



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
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ALBUQUERQUE, NEW MEXICO 87102



In Reply Refer To:

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JAN 14 1988DIVISION OF
OIL, GAS & MINING

Memorandum

TO: Peter A. Rutledge, Chief
Federal Programs Division

FROM: Robert H. Hagen, Director
Albuquerque Field Office

SUBJECT: Belina Midterm Permit Review

The Albuquerque Field Office (AFO) has reviewed the Belina Mine permit in accordance with OSMRE Directive REG-17, "Midterm Review of Federal Permits."

AFO has found the following deficiencies based on the inspection and enforcement process:

- (a) The permitted acreage is not specified in the permit;
- (b) The disturbed acreage is not specified in the permit;
- (c) The Federal coal acreage is not specified in the permit;
- (d) Resolution of DOGM permit stipulations 1, 3, 5, 6, 7, and 9 for permit No. ACT/007/001 is not documented;
- (e) Resolution of DOGM permit stipulations 1 through 6 for the mid-term review of permit No. ACT/007/001's is not documented;
- (f) A map is needed to show all diversions, culverts, and drainage structures;
- (g) All sediment pond certifications are needed (Response to an enforcement action.);
- (h) All Class I road certifications are needed (Response to an enforcement action.);
- (i) Ponds 2 and 3 are existing structures; however, the approved permitting dimensions are inconsistent with field-measured dimensions. For example, the permit states that the pond's sideslopes are to be 3H:1V, but the field measurements indicate that the sideslopes are 2H:1V;
- (j) The approved water-monitoring plan in the permit is incomplete and contradicts permit Conditions 1 and 3 in Attachment A of Permit No. UT-0013. Listed below are some examples:
 1. Volume 6, Appendix N, page 21 requires surface-water sampling at nine stations, while the permit conditions require sampling at seven stations.

2. Volume 6, Appendix N, page 21 requires surface-water sampling to include a full suite of parameters be analyzed annually, while the permit conditions require that the full suite of parameters be analyzed bi-annually.
3. Volume 6, Appendix N, Table 2 requires that 20 parameters be sampled, but the permit conditions require only 15.
4. Volume 6, Appendix N, Table 1 requires that four additional springs be monitored (for ground water) than what the permit conditions require.
5. Volume 6, Appendix N, page 20 requires that ground water be sampled twice per year, but the permit conditions require monthly (up to five per year) sampling.
6. Volume 6, Appendix N, Table 2 requires 20 additional ground water parameters compared to the permit conditions.
7. Plate 2 does not correlate with the permit conditions with either the location, frequency, or parameters.

Additionally, Volumes 3 and 6 and Plate 2 state that the monitoring will be done "when the sites are accessible." This vague language should be changed to state either the actual sampling months or that samples will be collected within a specified timeframe.

AFO requests that future midterm reviews be coordinated in accordance with Directive REG-17. If you have any questions concerning this or the above comments on Belina, please call Bernard R. Freeman at (505) 766-1486.