



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

July 6, 1983

Mr. Allen D. Klein, Administrator
Western Technical Center
Office of Surface Mining
Brooks Towers
1020 Fifteenth Street
Denver, Colorado 80202

RE: Recent Permitting Activity at
the Belina Complex
Valley Camp of Utah, Inc.
ACT/007/001
Folder Nos. 2 and 3
Carbon County, Utah

Dear Mr. Klein:

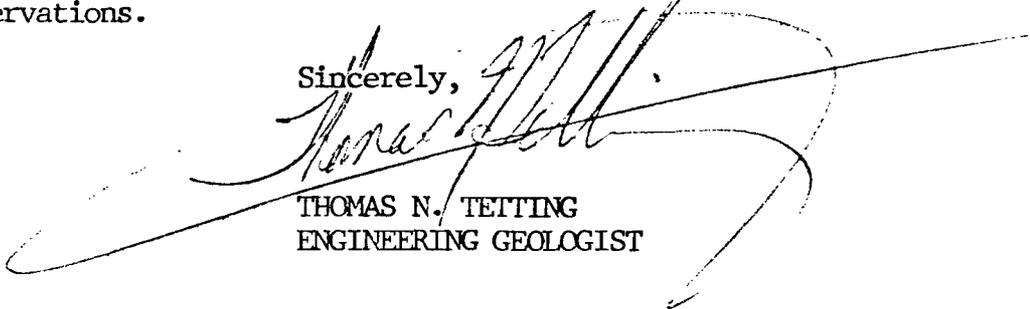
Noting the interest with maintaining a tight timetable on the review of this mine plan, I am forwarding copies of the most recent correspondence with Valley Camp of Utah. The sequence of recent events has also been enclosed as a synopsis. The Division will await additional comments regarding the issuance of the Determination of Completeness, due to the unusual contracting arrangements and the upcoming July 7 meeting between the consultant and OSM. This sense of timing was encouraged by Walt Swain and reflects prudent judgment in this matter. It unfortunately will be difficult to introduce new concerns at this level and I hope that they may be adequately dealt with during the TEA.

A situation has also been encountered for which I could use some insight. It is specifically related to topsoil requirements and plans of this operation. I believe that the Rules and Regulations of Utah's Coal Program (UMC 817.22[e][g]) have been reasonably and sufficiently addressed at the completeness levels with the submission of the two enclosed letters. Regardless, it appears that reading between the lines and forecasting worst-case substitute topsoil attainment scenarios exposes conflicts with certain NEPA interests. This may in turn polarize viewpoints in our mutual agencies, particularly in terms of integrating the review processes. Walt Swain may provide you further details should they be needed. I hope that special attention may be given to the situation because of the long standing interests in the permit. If you have any suggestions regarding the matter, I would appreciate them.

Mr. Allen D. Klein, Administrator
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Page Two

Although I have worked with the plan for the last two years and have dealt closely with Sarah Bransom, Shirley Lindsay and Walt Swain on the subject, I have lost touch with some procedures. Is it not the proper position for the State to be present at meetings involving contracted consultants, especially when reviews are to be discussed? Having worked with this type of joint review since it was considered an avenue to pursue, I suggest that the closer the ties and communication channels, the smoother the review will proceed. Thank you for focusing your attention on these issues, and I will look forward to any comments on my observations.

Sincerely,



THOMAS N. TEITING
ENGINEERING GEOLOGIST

TNT/btb

cc: Walt Swain, OSM
J. Smith, DOGM

I. MRP Review History (recent)

1. May 23, 1983--The Division issued a preliminary Determination of Completeness assessment; two areas of concern were listed as being incomplete.
2. June 17, 1983--Valley Camp responded to two items listed on May 23.
3. June 20-June 30--Phone calls between Valley Camp and the Division elicited the need for additional information regarding soil material. These conversations brought to light previous discussions including the February 2, 1983 joint DOGM-OSM-VC meeting. Emphasis was placed on bonding costs/requirements relationships.
4. June 30, 1983--Valley Camp submitted additional information concerning the topsoil questions and addressed bond estimate costs for reclamation.
5. July 6, 1983--Conversation between Walt Swain and Tom Tetting indicated that a final response to the question should await input from the newly contracted consultant at the July 7 meeting with OSM.
6. July 6, 1983--Valley Camp responses and letter sent to OSM by DOGM.

