

NONFEDERAL  
(April 1987)

Permit Number ACT/043/008, May 15, 1987

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
(801) 538-5340

**RECEIVED**  
MAY 18 1987

DIVISION OF  
OIL, GAS & MINING

This permit, ACT/043/008, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining (DOGGM) to:

Summit Coal Company  
P. O. Box 646  
Coalville, Utah 84017  
(801) 336-2653

for the Boyer Mine. Summit Coal Company is the lessee of certain fee-owned parcels. A collateral bond with a value of \$100,900.00 has been filed with DOGM. DOGM must receive a copy of this permit signed and dated by the permittee.

- Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.
- Sec. 2 PERMIT AREA - The permittee is authorized to conduct underground coal mining activities on the following described lands (as shown on the map appended as Attachment B) within the permit area at the Boyer Mine situated in the state of Utah, Summit County, and located:

Township 3 North, Range 6 East, SLBM

Section 25: S 1/2 S 1/2

Section 36: Portions of N 1/2 NE 1/4 and SE 1/4 NE 1/4

This legal description is for the permit area (as shown on Attachment B) of the Boyer Mine. The permittee is authorized to conduct underground coal mining activities connected with mining on the foregoing described property subject to the conditions of the leases, and all other applicable conditions, laws and regulations.

- Sec. 3 PERMIT TERM - This permit expires on May 16, 1992.
- Sec. 4 ASSIGNMENT OF PERMIT RIGHTS - The permit rights may not be transferred, assigned or sold without the approval of the Director, DOGM. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13(e) and UMC 788.17-.19.
- Sec. 5 RIGHT OF ENTRY - The permittee shall allow the authorized representative of the DOGM, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- A. have the rights of entry provided for in 30 CFR 840.12, UMC 840.12, 30 CFR 842.13 and UMC 842.13; and,
  - B. be accompanied by private persons for the purpose of conducting an inspection in accordance with UMC 842.12 and 30 CFR 842, when the inspection is in response to an alleged violation reported by the private person.
- Sec. 6 SCOPE OF OPERATIONS - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the permit application and approved for the term of the permit and which are subject to the performance bond.
- Sec. 7 ENVIRONMENTAL IMPACTS - The permittee shall minimize any adverse impact to the environment or public health and safety through but not limited to:
- A. accelerated monitoring to determine the nature and extent of noncompliance and the results of the noncompliance;
  - B. immediate implementation of measures necessary to comply; and
  - C. warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

- Sec. 8 DISPOSAL OF POLLUTANTS - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program which prevents violation of any applicable state or federal law.
- Sec. 9 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:
- A. in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
  - B. utilizing methods specified as conditions of the permit by DOGM in approving alternative methods of compliance with the performance standards of the Act and the approved Utah State Program.
- Sec. 10 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.
- Sec. 11 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.
- Sec. 12 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act and the approved Utah State Program.
- Sec. 13 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify DOGM. DOGM shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by DOGM within the time frame specified by DOGM.
- Sec. 14 APPEALS - The permittee shall have the right to appeal as provided for under UMC 787.

Sec. 15 SPECIAL CONDITIONS - In addition to the general obligations and/or requirements set out in the leases and this permit, the permittee shall comply with the conditions appended hereto as Attachment A.

The above conditions (Secs. 1-15) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the leases. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of DOGM and the permittee at any time to adjust to changed conditions or to correct an oversight. DOGM may amend these conditions at any time without the consent of the permittee in order to make them consistent with any new federal or state statutes and any new regulations.

THE STATE OF UTAH

By: Dianne R. Nielson  
Date: May 15, 1987

I certify that I have read and understand the requirements of this permit and any special conditions attached.

Richard Blomquist  
Authorized Representative of  
the Permittee  
Date: 5-15-87

APPROVED AS TO FORM:

By: Alan J. Baubman  
Assistant Attorney General

Date: May 15, 1987

ATTACHMENT A  
SPECIAL PERMIT CONDITIONS

Stipulation UMC 800-(1)-JRH

1. Within 90 days from the date of permit approval and concurrent with the submittal of information required in other stipulations contained within this document, the permittee shall provide to the Division, any revisions or modifications to the calculations and estimate for reclamation of the mine facilities.

