



0028

United States Department of the Interior

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

RECEIVED

JUN 7 1984

DIVISION OF OIL  
GAS & MINING

5 JUN 1984

*To See*

*file*

*ACT 1007 1001  
Folder 4*

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

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

Dear Mr. Whiteside:

Enclosed is the Belina Mines Complex permit with conditions. This permit will become effective only when the Office of Surface Mining (OSM) has received a copy of the bond in the amount of \$1,521,000.00 payable to both the State of Utah and the United States of America.

Please read the permit to be sure you understand the requirements and conditions. Pursuant to 30 CFR 787.11, Valley Camp of Utah, Inc. will have 30 days from the date of official notification to appeal the Director's decision on the application.

Also enclosed is a copy of the newspaper notice we are sending to the Sun Advocate, Carbon County, Utah, to be published as soon as possible. When published, this notice will constitute official notification of our action. Any person with an interest which is or may be adversely affected may request a hearing on the reasons for the final decision within 30 days from the date that notice is published.

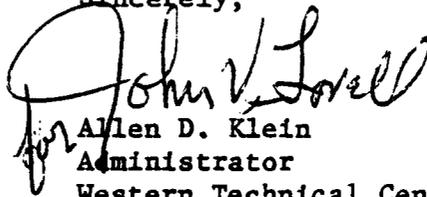
The permit has been provided in duplicate, so you can retain one copy with original signatures and return one copy with original signatures to us as an expressed acknowledgement that you have read and understood it. The complete decision package is also enclosed per your request.

The Assistant Secretary for Land and Minerals Management approved the mining plan on May 29, 1984. The enclosed permit has been determined to be consistent with this plan.

*orig file  
cc R. Daniels  
J. Smith  
D. Nelson*

If you have any questions, please feel free to call either me at (303)844-5656 or Sarah Bransom at (303)844-3806.

Sincerely,



John V. Lovell

Allen D. Klein  
Administrator  
Western Technical Center

Enclosures

cc: Mr. Jackson Moffitt  
Bureau of Land Management

Mr. Gene Nodine  
Bureau of Land Management

Dr. Dianne Nielson  
Utah Division of Oil, Gas and Mining

Mr. Robert Hagen  
Albuquerque Field Office  
Office of Surface Mining

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF SURFACE MINING

This permit, UT-0013 and UT-0049 which incorporate Utah Permits ACT-007 and ACT-001, is issued for United States of America by the Office of Surface Mining (OSM) to

Valley Camp of Utah, Inc.  
Scofield Route  
Helper, Utah 84526

for the Belina Mines Complex. Valley Camp of Utah, Inc. is the lessee of Federal Coal Lease U-044076, U-017354 and U-020305. The permit is not valid until a performance bond is filed with the OSM in the amount of \$1,521,000.00, payable to the United States of America and the State of Utah, and the OSM has received a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq., hereafter referred to as SMCRA; the Federal coal leases issued pursuant to the Mineral Leasing Act of February 15, 1920, as amended, 30 U.S.C. 181 et seq.; the Federal Coal Leasing Amendments Act of 1976, as amended 30 U.S.C. 201 et seq.; and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of September 7, 1947, as amended, 30 U.S.C. 351 et seq. This permit is also subject to all regulations of the Secretary of the Interior including, but not limited to, 30 CFR 211 and Chapter VII and 43 CFR 3400, and to all regulations of the Secretary of Energy promulgated pursuant to Section 302 of the Department of Energy Organization Act of 1977, 42 U.S.C. 7152, which are now in force or, except as expressly limited herein, hereafter in force; and all such regulations are made a part hereof.

Sec. 2 The permittee is authorized to conduct surface coal mining and reclamation operations on the following described Federal lands (as shown on figures 2 and 3 in Map section of this permit decision document) within the permit area at the Belina Mines Complex situated in the State of Utah, Carbon and Emery Counties, and located:

(Please note, the following legal description of the SMCRA permit and the mining plan area were derived from PAP Map A-1, Land Map Coal Ownership dated December 16, 1980.)