II. Belina Road and Sediment Pond Modification

1. June 15, 1983--Plan submitted.
2. June 20, 1983--The Division conditionally approved the plan (three stipulations).
3. June 27, 1983--Valley Camp responded to the stipulations (some concern remains on final seed mixes).

VALLEY CAMP OF UTAH, INC.

Scofield Route

Helper, Utah 84526

17 June 1983

JUN 20 1983

Mr. Thomas N. Tetting
Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, Utah 84114

RE: Determination of Completeness
Response to May 23, 1983 Letter

Dear Mr. Tetting:

As a result of your subject letter, and as related to the two specific areas pointed out in same, the following comments are offered.

1. UMC 784.13 - Reclamation Plan

The required statement of intent of the operation to notify the BLM (MMS) prior to abandonment of portals can be found on page 7B of Section UMC 783.14, Geology Description. This was part of the March 9, 1983 submittal, and the page should be dated January 31, 1983.

2. UMC 784.13 - Soils (Reclamation Plan: General Requirements)

On page 27 of Section UMC 784.13, Volume III, of the original submittal, it states, "The majority of the topsoil, at the mine portal sites, was removed prior to the creation of topsoiling requirements. A limited amount, however, was later removed around the Belina Complex and stored in a stockpile near the portal site....."

On page 22a, Section UMC 784.13 of Volume V, it states, "The Belina site disturbance was partially pre-law and the topsoil salvaged and stored, as mentioned on page 27, UMC 784.13, Volume III, has since been used for reclamation around the Belina

site. At present, there is no topsoil stored within the boundaries of the permit area."

On page 23D, Section UMC 784.13, Volume V, it states, "Much of the disturbed areas within the permit area was disturbed prior to enactment of the SMCRA 1977. As a result, a majority of the topsoil from these areas was not preserved, and will not be available for final reclamation of the disturbed areas." In addition, this same page provides discussion relating to areas which have been reclaimed and revegetated and even depicts the particular map numbers showing these areas.

Further discussion found here enters into substitute topsoil material provisions and provides approximate quantities for depth, amount and cost. At this point in time, we have no idea whatsoever where this material will come from. We cannot predict such happenings thirty years or so from now. Maybe, by the time final reclamation for this particular permit is required, we will have stockpiled enough topsoil to reclaim the area(s), as a result of disturbances (within the permit area) which may occur during the life of mining operations. This notwithstanding, the operator has, in the same section, committed to conformance with the requirements of UMC 817.22(a), and also, previously (page 22, Section UMC 784.13, Volume V) discussed the arranged purchase of topsoil from Coastal States Energy for reclamation of areas presently not reclaimed.

It is my opinion that the two (2) concerns mentioned in your letter have been sufficiently and previously answered.

If you have further questions pertaining to these subjects, or the remainder of your May 23, 1983 letter, please feel free to contact me.

Sincerely,



T. G. Whiteside
Chief Engineer

VALLEY CAMP OF UTAH, INC.

Scofield Route
Helper, Utah 84526

30 June 1983

Mr. Thomas N. Tetting
Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, Utah 84114

Re: Completeness Determination

Dear Mr. Tetting:

On June 17, 1983, I responded to the Division's Completeness Determination letter of May 23, 1983. In that correspondence, I attempted to realistically respond to your questions concerning topsoil resources or suitable substitutes.

As it now appears, additional information may be required for the completeness determination. Consequently, the following additional comments are offered for inclusion into that response.

