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Copy to Tom T., Shannon, Lynn, Wayne, Tom M., EV

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

RECEIVED
OCT 19 1983
DIVISION OF
OIL, GAS & MINING

OCT 14 1983

File ACT/007/001
No. 2

OCT 19 1983

Mr. Trevor Whiteside
Chief Engineer
Valley Camp of Utah, Inc.
Helper, UT 84526

Dear Mr. Whiteside:

Enclosed for your immediate attention are the results of the Office of Surface Mining (OSM) review of Valley Camp's September 16, 1983 response to the August 9, 1983 draft Determination of Adequacy (DOA) letter. Please be aware that our review was based upon the August 24, 1983 final DOA, transmitted to Valley Camp by the Utah Division of Oil, Gas and Mining (UDOGM) on August 26, 1983.

In addition, please find the attached memorandum from the Bureau of Land Management (BLM) concerning the lack of adequate plans for certain areas proposed for mining by Valley Camp. As suggested in our August 24, 1983 letter, in order to avoid jeopardizing the decisions on the permit application, the applicant should consider adjusting the permit boundaries to exclude the expansion of Utah No. 2 and mining of the McKinnon Seam and Federal Coal Lease UO67498.

As stated in our October 7, 1983 letter to Mr. Richard Harris, OSM will accept a response to the remaining deficiencies provided it does not cause a delay in our December 1983 permit decision schedule. If necessary, my staff will be available to meet with you to clarify any questions or problems you may have in responding to the remaining deficiencies.

If, at any time, you require assistance in order to develop your response, please contact Sarah Bransom or Walter Swain at (303) 837-3806.

Sincerely,

for Allen D. Klein
Administrator
Western Technical Center

cc: Richard Harris, Valley Camp
James Smith, UDOGM

(U-921)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Utah State Office
2040 Administration Building
1745 West 1700 South
Salt Lake City, Utah 84104

IN REPLY REFER TO:

August 23, 1983

RECEIVED AUG 1983 USGS-OSM

Memorandum

To: Utah State Coordinator, OSM, Denver
Attn: Mrs. Sarah Bransom

From: Chief, Branch of Solid Minerals

Subject: Valley Camp of Utah, Inc., Belina No. 1 and No. 2 Mines, Mining and Reclamation Plan (MRP)

On August 17, 1983, Sarah Bransom met with Boyd McKean in the Salt Lake Mining office to discuss some remaining problems with the technical review of the subject plan. Mrs. Bransom was particularly concerned about resource recovery of the McKinnon seam and other areas in the associated Federal leases that were not included or projected to be mined as part of the submitted plan.

This office reviewed the original MRP plan and asked for a mine layout projected to cover the entire property in our comment letter dated April 6, 1981. In subsequent meetings and discussions with mine management, it was agreed that the subject MRP plan would only cover that part of the property as projected and sequenced on mine maps "E1-005 Belina No. 1, Five Year Projections" and "E2-0006, Belina No. 2, Five Year Projections". These maps were submitted with the company's final response to the apparent completeness review (ACR). As indicated in our comment letter dated July 8, 1982, the plans as shown on the above prints were accepted.

Property to the south and east of the area covered by the above plans is not included as part of this mine plan principally because of a major fault zone (O'Connor) separating the areas. A new mine plan submittal and/or a major mine plan modification will be required before conducting any Federal coal development or mining operations in or on that part of the property. This will require obtaining a complete permit application package approved by the Secretary.

There is some minable McKinnon seam coal in the southwestern part of the subject MRP plan. We have discussed this with the company and have agreed that recovery of this resource will require a separate mine operation. The McKinnon seam is 300 to 400 feet above the Upper O'Connor seam. Before any development or mining operations can be started in the McKinnon seam, the company will be required to have a complete permit application package approved by the Secretary.