SMCRA Permit Area:

T. 13 S., R. 6 E., portions of sec. 24, portions of sec. 25, portions of sec. 35, and portions of sec. 36;

T. 13 S., R. 7 E., portions of sec. 8, portions of sec. 9, portions of sec 16, portions of sec. 17, portions of sec. 18, portions of sec. 19, portions of sec. 20, portions of sec. 21, portions of sec. 30 and portions of sec. 31;

Mining Plan Approval Area:

T. 13 S., R. 6 E., portions of sec. 24, portions of sec. 25, portions of sec. 35 and portions of sec. 36;

and to conduct surface and reclamation operations connected with mining on the foregoing described property subject to the conditions of the lease(s), the approved mining plan; the complete permit application unless otherwise modified in accordance with UMC 788; and Utah State permit ACT 007 and ACT 001, issued concurrently with OSM, including all conditions, and all other applicable conditions, laws and regulations.

- Sec. 3 This permit is issued for a term of five (5) years commencing on the date the permit is signed by the permittee, except that this permit will terminate if the permittee has not begun the surface coal mining and reclamation operations covered herein within three (3) years of the date of issuance.
- Sec. 4 The permit rights may not be transferred, assigned, or sold without the approval of the Director, OSM. Request for transfer, assignment, or sale of permit rights must be done in accordance with UMC 788.18
- Sec. 5 The permittee shall allow the authorized representatives of the Secretary, including, but not limited to, inspectors, fee compliance officers, and the Utah Division of Oil, Gas and Mining without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- a. Have the rights of entry provided for in UMC 840.12 and 842.13; and
  - b. Be accompanied by private persons for the purpose of conducting an inspection in accordance with UMC 842.12, when the inspection is in response to an alleged violation reported by the private person.
- Sec. 6 The permittee shall conduct surface coal mining and reclamation operations only on those lands specifically designated as within the permit area on the maps submitted in the mining plan and permit application and approved for the term of the permit and which are subject to the performance bond.

- Sec. 7 The permittee shall minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of this permit, including, but not limited to:
- a. Accelerated monitoring to determine the nature and extent of noncompliance and the results of the noncompliance;
  - b. Immediate implementation of measures necessary to comply; and
  - c. Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.
- Sec. 8 The permittee shall dispose of solids, sludge, filter backwash, or pollutants removed in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable State or Federal law.
- Sec. 9 The lessee shall conduct its operations:
- a. In accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
  - b. Utilizing methods specified as conditions of the permit by Utah Division of Oil, Gas and Mining and OSM in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program, and the Federal Lands Program.
- Sec. 10 The permittee shall provide the names, addresses, and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.
- Sec. 11 The permittee shall comply with the provisions of the Water Pollution Control Act (33 U.S.C. 1151 et seq.) and the Clean Air Act (42 U.S.C. 7401 et seq.).
- Sec. 12 Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.
- Sec. 13 If, during the course of mining operations, previously unidentified cultural resources are discovered, the applicant shall ensure that the site(s) is not disturbed and shall notify OSM. The operator shall ensure that the resource(s) is (are) properly evaluated in terms of National Register eligibility criteria (36 CFR 60.6). Should a resource be found eligible for listing in consultation with the OSM, the land-managing agency (if the site is located on Federal lands), and the State Historic Preservation Officer (SHPO), the operator shall confer with and obtain the approval of these agencies concerning the development and implementation of mitigative measures.

Sec. 14 APPEALS-The lessee shall have the right to appeal: (a) under 30 CFR 775 from actions or decisions of any official of OSM; (b) under 43 CFR 3000.4 from an action or decision of any official of the Bureau of Land Management; (c) under 30 CFR 290 from an action, order, or decision of any official of the Minerals Management Service; or (d) under applicable regulations from any action or decision of any other official of the Department of the Interior arising in connection with this permit.

