



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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February 8, 1995

Mr. Mark Wayment  
White Oak Mining & Construction Co. Inc.  
Scofield Route  
Helper, Utah 84526

Re: Forest Service Requirements, White Oak Mining & Construction Co. Inc., White Oak Mines, ACT/007/001-94I, Folder #3, Carbon County, Utah

Dear Mr. Wayment:

As you are aware the Division has been involved as an intermediary between the U. S. Forest Service and White Oak. There have been issues raised by the Forest Service which they feel need to be better addressed by White Oak in order for them to consent to continued mining within the Forest Service Boundaries.

On October 13, 1994 White Oak submitted a response to concerns expressed. The response has now been reviewed and the Forest Service still feels that their concerns have not been adequately addressed. Enclosed is a letter which identifies the concerns that need further attention. Please review it and make sure you understand the issues involved. You may need to contact them directly to get clarification. The Division has already contacted the BLM regarding concern #1 and is expecting them to respond to that issue. A complete response to the other concerns must be received in our offices by no later than March 10, 1995. Failure to provide adequate response may result in enforcement action.

Please call if you have any questions.

Sincerely,

Daron R. Haddock  
Permit Supervisor

enclosure

cc: Deane H. Zeller (USFS)  
BLM (Price)  
P. Grubuagh-Littig  
J. Helfrich

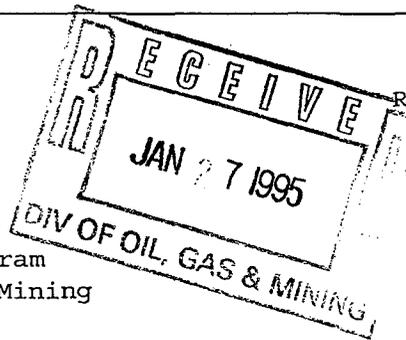


United States  
Department of  
Agriculture

Forest  
Service

Manti-La Sal  
National Forest

599 West Price River Dr.  
Price, Utah 84501



Reply to: 2820

Date: January 24, 1995

Utah Coal Regulatory Program  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
Attention: Pamela Grubaugh-Littig

RE: Response to Forest Service Comments, White Oak Mining and Construction  
Inc., White Oak Mine #1 and #2, ACT/007/001-941, Folder #2, Carbon County,  
Utah

*original to #2*

*Copy Aaron, PAM*

Dear Ms. Littig:

We have reviewed White Oak Mining and Construction Company's responses. They have not adequately addressed several of our comments as discussed below.

CONCERN #1

White Oak has incorporated information from the Kenneth C. Ko rock mechanics report to support their claim that the current mine plan and pillar design will prevent subsidence under normal conditions.

The Bureau of Land Management should review the report and confirm or refute the conclusions of this report in regard to overall subsidence expected, prevention of "chimney" subsidence, and protection of perennial streams from subsidence.

CONCERN #2

White Oak added a discussion in the mine plan to address the Forest Service concern that "chimney" type subsidence could continue to occur and potentially cause functional impairment of surface resources and uses. The discussion on Page 0-5a references the Kenneth C. Ko report and states: "plug or chimney type subsidence can occur under certain geologic conditions, particularly for overburden depths of less than 150 feet." The discussion continues to state that for this reason: "White Oak has the intention of maintaining a standard overburden of at least 200 feet." The discussion in the October 13, 1994 letter related to this concern states that the existing roof fall in Boardinghouse Canyon was caused by severe local faulting. This discussion does not adequately address the concern as discussed below:

The discussion fails to address whether or not similar conditions exist within the planned mining area that could result in additional "chimney" subsidence. If similar conditions exist within the planned mine area, White Oak must take appropriate measures to prevent recurrence.

The mine maps are not consistent with the statement that no mining will be conducted in areas with less than 200 feet of overburden. The mine plan and maps must be revised to be consistent with this commitment.

Under the requirements of the Surface Mining Control and Reclamation Act of 1977 and lease stipulations, White Oak will be required to reclaim surface disturbance. The discussion should include a commitment to backfill and reclaim any additional subsidence plugs if they occur.

#### CONCERNS #3 and #4

White Oak has made a commitment to not conduct second mining within a 250 foot buffer zone of Boardinghouse Creek. Maps R645-301-722.100a, R645-301-728.100a, and R645-301-728.100b have been revised to show perennial drainages and the buffer zone. Additional information is needed to adequately address our concern for protection of perennial streams as follows:

During the meeting of June 23, 1994 between UDOGM, BLM, Forest Service, and White Oak, it was agreed that White Oak would conduct surveys to identify perennial streams and determine the extent of perennial flow. The revised maps show perennial stream reaches as determined by HA&L in September, 1994 but there is no documentation of data to support this conclusion. Any documented reports on the findings of the survey must be forwarded to UDOGM and the Forest Service for review.

There is no documentation that explains how the 250 foot buffer zone was determined. This should be explained.

James Canyon Creek is known to be perennial and contain fish along its lower reaches. This was documented in our December 9, 1993 letter to UDOGM. White Oak must conduct appropriate surveys to determine if this drainage is perennial within the mine area and submit the survey results to UDOGM and the Forest Service for review. If it is determined to be perennial within the mine area, measures must be taken to prevent subsidence and disruption of perennial flows.

#### OTHER CONCERNS NOT ADDRESSED

Additional Forest Service concerns that have not been addressed by White Oak are listed below. Reference the Manti-La Sal National Forest letter to UDOGM, dated December 9, 1993, for information and details on these items.

Lease stipulations require that subsidence, hydrology, and vegetation monitoring be conducted to determine the progressive and final effects of mining. White Oak has not committed to monitoring subsidence and vegetation other than conducting annual visual inspections of surface subsidence features. Since photogrammetric methods have not been successful, monitoring must be done by some other method such as conventional surveys. A series of permanent monuments must be strategically placed and surveyed annually to detect the magnitude of subsidence over individual panels. A system of monuments must be placed above protected stream reaches to detect any unanticipated subsidence or confirm that subsidence has not occurred. Monitoring of potential changes to vegetation due to mining must be conducted at intervals of no more than 5 years. Monitoring within individual

leases must be sufficient to demonstrate that subsidence and effects to hydrology and vegetation are substantially complete. This information would be required for lessees to qualify for lease relinquishment.

The mine plan must be revised (Page 500-21) to state that any methods for replacement of water are subject to approval of the regulatory authority with consent from the Forest Service and water-rights owner.

The land-use section of the mine plan and Map 301-411.100 must be revised to reference the Land and Resource Management Plan, Manti-La Sal National Forest, 1986 and prescribed management emphasis for management units within the permit area on National Forest System lands.

If you have any questions, contact us at the Forest Supervisor's Office in Price, Utah.

Sincerely,



for  
DEANE H. ZELLER  
Acting Forest Supervisor

cc:

Ferron/Price R.D.

C.Reed

BLM, Price Office