J. Gordon Whitney
Acting

REMAINING PERMIT APPLICATION PACKAGE (PAP) INADEQUACIES

VALLEY CAMP OF UTAH (10/1/83)

UMC 761.11 (a)(3) AREAS UNSUITABLE FOR MINING - PROTECTION OF CULTURAL RESOURCES

Substantial subsidence is anticipated within the permit area (The list of subsidence features is presented in the PAP, Plate 3). Because of the potential for such subsidence, a cultural resources inventory of the areas depicted by OSM on the attached copy of ACR Map D5-0063 must be conducted. The areas were selected in accordance with the applicant's recommendation that a survey of the ridge line be made. Approximately 700 acres of the roughly 2900-acre area over the underground workings appear conducive to cultural site location. Of this area, approximately 330 acres (11 percent) of the permit area have been selected by OSM for examination as a representative sample.

This investigation is not a prerequisite to permit approval. Rather, the inventory shall be conducted and an acceptable cultural resource inventory report shall be submitted to the UDOGM, Utah State Historic Preservation offices, OSM and the Manti-La Sal National Forest Service office prior to December 31, 1984.

The investigation to be conducted within the designated area shall be a 100 percent pedestrian inventory designed to locate, record, and assess, in terms of eligiblity for nomination to the National Register of Historic Places (NRHP), all historic and archaeological resources within the survey area. A fully justified recommendation of each resource's eligiblity or ineligiblity

for nomination to the NRHP must be presented in the inventory report. The applicant or consultant is urged to contact the responsible agencies (noted above) to ensure that the survey and report meet all pertinent standards.

If eligiblity cannot be assessed on the basis of surface data alone, a brief description of the investigations that would be necessary to determining eligiblity must be prepared. It is not necessary for the applicant to conduct such investigations (e.g., controlled test excavation, extended archival research, etc.) as part of the inventory. If/when eligible sites or sites of undetermined significance are threatened with direct impacts as a result of subsidence or other types of disturbance, it may be necessary to provide additional information and/or to design and implement a data recovery program to mitigate any adverse effects to significant sites.

UMC 782.13 IDENTIFICATION OF INTERESTS

(c) The name and telephone number of the Kanawha and Hocking Coal and Coke Company resident agent still has not been provided.

UMC 782.14 COMPLIANCE INFORMATION

The information required by UMC 782.14(c) remains inadequate. Deficiencies remaining include:

1. For violations 2 of 3 and 3 of 3, (page 15 of PAP), the NOV number is not listed and abatement procedures are not given.

2. Page 15a does not correlate to any of the pages that proceed it and refers to an unspecified two-part violation.

3. Page 16 lists a 10 December 1980 NOV (No. 80-V-15-12) and states that is was vacated on 17 December 1980, but fails to provide information as to why this NOV was vacated and whether any abatement activity was involved.

4. Pages 16 J-K discuss violation 2 of 2 for NOV NO. 82-1-9-2, but fail to state whether abatement had been achieved (only that the abatement period was extended).

The information listed above must be provided.

UMC 782.15 RIGHT OF ENTRY AND OPERATION INFORMATION

The applicant has stated on page 782.13(c)-1 of its September 16, 1983 response that it and Kanawha and Hocking Coal and Coke Company are separate subsidiaries of Valley Camp Coal Company. However, on pages 782.15-2 and 784.15-2 of the September 16, 1983 response, statements are made that coal (782.15-2) and surface (784.15-2) are owned by the applicant although its sister company is shown as the owner on ownership maps. Valley Camp must clarify.

UMC 782.17(b) PERMIT TERM INFORMATION

To find the applicant in compliance with this rule, a schedule for five years of mining is required (Valley Camp has applied for a 5-year permit). The schedule currently provided in the application is for only two years of mining (through 1985). Valley Camp must revise the schedule accordingly.