- A. Source of material: a specific location has not been determined at this time. It would probably be reasonable to assume that the material would have to be purchased and, considering the timing of topsoil requirements, I don't believe any landowner in the immediate area of the mines would be willing to enter into a sales agreement at this point in time. It is anticipated, however, to obtain the material from within a fifteen (15) mile radius of the mine site.
- B. Quality of Material: Since a specific source has not been arranged for, a quality determination has not been made. There have been numerous topsoil samples from the area analyzed, however, and I'm sure any topsoil which may be purchased from within this immediate area, will be satisfactory for use.

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DIVISION OF
OIL, GAS & MINING

in final reclamation. Notwithstanding, the operator will supply the Division with all the necessary soil analyses information of the material proposed for reclamation prior to application of the material.

- C. Quantity and Cost of Material: Estimated quantities and cost of topsoil for both the Belina and Load-out complexes may be found in Volume III, Appendix A, Page 3. A more complete description for each area follows:

Belina Complex - 30 acres reclaimed at an approximate depth of six inches would require 32,686 tons of material. Using 1983 dollars and estimating a six mile haul, the estimated topsoil cost would be \$1.93 per ton, or \$63,000.00.

Load-out Area - 16.0 acres reclaimed at an approximate depth of six inches would require 15,668 tons of material. At today's figures, and estimating a six mile haul, the estimated cost for this area would be \$2.14 per ton, or \$33,600.00.

It would be well to realize these figures are estimates based upon a fixed rate (for topsoil only) of \$2,100.00 per acre. Also, the quantity required is figured with the anticipation of distributing topsoil over all disturbed areas, regardless of whether any area has been reclaimed during the interim.

Grading, mulching, seeding, fertilizing and other related costs for the disturbed areas have been included elsewhere.

I hope this additional information is helpful in your evaluation of this particular subject. Please contact me if you have additional comments.

Sincerely,



T. G. Whiteside
Chief Engineer

VALLEY CAMP OF UTAH, INC.

Scofield Route
Helper, Utah 84526

27 June 1983

FILE
Folder #3
ACT/007/001
Copy to Shannon,
Lynn K., Wayne,
Tom M, Er, Tom T.

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

Re: Belina Road and Sediment
Pond Approval Letter

Dear Mr. Smith:

As part of the Division's conditional approval for paving the Belina mine road and relocation of Sediment Pond No. 3, we were required to conform to requested stipulations as described therein. The following comments are offered in response to those stipulations.

Stipulation 6-17-83-1-RS

The disturbed areas associated with relocation of the sediment pond should not be steeper than 3h:lv, and will be reclaimed by hand broadcasting the seed mixture and burying by hand raking or some other method. Straw mulch will then be either hand distributed or machine blown over these areas at a rate of 25 bales per acre.

The same method of application will be used on areas along the Belina road which are also flatter than 3h:lv.

All areas disturbed in association with these two modifications which exceed 3h:lv in steepness will be hydro-mulched, using an aspen (or similar) fiber and a starch resin tackifier, applied at a rate of 1500 pounds per acre. With the hydro mulch application, we propose to mix the proposed seed mixture with the mulch and apply it all at once. This practice has proven very satisfactory in the past.

Mr. James W. Smith, Jr.

27 June 1983

Page 2

All disturbed areas except those steeper than 1.5h:1v will be re-topsoiled with material salvaged from the disturbances to an average depth of approximately 6 inches (if possible).

On new cut slopes along the Belina road which are steeper than 1.5h:1v, we propose to revegetate without attempting to apply topsoil. These areas will be randomly treated to handset plantings in basins filled with topsoil with hydro mulch seeding applied between settings.

The proposed seed mixture for these disturbances is shown on the enclosed listing, and will be applied at a rate of at least thirteen (13) pounds of pure live seed per acre, at the percent mix shown on the list.

If, at the time of re-vegetation, we are experiencing dryer than usual moisture conditions, artificial irrigation of the reclaimed areas will be used to enhance success.

Stipulation 6-17-83-2RS

A copy of the proposed seed mix is enclosed. This particular mixture is the revised mixture resulting from Division recommendations.

The rate of application will be at least thirteen (13) pounds of pure live seed per acre.