Sec. 15 SPECIAL CONDITIONS-In addition to the general obligations and conditions of performance set out in the leases, Utah State permit ACT 007 and ACT 001 and this permit, the permittee shall comply with the special conditions of Utah State permit ACT 007 and ACT 001 and the conditions appended hereto as Attachment A.

These conditions are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors, and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the grantor and the permittee at any time to adjust to changed conditions or to correct an oversight. The grantor may amend these conditions at any time without the consent of the permittee in order to make them consistent with any new Federal or State statutes and any new regulations.

THE UNITED STATES OF AMERICA

By: \_\_\_\_\_

\_\_\_\_\_  
Date

I certify that I have read and understand the requirements of this permit and any special conditions attached.

\_\_\_\_\_  
Authorized Representative of  
the Permittee

\_\_\_\_\_  
Date

ATTACHMENT "A"  
BELINA MINE COMPLEX

Conditions

Condition No. 1

If any previously unidentified cultural resources should be discovered during mining operation, the operator shall ensure that the site is not disturbed and shall notify the regulatory authority. The operator shall ensure that the resource(s) is(are) properly evaluated in terms of the National Register of Historic Places (NRHP) eligibility criteria (36 CFR 60.6). Should a resource be determined eligible for listing on the NRHP, the operator shall consult with and obtain the approval of the regulatory authority concerning the development and implementaton of mitigative measures, as appropriate.

Condition No. 2

Valley Camp must revise and submit to the regulatory authority for approval its surface water monitoring schedule within sixty (60) days of permit issuance. Surface water monitoring shall be performed at stations VC-1, VC-2, VC-4, VC-5, VC-10, VC-11, and VC-12. Streams will be monitored monthly during the period from April through August. The monthly monitoring of streams shall include measurements of stream flow and water quality parameters according to the abbreviated water quality parameter list (i.e. sodium, calcium, magnesium, potassium, sulfate, bicarbonate, carbonate, chloride, total dissolved solids, total suspended solids, pH, field-specific electrical conductance, and field temperature.) Measurements of turbidity may be substituted for the measurement of total suspended solids following the development of an adequate site-specific relationship between the two parameters. Twice a year, the full suite of water quality parameters according to the UDOGM guidlines) will be analyzed. The complete suite of water quality samples must be taken during a period of flow representative of the warm season low flow and the spring snow melt high flow. A corresponding flow measurement will be taken at the same time that water quality samples are taken.

Ground Water (Springs): Each spring that is included in the monitoring network will be monitored during the period from June through August. These springs are S24-12, S25-13, S36-17, S36-23, S36-19, S31-13, and S7-11. During the monthly monitoring period, measurements of flow, pH, specific electrical conductance (EC), calculated total dissolved solids, and temperature shall be made. A quarterly flow measurement shall be taken together with a water quality sample. The water sample shall be analyzed according to the abbreviated schedle mentioned previously, excluding total suspended solids. Twice a year (spring and fall) a flow measurement shall be made and a water quality sample taken. The sample shall be analyzed according to the complete suite of parameters listed in the UDOGM guidelines. Data shall be submitted quarterly to UDOGM and an annual analysis and summary of the data shall be provided.

Condition No. 3

Valley Camp shall restrict mining in Section 36: S1/2, Federal lease U-017354; and Section 35: E1/2 SE1/4, SE1/4 NE1/4, Federal lease U-044076, to the development of the South Main Entries only. Updated information on the geologic structures (faults, dikes, fractures, channel sandstones, etc.) encountered in the mine as the result of this development shall be submitted as part of the applicant's annual in-mine, ground water monitoring program (see Condition No. 4).

Condition No. 4

Within sixty (60) days of permit issuance, Valley Camp of Utah, Inc. shall develop an in-mine, ground water monitoring program. This monitoring program shall be submitted for approval by the regulatory authority.