UMC 782.19 IDENTIFICATION OF OTHER LICENCES AND PERMITS

Deficiencies remaining include: FCC license #2744-15886 (date), MSHA I. D. Numbers (dates), Utah Department of Health permits (permit numbers), State Engineer (Approval dates and I.D. numbers for Water Rights Exchange), Carbon County (building permit dates), Carbon County Business License (License number). Valley Camp must submit this information.

UMC 783.19 VEGETATION INFORMATION

The applicant's September 16, 1983 response to this section addressed the August 9, 1983 draft version of the Determination of Adequacy (DOA) letter and not the August 24, 1983 final version that was transmitted to the applicant on August 26, 1983. The August 24, 1983 DOA includes the following clarificaions to the earlier draft:

1. Statistical summary of the reference area and validation data combined (i.e.: means, standard deviation, and sample size for each vegetation type samples for both the reference area and validation area) for cover, production, and woody plant density samples that did not achieve sample adequacy.

2. Sample adequacy tests for each vegetation type using the combined reference area and validation area date for cover, production and woody plant density, samples that did not achieve sample adequacy.

For OSM to complete the technical analysis of compliance with this rule, Valley Camp must provide the information listed in 1 and 2 above.

Note: The applicant should understand that the combined reference area and validation data is generated by adding means and sample sizes of the same community and calculating new standard deviations. The applicant must not add the standard deviations and calculate an average standard deviation.

UMC 783.22 LAND USE INFORMATION

The applicant still has not provided documentation regarding wildlife habitat lost at the loadout facility area (only the Belina No. 1 and No. 2 portal areas are discussed in the September 16, 1983 response).

UMC 784.11 OPERATIONAL PLAN: GENERAL REQUIREMENTS

The requirements of this section remain inadequate with regards to the Utah No. 2 mine. Valley Camp, however, has indicated that they are not currently seeking authority to operate the Utah No. 2 mine. Operational plan requirements must be submitted for the Utah No. 2 mine, and approved as a permit revision, before Valley Camp can mine coal from the Utah No. 2 mine.

UMC 784.13 RECLAMATION PLAN: GENERAL REQUIREMENTS

784.13(b)(3) (Backfilling and Regrading Plan) - The Utah No. 2 surface facilities are currently used for processing and transporting coal removed from Belina No. 1; therefore, the applicant must provide backfilling and grading plans for the Utah No. 2 area as required by UMC 817.101. Also pursuant to UMC 817.133(c)(2), Valley Camp has not provided backfilling and grading plans for the proposed conveyor route. Valley Camp, however, has

indicated that they do not wish to permit the proposed overland conveyor at this time. Therefore, the proposed conveyor has not been reviewed for compliance with this rule.

784.13(b)(4)(Topsoil) - Valley Camp indicated in their September 16, 1983 submittal that the analysis of site material proposed for topsoil substitute would be submitted by October 17, 1983. In addition to this deficiency, the applicant still has not provided estimates of the amount of topsoil available for reclamation purposes, nor have they indicated exactly where within the permit area such sites are located. The applicant must provide such volume estimates and indicate on a map exactly where such re-topsoiling material is located.

784.13(b)(5)(Revegetation) - The applicant has still not adequately responded to the issue of using introduced grass species. The application indicates that Valley Camp's proposed temporary seed mixture, which contains the introduced grasses, would become part of the permanent seed mixture. Therefore, Valley Camp must either provide documentation that the introduced species comply with UMC 817.112, or withdraw these species from the temporary seed mixture and replace them with native species.

UMC 784.14 RECLAMATION PLAN: PROTECTION OF THE HYDROLOGIC BALANCE

The final DOA requested that Valley Camp provide well completion information for the 13 wells used to construct the ground water level map (Plate 6 in the application). Valley Camp provided three logs and mentioned that the additional well completion information could be found in the Skyline

mine permit application. However, the Skyline application does not provide well completion information for each well; rather, a general narrative is provided that discusses the completion techniques. According to the narrative in the Skyline plan, there was no attempt to pack off and isolate any monitoring zones, but rather it was hoped that sloughing and expansion of strata after drilling would seal around the well casing, thus leaving only the well screen open to the desired monitoring zone. This is an unacceptable completion technique that would not effectively isolate the desired monitoring zone. In order to proceed with the TA, Valley Camp must confirm whether this completion technique was used or whether other efforts were made to pack off monitoring zones.

