidence on Plate 5-10 for the new longwall panel under consideration.

jeatchel

Hydrologic Ground Water Monitoring

Analysis:

The amendment meets the State of Utah R645 requirements for Groundwater Monitoring.

The additional proposed panel in the Pines Lease does not undermine any identified springs. The groundwater monitoring program was updated in 2019 when the 3 additional panels were added to the Pines Lease. The groundwater monitoring program is considered sufficient to monitor for any potential impacts to groundwater caused by mining. Water monitoring Plate 7-10 and water rights Plate 7-2 were updated with this amendment.

adaniels

Hydro Surface Water Monitoring

Analysis:

The amendment meets the State of Utah R645 requirements for Surface Water Monitoring.

The additional proposed panel in the Pines Lease does not undermine any identified surface water. The monitoring program was updated in 2019 when the 3 additional panels were added to the Pines Lease. The surface water monitoring program is considered sufficient to monitor for any potential impacts to caused by mining. Water monitoring Plate 7-10 and water rights Plate 7-2 were updated with this amendment.

adaniels

Maps Mine Workings

Analysis:

The amendment meets the State of Utah R645 requirements for Mine Workings Maps.

The application satisfies the requirements for R645-301-521.142 and -512.110 because Plate 5-10 clearly illustrates the location and configuration of the proposed Longwall mining panels. The Plates also illustrate the location of older mine workings in relation to the proposed Longwall panels as well as the topographic surfaces and other pertinent facilities.

The Plates have been stamped by Jacob D. Smith, a licensed Professional Engineer in the State of Utah.

jeatchel

Maps Monitoring and Sampling Locations

Analysis:

The amendment meets the State of Utah R645 requirements for Monitoring and Sampling Location Maps.

The amendment provides Plate 7-10 showing the operational Hydrologic Monitoring Stations for the Sufco mine. The map shows mine workings for the proposed panel in the Pines lease in relation to the water monitoring sites. It is important to know the location of the proposed mining area when determining if the water monitoring program will adequately quantify potential impacts to the hydrologic balance.

adaniels