Stipulations UMC 817.42-(1-3)-RS

1. The permittee shall submit revised designs for the catch basin proposed to treat drainage from the coal waste disposal area such that the final design must incorporate valid hydrologic assumptions and criteria and insure compliance with subsection (a)(3) of UMC 817.42. Designs must be submitted within 30 days of permit issuance and be approved by the Division prior to any further initiation of mining activity in the powder and cap magazine and coal waste disposal area.
2. The permittee shall within 30 days of permit issuance, submit revised appropriate sections and plates in the MRP to reflect a commitment to retain straw bale (or equivalent) treatment structures at the outlet of culvert C-6. Additionally, the permittee must commit, within 30 days of permit issuance, to sample all discharges from these structures and incorporate the analysis schedule proposed in Table 5-1 for all samples. A commitment to submit results of the analysis to the Division within 30 days of receipt must also be made.
3. Prior to beginning any underground coal mining activities under this permit in the affected drainage area, the applicant must construct the sedimentation system as proposed in the MRP.

Stipulation UMC 817.43-(1)-RPS

1. Within 60 days of permit issuance, the permittee shall submit a revised complete and technically adequate design plan for all diversions which incorporates correct hydrologic assumptions and meets the requirements of UMC 817.43.

Stipulation UMC 817.44-(1)-RPS

1. The permittee must submit complete and technically adequate designs for UD-1 that demonstrate compliance with subsections (b)(2) and (d) of this rule within 120 days of permit issuance.

Stipulations UMC 817.46-(1-6)-RPS

1. Within 30 days of permit issuance, the permittee shall submit to the Division a commitment to maintain a minimum detention time of 24 hours in the sedimentation pond for all 10-yr, 24-hr and lesser precipitation events.
2. Within 30 days of permit issuance, the permittee shall submit detailed information regarding the sediment pond clean out. This information should include elevation of 60% volume, elevation of maximum sediment storage volume, location of sediment marker in pond, and a commitment to clearly mark the referenced elevations on the stake.
3. Within 30 days of permit issuance, the permittee shall provide correct assumptions and peak flow values for design flows used for the design of the sedimentation pond.
4. Within 30 days of permit issuance, the permittee shall submit plans to the Division for the emergency spillway for the sedimentation pond. These plans should incorporate the 25-yr, 24-hr design event, a spillway lining of adequately sized riprap, a filter blanket design, and an adequately sized energy dissipator.
5. Within 30 days of permit issuance, the permittee shall submit to the Division a commitment to inspect the sedimentation pond during construction and submit certified as-built drawings of the structure. These must be conducted by a registered professional engineer.
6. Within 30 days of permit issuance, the permittee shall provide a correct Plate depicting the location of sampling station SS-7.

Stipulations UMC 817.46-(1-2)-JRH

1. Within 30 days from the date of the permit approval, the permittee shall provide a compliance plan for the reconstruction and modification of the sediment pond facilities. The compliance plan shall include the design specifications for the modification or reconstruction of the structure to meet the design and performance standards

of Subchapter K of the rules; a reconstruction schedule which shows anticipated dates for beginning and completing interim steps and final reconstruction; provisions for monitoring the structure during and after modification or reconstruction to ensure that the performance standards of Subchapter K of the rules are met; and, a showing that the risk or harm to the environment or to public health or safety is minimized during the period of modification or reconstruction.

2. Within 90 days from the date of the permit approval, the permittee shall provide to the Division, a design for the proposed catch basin which is in compliance with the performance standards of Subchapter K of the regulations.

Stipulation UMC 817.47-(1)-RS

1. Within 30 days of permit issuance, the permittee shall submit adequate designs for the energy dissipator for the primary spillway. These designs must be based upon the expected velocity for the discharge from a 10-yr, 24-hr precipitation event.

Stipulations UMC 817.48-(1-2)-JSL

1. Within 90 days of permit approval the permittee will provide the Acid-Base potential (ABP) data for the pad materials. If the ABP from the pad is found to be less than or equal to -5 Tons  $\text{CaCO}_3$ /1000 Tons Material, the permittee must submit to the Division within 90 days of permit approval a plan to abate the potential contamination of groundwater.
2. Within 90 days of permit approval the permittee must provide an acid- or toxic-forming material (ATFM) waste disposal plan that will effectively reduce pyrite oxidation. The permittee may amend the ATFM with  $\text{CaCO}_3$  at the required amounts or seal the material from any aerobic atmospheric conditions.

Stipulation UMC 817.49-(1)-RPS

1. Within 30 days of permit issuance, the permittee shall submit to the Division a commitment to conduct the inspection required by subsection (h) of UMC 817.49 and to submit the results of that inspection to the Division within 30 days following completion of construction of the proposed sedimentation pond.

Stipulation UMC 817.56-(1)-RS

1. Within 30 days of permit issuance, the permittee shall commit to renovating the permanent diversion labeled as UD-1 prior to final abandonment of the site. The commitment should include intent to ensure the capacity and stability criteria of the proposed design are adequately met and all necessary structural features are in good repair, functional and constructed as per the approved design.