UMC 784.14/785.15 GROUND WATER INFORMATION

Valley Camp's September 16, 1983 response indicates that with this application they are not proposing to remove coal from their Utah No. 2 operation. However, to complete the TA and the cumulative hydrologic impact assessment (CHIA) for Valley Camp's application, the applicant must, indicate whether ground water is discharging from the Utah No. 2 workings and if so, what controls are being used to control sediment.

Questions 1, 2, and 3 in the final DOA dealt with various aspects of the water yielding strata that are in hydraulic connection with the Belina Mine. One of these issues is: Are there locations, along the O'Connor Fault where a-really extensive saturated sandstones may be offset and adjacent to the upper or Lower O'Connor coal seams, thereby allowing significant amounts of water to move from fractured sandstones along the fault into the mine? This and

several other hydrology issues were discussed at an August 31 meeting in Salt Lake City. Present at the meeting were representatives of OSM, Valley Camp of Utah, UDOGM, Engineering-Science, and Vaugh-Hansen Associates. This question should be responded to using the cross sections discussed below.

It was agreed at the August 31, 1983 meeting that emphasis would be placed on illustrating the importance of the dike and the fault zones to ground water flow in the area. With regard to the O'Connor Fault zone, the question was raised whether a fractured sandstone, that could produce high rates of flow for a long time, had been offset to a location adjacent to the Upper or Lower O'Connor coal seams. The cross sections must illustrate these concerns.

Valley Camp should also discuss with Scott Grace of OSM ((303) 837-3806) the local strategraphy of the area in order to confirm the nature and thickness of the inter-tonguing between the Star Point Sandstone and Mancos Shale. This is necessary to fully understand the ground water system.

Question No. 7 of the final DOA concerns the importance of the andesite dike to ground water flow. At the August 31, 1983 meeting it was revealed that the intrusive dike was encountered: (1) in the Belina Mine; (2) in a drill hole on the Skyline property; (3) along the road up Boardinghouse Creek; and (4) in Pleasant Valley near the town of Clear Creek. Valley Camp must locate the extent of the dike using the previously mentioned control points with information on the width of the dike wherever it can be observed. Also, any observations of whether the dike has been fractured along fault zones must be documented.

Question No. 4 in the final DOA asked for an evaluation of changes to ground water quality as a result of mining. Valley Camp responded by discussing water quality changes that would occur during mining. To commence with the TA, we need to know what are the expected effects of changes to post mining ground water quality. The answer to this question may be based on whether discharge is expected at the mine portals after mining has ceased and by discussing the discharges in terms of the quality observed at other abandoned mines in the area.

Question No. 5 in the final DOA requested drill logs of holes that extended down to the Aberdeen or Star Point Sandstone. At the August 31, 1983 meeting it was agreed that a north-south and east-west cross section would be provided to meet this request and Valley Camp has indicated that these cross sections will be provided by October 17, 1983.

UMC 784.15 POST MINING LAND USE

The applicant has not shown or described where the 40 north-facing slope and 20 south-facing slope plots will be located as requested in the final DOA.

The applicant also has not stated what the post mining land use will be for the offices and warehouse portions of their permit area. This information is needed to prepare the TA for UMC 784.15 and UMC 817.133. In addition, a letter from the landowner accepting the proposed postmining land use has not been provided. (See comments under UMC 784.22).

UMC 784.20 SUBSIDENCE CONTROL PLAN

The applicant has not responded adequately to the request for a more detailed subsidence monitoring plan as outlined in the final DOA. The final DOA required that Valley Camp provide a physical ground survey which will document the angle of draw early in the mining sequence. The determination of this angle will establish the limits of the buffer zones necessary to avoid disturbance of the existing streams and gas pipeline. In addition, Valley Camp's subsidence control program should be presented as a separate item under section 784.20.

