



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
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DENVER, COLORADO 80202

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File ACT/007/001
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DEC 29 1982

December 22, 1982

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DEC 28 1982

Mr. James Smith
Coordinator of Mined Land Development
Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, Utah 84114

DIVISION OF
OIL, GAS & MINING

Dear Mr. Smith:

This letter is in response to your December 9, 1982 request for OSM's decision regarding Valley Camp, Inc. continued mining of Federal coal contained in main entry systems in their Belina No. 2 Mine.

In our March 25, 1982 letter to the Division, OSM approved a minor modification to the existing Upper O'Conner Seam 211 permit (Belina No. 1), allowing mining of Federal coal in the Lower O'Conner Seam of the Belina Complex until final decision on the permit application and mining plan was made or until December 31, 1982, whichever came first. Valley Camp has made good progress in completing its mine plan, however, several areas are still deficient including: 783.14-Geology Description, 783.19-Vegetation Information, 783.13-Reclamation Plan General Information, 784.13-Revegetation, 784.13 Backfilling and Grading, and 817.97-Protection of Fish, Wildlife and Selected Environmental Values. The deficiencies are defined in the enclosed ACR developed by Envirosphere under contract to OSM.

Although the applicant states in his December 6, 1982 letter to the Division that the MRP cannot be completed until next year's Forest Service aerial photography flight, we believe that alternatives exist for providing this data in lieu of aerial mapping. In the Division's December 21, 1982 meeting with the applicant, these alternatives were discussed and a time frame was established for completion of the MRP.

OSM has considered Valley Camp's request and decided to approve a second minor modification of the approved 211 mining plan allowing continued, but limited mining of Federal coal in the Lower O'Conner Seam of the Belina Complex. The approval is for mining of main entries and on the advance only as indicated by the shaded area on the map prepared by the Minerals Management Service (MMS) and labeled "Belina No. 2 Progress Map, One Year Projection": (D2-0060) dated October 12, 1981. This minor modification approval is for mining within the MMS shaded area only and terminates upon final decision of the permit application and mining plan, or September 16, 1983, whichever comes first.

The decision is based on the following information: 1) Valley Camp has agreed to provide all necessary information to complete the MRP no later than March 18, 1983; 2) there will be no additional surface disturbance due to this action; 3) MMS and the Forest Service have verbally concurred with OSM's decision, (written concurrence will be forwarded to you upon receipt by OSM); and, 4) diligent efforts will be made by all parties to meet the schedule defined below in order to issue a decision on the permit and mine plan application for the Belina Complex prior to September 16, 1983:

1. January 3-March 1: OSM contractor initiates Technical Environmental Analysis (TEA) work on complete sections of MRP.
2. Valley Camp completes all remaining deficiencies on the MRP no later than March 18, 1983.
3. April, 1983 DOGM issues Determination of Completeness.
4. April 15-May 6: Contractor completes Draft Technical Environmental Analysis (TEA).
5. May 6-May 27: Draft TEA reviewed; all remaining MRP issues resolved with Valley Camp.
6. May 27-July 17: Contractor completes Final TEA.
7. June 17-July 1: Final TEA reviewed.
7. August 1: Decision Package reviewed by DOGM and OSM and forwarded to Headquarters for approval.

It is suggested that a meeting be held in early February between the applicant, OSM and the Division to review the applicant's progress and to clarify any questions on the remaining MRP deficiencies.

This limited approval for a minor modification is solely for the purpose of maintaining production at the existing mine. The approval in no way affects the applicant's responsibility to develop a complete mine plan pursuant to Utah and Federal law. Valley Camp will conduct all mining operations in compliance with all laws, regulations, stipulations and other requirements applicable to its current operations. Failure to diligently pursue completion of the permit application is cause to terminate the authorization to continue operations under administrative delay provision of the regulations.

Sincerely,



Allen D. Klein
Administrator
Western Technical Center