



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 sediment drying pile. This new sediment drying 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. An access road will be constructed between the current sediment drying pile and the new sediment drying pile that will allow for the efficient transportation of material from the existing pile to the new pile. The location of this road is found in Figure

1.1. This road will be constructed in such a way as to not compromise either the embankment of the sediment pond nor the existing topsoil pile.

The application for this technical revision will contain a general plan and detailed design plan for the sediment drying pile. 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 sediment drying 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 Figure 1.1

(8)(a)(i)(C) Preliminary hydrologic and geologic information are found in Appendix M and Appendix N.

(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 sediment drying 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 sediment drying 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 sediment drying 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 The intention of the proposed structure is to provide a place to store sediment collected from surface runoff. It is NOT the intention of the proposed structure to store coal mine waste. However, it is possible that surface runoff might inadvertently transport remnants of coal waste into the sediment pond. In order to ensure that sediments being stored in the proposed structure are non-toxic and not acid generating, the sediments will be tested annually. Therefore, the stipulations of rule 4.10.1 do not apply to the proposed structure.

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