Valley Camp's September 16, 1983 response indicated concern regarding potential subsidence effects to springs and streams. The company acknowledged that springs may be lost in areas where overburden was less than 400 feet and the company committed to leaving pillars under the perennial streams (i.e., under such streams where overburden is less than 400 feet). A new question is raised with respect to Valley Camp's proposal to have barrier pillars under a narrow width of valley along perennial streams: Will the erosional stability of the streams be seriously altered because the streams may actually be higher than adjacent subsided areas (i.e., as on a pedestal)? Valley Camp must respond to this concern.

UMC 784.21 FISH AND WILDLIFE PLAN

Significant, unanswered, wildlife issues remain with regard to the development of the proposed conveyor system; however, Valley Camp has indicated that they are not currently seeking permit authority to build the

conveyor. Conveyor related wildlife inadequacies will be raised again when Valley Camp applies for a permit revision to build this structure.

Other remaining UMC 784.21 inadequacies are as follows:

The applicant does not provide some key information on the revegetation/restoration of riparian habitat. The applicant commits to developing riparian habitat in accordance with details provided in Appendix B, Vol. III (see statement: Response to UMC 784.15 dated September 13, 1983, p. 4). However, this information does not address specific plant composition of trees/shrubs or the proposed planting density of trees/shrubs that will actually be used in the revegetation efforts. A wide variety of options are possible. The applicant must provide the following:

1. The specific percent composition by species of trees and/or shrubs that will be used in developing the riparian habitat. Such information was provided for revegetating north and south-facing slopes (Appendix M, p. 5, dated September 14, 1983). Equivalent information for the riparian habitat must be included.

2. The proposed density of tree and shrub plantings by species that will be used in riparian areas. Density should be expressed in units that represent a typical planting site (i.e., number of trees per 100 feet^2).

3. The tree and shrub density of a typical planting site for both north-facing and south-facing slopes.

UMC 817.97 PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES

Significant, unanswered, wildlife issues remain with regard to the development of the proposed conveyor system; however, Valley Camp has indicated that they are not currently seeking permit authority to build the conveyor. Conveyor related wildlife inadequacies will be raised again when Valley Camp applies for a permit revision to build this structure.

Other remaining UMC 817.97 inadequacies are as follows:

1. Attachment 4, Appendix M referenced on p. 4 of the September 16, 1983 responses is not included in the September 16, 1983 response. The applicant still makes generalized and unspecified commitments to protecting wildlife (Appendix M, Attachment 2, p. 2) with respect to future mine expansion and operations and to other miscellaneous mining situations. This type of issue has been a major concern of the USFWS. Therefore the applicant must:

   a) Identify what the specific wildlife safeguards are and how they will be implemented (Appendix M, Attachment 2, p. 2 paragraph 3);

   b) Specifically identify what other situations are envisioned that would disturb wildlife habitats and explain what best available reclamation procedures would most likely be used for each type of situation (Appendix M, Attachment 2, p. 2 paragraph 4);

c) Valley Camp should contact Lynn Kunzler of UDOGM and/or Jim Munson, USFWS, to get guidance on providing the specific information required under a and b.

2. Items No. 4 and 5 of the final DOA letter have not been addressed in a manner facilitating analysis. The rationale, assumptions, and basis for concluding that a net gain of about 15,000 feet^2 of riparian habitat will be produced is not clear. The narrative description (Appendix M, Attachment 1) implies a continuous belt of riparian habitat development, while Reclamation Map D-1 implies small islands of riparian habitat. The applicant must provide the calculations and assumptions that clearly show in a logical progression how the specified net gain in riparian habitat acreage was determined.