Stipulation UMC 817.71-(1)-JRH

1. Within 90 days from the date of permit approval, the permittee shall provide to the Division, a plan for the location and disposal of excess spoil, mine development waste, sediment pond waste and other coal waste related materials anticipated on the site. The plan shall include a determination as to the total estimated amount of waste materials to be taken from the mine during the expected life of the operations so as to correctly size the facility; determination as to the nature, extent and treatment of acid- and toxic-forming materials which may have been utilized in the construction of the portal and mine facilities pads; analysis of the foundation and liner materials used to construct the waste facility; determination of the location of the waste facilities such that they are not constructed within surface drainages and will not potentially contaminate surface and groundwater; and plans for the amount and type of materials used to cover the waste material, topsoil requirements and revegetation requirements for the waste disposal facility.

Stipulation UMC 817.95-(1)-SCL

1. The permittee is not authorized to construct new facilities or make modifications to existing facilities, if such activities would become a source of air pollution or increase air pollution, until an Air Quality Approval Order is received.

Stipulation UMC 817.106-(1)-JSL

1. The permittee must commit to regrade, stabilize and revegetate according to performance standards UMC 817.111 through 817.116 all rills and gullies greater than nine inches deep.

Stipulations UMC 817.121-.126-(1-3)-DD

1. Within 30 days of permit approval the permittee shall include and commit to the following additions to the subsidence control plan to minimize impacts to surface lands from subsidence:

A. To protect the Highway 133 and utilities the surface permit boundary will be maintained no less than 60 feet from the center line of highway 133. Along this southern boundary, due to the uncertainty of the angle of draw and in the interest of prudence, the permittee will utilize an angle of draw of 25 degrees (from the vertical) to determine the underground limit of second mining (pillar recovery). Before any secondary mining begins and then each year following the permittee shall submit a certified mine map of his underground workings to verify compliance.

B. Until the permittee can otherwise justify stable pillar design for partial extraction, partial extraction may be conducted beyond the second mining limit as follows:

Development mining assuming 18' roof spans and not more than the following extraction may be conducted.

<u>Depth</u>	<u>Maximum Extraction</u>	<u>Centers</u>
150' to 300'	51%	60' X 60'
400' to 600'	45%	70' X 70'
600' to 800'	40%	80' X 80'
800' to 1000'	36%	90' X 90'

Barrier pillars of a minimum of 150' width should be maintained for protection of main entries.

C. Due to the hazards and damage to the surface caused by plug caving, the applicant shall not pull any pillars under a minimum overburden depth of 150'.

D. Prior to initiating second mining and in the interest of protecting the highway and power line, the permittee shall be required to install monuments between the line projected by a 65 degree angle of draw from the limit of second mining to the surface and 30 feet from the center line of the highway. The line of monuments shall be spaced at 0.1d and be maintained 1.4d ahead of second mining (where d is the overburden depth). Both horizontal and vertical measurements shall be taken. A certified survey of the monuments shall be provided to the Division prior to second mining and then thereafter annually until subsidence is complete.

- E. Pillar extraction should be as uniform, complete, and rapid as safety allows to minimize fracturing of strata.
2. The permittee shall within 30 days of permit approval, commit to restoring areas impacted by subsidence-caused surface cracks or other subsidence features such as escarpments (not to include naturally occurring escarpments which are not a result of mining) which are of a size or nature that could, in the Division's determination, either injure or harm grazing livestock or wildlife. Restoration shall include recontouring of the affected land surface including measures to prevent rilling, and revegetation in accordance with the approved permanent revegetation plan in the MRP. Restoration shall be undertaken after annual subsidence survey data indicate that the surface has stabilized, but in all cases restoration and revegetation shall be completed prior to bond release.
  3. The permittee shall distribute a notice by mail at least 6 months in advance of mining beneath a property to all owners of property that could be affected by subsidence. The notification shall contain, as a minimum:
    - (a) Identification of specific areas in which mining will take place;
    - (b) Dates of underground operations that could cause subsidence and affect specific structures; and
    - (c) Measures to be taken to prevent or control adverse surface effects.