The results of the monitoring program shall be reported on a quarterly basis and shall include a map of all points and/or areas of defined measurable flow [greater than one (1) gpm] as well as an indication of the geologic source of the flow (channel sandstone, fault, fracture, lineament system, etc.). The map shall also show the location of in-mine sumps used to collect water as well as updated information on the geologic structures (faults, dikes, fractures, channel sandstones, etc.) encountered in the mine as a result of extended mining into Federal lease U-017354 and U-044076. The report shall also contain a discussion of the quantity, quality, and source of the water encountered. When new points or areas of measurable flow are first encountered, flow data and field water quality parameters shall be measured. Field water quality parameters shall, at a minimum, consist of: pH, temperature, electrical conductance, and calculated total dissolved solids.

Monthly flow and field water quality parameters shall be measured. Quarterly, an abbreviated water quality analytical schedule for the samples shall be completed. The abbreviated water quality analytical schedule shall, at a minimum, consist of the laboratory measurements for: sodium, potassium, calcium, magnesium, iron (total), chloride, bicarbonate, sulfate, carbonate, pH, and TDS. A mass balance table of the cations/anions in milliequivalents per liter shall be required for each sample analysis.

Biannually, and at the approximate same time each year, a comprehensive water quality analytical schedule for the samples shall be completed. The full suite of parameters to be analyzed shall include those recommended in the UDOGM guidelines for establishment of a surface and ground-water monitoring program. If the number of measuring points becomes excessive, the applicant may request a modification of the number of sampling sites from the regulatory authority.

In addition to the in-mine monitoring of ground water flow, the applicant shall account for all ground-water consumption (evaporation and other losses) and transfers of water in and out of the mine.

Condition No. 5

Within sixty (60) days of permit issuance, Valley Camp of Utah, Inc., shall revise and submit to the regulatory authority for approval the subsidence monitoring program to include the intermittent streams in the permit area. The applicant shall commit to restore the original stream channels of intermittent streams within the permit area that may be disturbed by underground coal mining activities, including surface subsidence effects.

Condition No. 6

Within sixty (60) days of permit issuance, Valley Camp of Utah, Inc. shall provide to the regulatory authority for approval a plan to redistribute substitute topsoil material at a uniform thickness over all disturbed areas to be reclaimed, taking into consideration the total volumes of substitute topsoil materials available at all substitute topsoil material sources.

Condition No. 7

Within sixty (60) days of permit issuance, Valley Camp of Utah, Inc. shall provide a sound design to the regulatory authority for approval for either field site trials or a revised greenhouse study. The permittee shall also provide a commitment to conduct either of these tests and to submit results of test selected to the regulatory authority to demonstrate the feasibility of using the proposed topsoil substitute material pursuant to UMC 817.22 (e).

If Valley Camp of Utah, Inc. elects to conduct field site trials, the design of the trials must include, at a minimum, the following: test sites at both the Belina portal area and the Utah No. 2 loadout area; the test of types and rates of soil amendments; a test for optimum topsoil depth; tests for each proposed seed mixture by appropriate aspect; and establish control plots for each test.

If Valley Camp of Utah, Inc. elects to conduct greenhouse studies, the existing design proposed in the permit application must be revised to include at a minimum, tests for soil samples from both Belina portal area and Utah No. 2 loadout area, tests for types and rates of soil amendments, tests for optimum topsoil depth, tests for each proposed seed mixtures by appropriate aspect; and establish control plots for each study. The design of the greenhouse study shall simulate environmental conditions in the greenhouse (such as growing season, air temperature, soil temperature, soil moisture, precipitation, light, available rooting depth, and aspect) to those at the mine site.

The design of either the field site trials or the greenhouse study must provide a monitoring schedule, identify methods for monitoring, analysis of seedling establishment and plant mortality, and standards for determining success of each test.

The applicant must provide types and rates of application for amendments to be added to the respread substitute topsoil based on the laboratory data from either the greenhouse study or field site trials.

