



On behalf of ARC McClane, this application is being submitted for a Technical Revision to permit #C1980004.

This application will address the following elements; Rule 2.05.3(8), Rule 2.10, Rule 4.10, and Rule 4.10.4.

Rule 2.05.3(8) calls for *“A narrative explaining the construction, modification, use, maintenance, removal, and reclamation of coal mine waste and non-coal waste removal, handling, storage, transportation and disposal areas and structures in the permit area in accordance with Rules 4.10 and 4.11 including appropriate maps, which meet the requirements of Rule 2.10, explaining the location of each source of waste, waste storage area, and waste disposal facility.”*

Currently, the sediment pond receives surface runoff water from the disturbed portions of the McClane Canyon Mine. In serving its purpose, the sediment pond accumulates sediments with each storm event. In order to maintain the sediment pond in a ready state for the next storm event, ARC McClane cleans out the sediment pond on an annual basis, or more frequently if needed. The sediments removed from the sediment pond are placed in a designated stacking/drying area near the pond. While this system is currently working well, the accommodation space in the designated stacking/drying area is diminishing. In order to continue utilizing the sediment pond in its intended fashion, ARC McClane proposes to construct an additional coal mine sediment pile. This new sediment pile would be a repository for the sediment that has already been drying in the existing pile, thereby creating space for newer sediments to be stacked for drying.

The application for this technical revision will contain a general plan and detailed design plan for the coal mine waste and non-coal waste bank. NO dams nor embankments are proposed in this technical revision.

(8)(a)(i)(A) The general plan has been prepared by a professional geologist.

(8)(a)(i)(B) The proposed coal mine waste pile will be approximately 80' x 50' wide and 16' in height. It will be placed in layers no more than 24" thick. A map, prepared according to rule 2.10 and a cross section of the structure and its location is found in appendix 1

(8)(a)(i)(C) Preliminary hydrologic and geologic information are found in appendix 2

(8)(a)(i)(D) Inasmuch as the proposed structure is not above any underground mining areas, there is no potential effect on the structure from subsidence of the subsurface strata resulting from past underground mining activities.

(8)(a)(i)(E) The detailed design of the proposed structure will be included in the application, therefore there is no need for certification statement regarding subsequent submittal of final designs.

(8)(a)(ii)(B) The operation and maintenance requirements of each structure are quite minimal. The waste pile will be maintained in such a way that natural precipitation will not cause the waste pile to erode nor to be transported out of the designated area.

(8)(a)(ii)(C) The waste pile will be removed and relocated to a designated permanent repository during the reclamation of the mine site. The timetable for this action is unknown at this point.

(8)(a)(ii)(D) There will be no geotechnical investigation requirements for this waste pile. The design and construction requirements outlined in Rules 2.10.1, and 2.10.3 will be followed. The details of these rules are outlined in another section of this application.

(8)(a)(iii) Because this is not an impoundment, this stipulation does not apply.

(8)(a)(iv) Because this is not an impoundment, this stipulation does not apply.

(8)(a)(v) Because this is not an impoundment, this stipulation does not apply.

(8)(a)(vi) Because this is not an impoundment, this stipulation does not apply.

(8)(b) Because this is not a coal processing waste bank, this stipulation does not apply.

(8)(c) Because this is not a coal processing impoundment, this stipulation does not apply.

2.10.1

Maps have been included in this application, including;

2.10.1 (1) A map of the disturbed area at a scale of 1:6,00. This map includes all roads and support facilities within the permit area.

2.10.1 (2) Maps of the remainder of the area to be affected. This map will be at scale of 1:24,000.

2.10.1 (3) Map of the permit area boundary.

2.10.2

The stipulations set forth in rule 2.10.2 do not apply to this case.

2.10.3

2.10.3 (1) A map containing the following elements has been included:

2.10.3 (1)(a) All boundaries of lands and names of present owners of record of those lands, both surface and subsurface, included in or contiguous to the permit area.

2.10.3 (1)(b) The boundaries of land within the proposed permit area upon which the applicant has the legal right to enter and begin surface or underground mining activities.

2.10.3 (1)(c) This stipulation is not necessary because it is not anticipated that additional permits will be sought.

2.10.3 (1)(d) The location of buildings within 1,000 feet of the proposed permit area, with identification of the current use of the buildings.

2.10.3 (1)(e) The location of surface and subsurface manmade features with, passing through or passing over the proposed permit area, including, but not limited to major electric transmission lines, pipelines, and agricultural drainage tile fields.

2.10.3 (1)(f) This stipulation does not apply because there are no public roads located in, or within 100 feet of the proposed permit area.