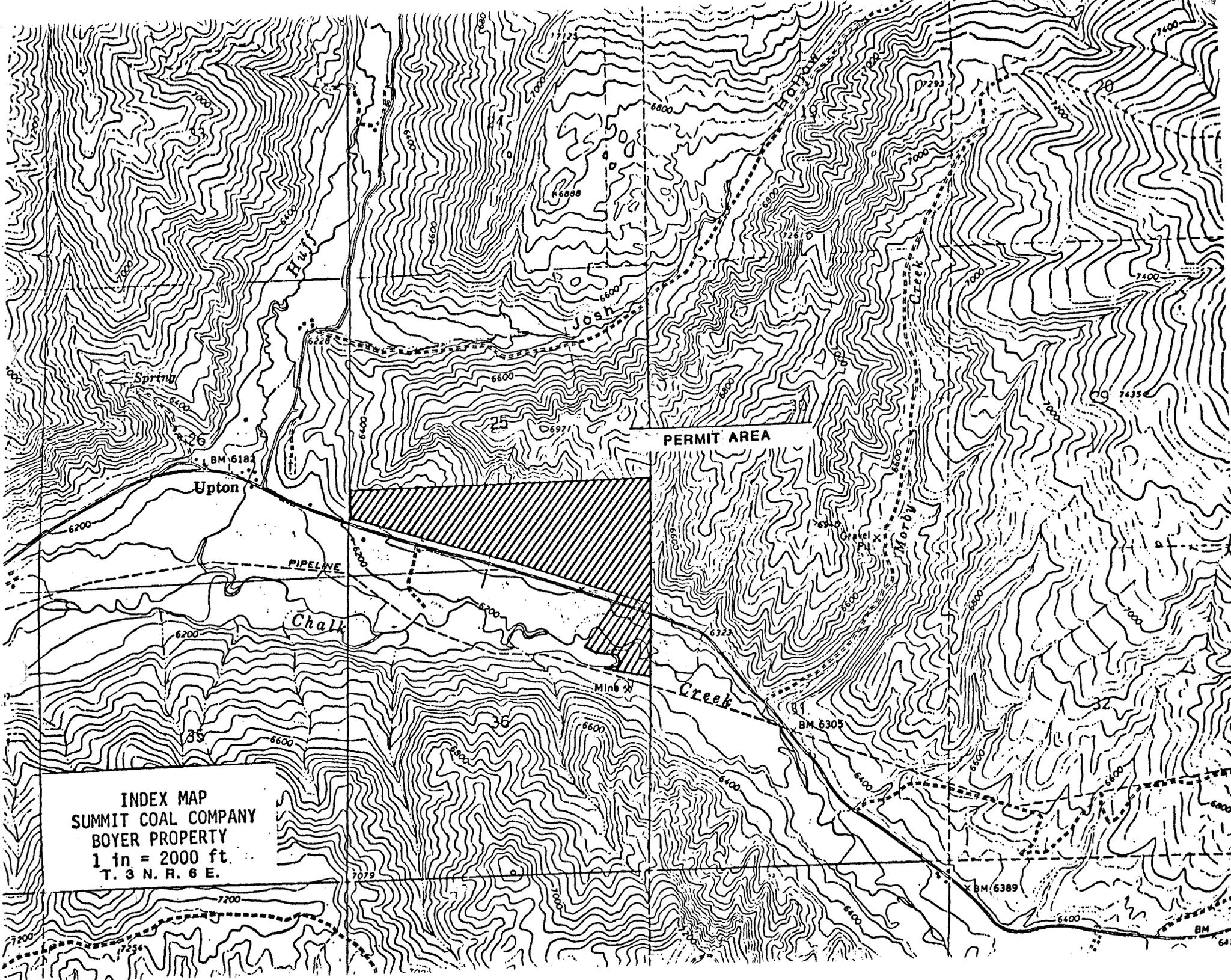
Stipulation UMC 817.150-.156-(1)-JRH

1. Within 30 days from the date of permit approval the permittee shall be required to incorporate into the text of the mining and reclamation plan, specific plans regarding the operation of the haul roads. This would include a commitment that the west haul road shall not be utilized for loaded coal trucks leaving the site. Due to the steep gradient of the road as it leaves the site and enters onto the county road, loaded vehicles could pose a safety hazard during poor road conditions and in the event of equipment (brake) failure. The permittee should also include other appropriate measures to be taken such as the installation of one way signs or other such signs directing the traffic on the road for proper use.

Stipulation UMC 817.180-(1)-JRH

1. Within 30 days from the date of permit approval, the permittee shall provide to the Division, a complete plan for the coal handling and storage facilities proposed to be utilized at the mine site. The plan shall include, but not be limited to the following: capacities for the raw and clean coal stockpiles, materials handling flow sheet, waste handling and materials rehandling requirements, temporary and permanent storage locations and capacities for coal and coal-related waste materials.

ATTACHMENT B



INDEX MAP  
SUMMIT COAL COMPANY  
BOYER PROPERTY  
1 in = 2000 ft.  
T. 3 N. R. 6 E.