Condition No. 8

Within 180 days of permit issuance, Valley Camp of Utah, Inc. shall submit to the regulatory authority for approval an implementation plan for monitoring wetland and riparian areas in the entire subsidence area. The plan shall include: (1) a map locating all wetland and riparian areas; (2) a description of the size and plant characteristics of each wetland; (3) the source of water supporting each wetland; (4) details and commitment to replace affected sources; and (5) a monitoring schedule.

Condition No. 9

Within thirty (30) days of permit issuance, the permittee shall implement the mitigation measures identified in the USFWS letter dated April 19, 1984, and submit proof of such compliance to the regulatory authority.

Condition No. 10

Within 180 days of permit issuance, Valley Camp of Utah, Inc. shall submit to the regulatory authority, for review and approval, a detailed reclamation plan to restore the Belina haulroad in accordance with UMC 817.156. This plan must address, at a minimum, removal and disposal from fill slopes vegetative cover that would interfere with backfilling and grading operations, slope stability, backfilling and grading, topsoil handling, disposal of concrete and asphalt, removal of culverts and reestablishment of natural drainages, sediment-control measures, and revegetation of the road surfaces and adjacent slopes.

U.S. DEPARTMENT OF THE INTERIOR  
OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT  
NOTICE OF A DECISION AND AVAILABILITY  
OF BOTH A TECHNICAL ANALYSIS AND AN  
ENVIRONMENTAL ASSESSMENT FOR  
VALLEY CAMP OF UTAH, INC.  
PERMANENT PROGRAM PERMIT  
BELINA MINES COMPLEX  
CARBON AND EMERY COUNTIES, UTAH

The United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSM), has approved, with conditions, a five-year permit for Valley Camp of Utah, Inc. to mine coal at its Belina Mines Complex.

The Belina Mines Complex underground coal mine is located in Carbon and Emery Counties, Utah, about three miles southwest of Scofield, Utah, and twenty miles northwest of Price, Utah. The mine has been in operation since 1976. The proposed SMCRA permit area will cover approximately 2,837 acres. The mining plan approval, which excludes county and fee coal, will cover approximately 1,378 acres. Mine production is at a rate of .97 million tons of coal over five years, increasing to a maximum production of 1.93 million tons a year beginning in 1988.

Any person with an interest which is or may be adversely affected by this Federal permit approval action may request an adjudicatory hearing on the final decision within thirty (30) days after publication of this notice, in accordance with Section 514(c) of the Surface Mining Control and Reclamation Act (SMCRA). Any hearing will be governed by provisions of 5 U.S.C. Section 554. A petition for review of the OSM decision should be submitted to:

Hearings Division  
Office of Hearings and Appeals  
U.S. Department of the Interior  
4015 Wilson Boulevard  
Arlington, Virginia 22203

Pursuant to 40 C.F.R. Sections 1501.4(c) and 1506.6, notice is hereby given that OSM has completed a technical analysis (TA) for the mining and reclamation plan (mining plan) for the Belina Mines Complex, Carbon and Emery Counties, Utah. OSM has also prepared an environmental assessment (EA). OSM's recommendation to approve the Valley Camp of Utah, Inc. mining plan and the permit application, with conditions, is in accordance with sections 510 and 523 of SMCRA. OSM's analysis is that no significant environmental impacts would result from such approval. For information or clarification concerning the approval of the Belina Mines Complex, please contact Sarah Bransom or Walter Swain at (303) 837-3806, Office of Surface Mining, Denver, Colorado.

Both the TA and the EA are available for public review at the following locations:

Office of Surface Mining Reclamation and Enforcement  
Western Technical Center  
1020 15th St.  
Denver, Colorado 80202

Office of Surface Mining Reclamation and Enforcement  
219 Central Avenue, N.W.  
Albuquerque, N.M. 87102

Utah Division of Oil, Gas and Mining  
4241 State Office Building  
Salt Lake City, Utah 84114