2.10.3 (1)(g) This stipulation does not apply.

2.10.3 (1)(h) This stipulation does not apply.

2.10.3 (1)(i) This stipulation does not apply.

2.10.3 (1)(j) The map contains the existing topography with the area to be affected during the estimated life of the operation and adjacent lands. This map is in sufficient detail so as to represent the slopes and configuration of all surface features with the area to be affected.

2.10.3 (1)(k) The map included the location and extent of known workings of active, inactive, or abandoned underground mines including mine openings to the surface within the proposed permit and adjacent areas. There have not been any existing nor previously surface mined areas within the proposed permit area.

2.10.3 (1)(l) This stipulation does not apply.

2.10.3 (2) The maps, plans, and cross sections included in the permit application have been prepared by a professional geologist.

4.10.1

4.10.1(1) All coal mine waste shall be transported and placed in new and existing disposal areas approved by the Division for this purpose. These areas shall be

within the permit area. The disposal area shall be designed, constructed, inspected and maintained according to the following stipulations:

4.10.1(1)(a) In accordance with 4.09.1 (see above) and 4.10. Rules 4.09.2 and 4.11 do not apply.

4.10.1(1)(b) Coal mine waste will be placed in a manner that will prevent combustion.

4.10.1(2) This stipulation does not apply.

4.10.2 Site Inspection

4.10.2(1) All coal mine waste banks shall be inspected by a qualified professional specialist, experienced in construction of similar earth and waste structures.

4.10.2(2) Coal mine waste bank inspections shall include the following:

4.10.2(1)(a) Inspections shall occur at least quarterly.

4.10.2(1)(b) Inspections shall include observations and tests as may be necessary to evaluate the potential hazard to human life and property.

4.10.2(1)(c) The approved inspector shall consider steepness of slopes, seepage, other visible factors which could indicate potential failure.

4.10.2(1)(d) Copies of the inspection findings shall be maintained at the mine site.

4.10.2(3) If any inspection discloses that a potential hazard exists, the Division shall be informed promptly of the finding and of the emergency procedures formulated for public protection and remedial action.

4.10.3 Water Control Measures

4.10.3(1) A properly designed subdrainage system shall be provided, in accordance with the following:

4.10.3(1)(a) Intercept any ground water sources.

4.10.3(1)(b) Be protected by an adequate filter

4.10.3(1)(c) Be covered so as to protect against the entrance of surface water or leachate from the coal processing waste.

4.10.3(2) All surface drainage from the area above the coal mine waste bank and from the crest and face of the waste disposal area shall be diverted in accordance with 4.09.2(7). As this waste bank will not be located in a valley fill, this stipulation is not applicable.

4.10.3(3) Slope protection shall be provided to minimize surface erosion at the site. All disturbed areas, including diversion ditches that are not ripped, shall be vegetated upon completion of construction.

4.10.3(4) While it is not expected that water will be discharged from the coal mine waste bank, any water that is discharged shall comply with the relevant Subsections of 4.05

4.10.3(5) An alternative subdrainage system is not intended to be used.

4.10.4 Construction Requirements

4.10.4(1) The coal mine waste bank shall be constructed in compliance with Rule 4.10.4. This waste bank will not be placed in a valley, and therefore Rule 4.09.1 does not apply. Nor will this waste bank be utilized as a disposal area, therefore, Rule 4.09.2 does not apply.

4.10.4(2) The coal mine waste bank will have a minimum static safety factor of 1.5.

4.10.4(3) Compaction during construction shall be:

4.10.4(3)(a) Spread in layers no more than 24 inches in thickness:

4.10.4(3)(b) Compacted to attain 90% of the maximum dry density;

4.10.4(3)(c) Any variations to this will be approved by the Division

4.10.4(4) The slope of any terrace shall not be steeper than 2h:1v (50 percent)

4.10.4(5) Upon termination of the use of the coal bank, the area will be reclaimed according to rule 4.14.3

4.11.1 Coal Mine Waste

4.11.1 Burning The burning of coal waste is not anticipated. Any fires that do ignite will be immediately extinguished.

4.11.2 Burned Waste Utilization Not applicable.

4.11.3 Return to underground workings Coal mine waste will not be returned to underground workings.

4.11.4 Disposal of Noncoal Waste Noncoal waste will NOT be disposed of.

4.11.5 Dams and Embankments Not applicable -Dams and embankments are not part of the proposed facility.

In summary, all of the stipulations put forward in Rule 2.05.3(8), Rule 2.10, Rule 4.10, and Rule 4.10.4 have been addressed in this application.

As always, feel free to contact me if there are any questions or concerns.

Joe Brinton

Certified Professional Geologist