The applicant makes reference to currently conducting a planting program near the junction of the Belina haulraod and Eccles Creek to prevent silting impacts on the Creek, but does not provide site specific details on the planting program (response to 817.97 comments, page 5, 9/15/83). The UDWR (letter dated 9/8/83) identified siltation and turbidity impacts on the Eccles Creek fishing as outstanding issues of concern and specifically noted that considerable reclamation is still needed. Therefore, the applicant needs to provide the following:

1. A description of how site preparation prior to seeding will be conducted on slopes exceeding 40 degrees, as referenced but not described in Appendix M, page 4 (dated 9/14/83). Since the slopes of concern are generally steeper than 40 degrees, the descriptions of methods are especially important for the TA.

2. A description of the planting program identified above (referenced: response of 817.97 dated 9/15/83, page 4) including details of the special provisions that are being incorporated, if any, to; (a) stabilize and revegetate the steep slopes of the road shoulder; and, (b) prevent further siltation impacts on aquatic life in Eccles Creek and Whiskey Gulch.

3. A concise description of how the procedures identified in 1 and 2 above will specifically prevent siltation impacts on aquatic life in both streams, from both short term and long term perspectives.

4. A description of: 1) species composition and spacing (i.e. planting density) of woody species in the riparian area of Whisky Gulch; and, 2) the source and reclamation of the source of "clumps" (Appendix M) to be used for reclamation. Also, the applicant must identify the reference area for the riparian zone.

UMC 784.22 DIVERSIONS

Remaining inadequacies are as follows:

1. Valley Camp still has not provided a notarized letter from the landowner (Milton Oman) accepting the postmining land use. In addition, as a result of the September 16, 1983 information submitted by the applicant, a letter from the landowner accepting responsibility for maintenance of the channel diversion and permanent impoundment (UMC 817.133) must be provided.

2. In the final DOA, Valley Camp was asked to provide riprap sizing designs for channel base and discharge areas, and they responded with an acceptable design for sizing the riprap on a "run-of-pit" basis. Run-of-pit rock does provide for some range of rock sizes, but this does not ensure a stable non-eroding channel. Valley Camp must commit to riprap with a gradation curve as called for in HEC II (Federal Highway Administration, June 1967) or other pertinent reference. All riprap sections with a D_{50} greater than 12 inches must have 6 inches of sand and gravel bedding or other acceptable bedding gradation or a filter cloth below the riprap.

3. Valley Camp was also asked in the final DOA to establish both the sinuosity and longitudinal profile of the reclaimed permanent channel in Whiskey Gulch and they provided this information for the channel on top of the Whiskey Gulch fill. However, the applicant still needs to provide plans and profile of the channel drop section. These plans must show the sinuosity and longitudinal profile of the channel drop section or the reclaimed, permanent channel. Valley Camp must provide as-built design, plans, and construction specifications for the channel drop section as requested in the final DOA.

UMC 784.23 OPERATION PLAN: CERTIFICATION OF MAPS, PLANS, AND CROSS-SECTIONS

Valley Camp's September 16, 1983 submittal states: "A professional engineer or geologist has certified all maps, plans, and cross sections..." This is unacceptable. Valley Camp must have either a qualified professional engineer or a professional geologist certify (with his seal and signature), each map, plan, and cross sections in the application. It would be sufficient

for Valley Camp to provide a letter properly signed by a professional engineer or geologist that references those maps, plans, and cross sections in the application which are not currently certified accompanied by a reference attached to the uncertified plans, maps and cross sections back to this letter.

UMC 817.54 HYDROLOGIC BALANCE WATER RIGHTS AND REPLACEMENT

In the September 16, 1983 responses, Valley Camp proposed to keep the sedimentation pond at the Belina portal yard as a permanent impoundment. Valley Camp must commit to transferring sufficient water rights to the postmining land use to provide for storage of water in this pond. If the State Engineer does not require a transfer of water rights to this permanent impoundment, Valley Camp must provide a letter from the State Engineer stating such.