Stipulation 5-17-83-1-EH

In the event that stockpiled topsoil from these disturbances cannot be re-distributed prior to October 31, 1983, this material will be transported to the existing topsoil storage area, where drainage ditches and trees will provide wind and water erosion protection. A temporary vegetative cover (as agreed upon by the operator and Division) will also be planted on this material.

Please contact me if I may be of further assistance in these matters.

Thank you and your staff very much for the expeditious handling of these modification requests.

Sincerely,



T. G. Whiteside
Chief Engineer

Enclosure

TEMPORARY REVEGETATION

SEED MISTURE LIST

<u>Grasses</u>	<u>% of Mixture</u>
Thickspike Wheatgrass - Agropyron Dasystachyum	8
Western Wheatgrass - Agropyron Smithii	19
Streambank Wheatgrass - Agropyron	15
Mountain Brome - Bromus Marginatus	5
Slender Wheatgrass - Agropyron Trachycaulum	14
Orchard Grass - Dactylis Glomerata	6
Russian Wildrye - Elymus Glaucus	7
Kentucky Bluegrass - Poa Pratensis	13
 <u>Forbs and Shrubs</u>	
Ladak Alfalfa - Medicago Sativa	5
Yellow Sweetclover - Melilotus Officinalis	3
Vasey Big Sagebrush - Artemisia Tridentata	3
Rubber Rabbitbrush - Chrysothamnus Nauseosus	1
Douglas Rabbitbrush - Chrysothamnus Viscidiflorus	1
	<u>100%</u>



STATE OF UTAH
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Scott M. Matheson, Governor
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4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

June 20, 1983

Mr. Trevor Whiteside
Valley Camp of Utah, inc.
Scofield Route
Helper, Utah 84526

RE: Conditional Approval Letter
Belina Road Modification and
Sediment Pond Relocation
Belina Complex
ACT/007/001
Folder Nos. 3 and 4
Carbon County, Utah

Dear Mr. Whiteside:

The modification plans for paving the Belina Mine Road and relocation of sediment pond #3 with associated drainage control has been reviewed by the Division. The below listed modifications to the interim permit are approved for construction with stipulations.

1. Paving of the Belina Mine Road according to the June 15 construction plans of Centennial Engineering, Inc.
2. Relocation of sediment pond #3 as proposed.
3. Backfilling of original pond #3.
4. Installation of 36 inch culvert draining watershed #8.

Concurrent with this approval are the following stipulations:

Stipulation 6-17-83-1 - RS

Plans for revegetation and stabilization of the pond embankment and other areas disturbed by construction must be submitted to the Division within 30 days.

Mr. Trevor Whiteside
ACT/OG7/001
June 20, 1983
Page 2

Stipulation 6-17-83-2 - RS

The operator must provide to the Division a copy of the seed mix to be used as well as rate of application in terms of Pure Live Seed (PLS). This seed mix must be approved by the Division before application.

Stipulation 5-17-83-1 - EH

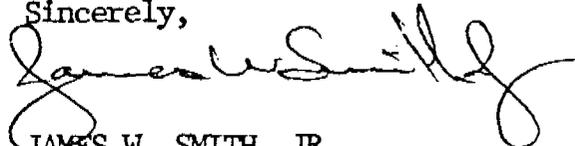
As noted on a previous Division letter dated May 18, 1983.

If topsoil is not used for reclamation purposes by the end of October 1983, measures must be taken to establish a permanent topsoil stockpile.

Drainage control plans for watersheds #5, #6 and #8 (the area north of the conveyor) have not been reviewed nor approved. This will be done during the overall Mining and Reclamation Plan review.

Please respond in writing to the Division concerning this approval and acceptance of the above stipulations as indicated prior to initiation of construction activity. If I can be of further assistance, please contact me or Shannon Storrud of my staff.

Sincerely,



JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

JWS/SS:btb

cc: Allen Klein, OSM
Bob Burns, Centennial Engineer, Inc.
S. Storrud, DOGM
R. Summers, DOGM
T. Munson, DOGM
T. Tetting, DOGM
K. Wyatt, DOGM