

FINDINGS

Price River Coal Company
Price River Mine Complex

Application for Mining Plan and Permit Approval

I. The State of Utah and the Office of Surface Mining (OSM) have determined that the mining plan and permit application submitted on March 20, 1981, and updated through July 6, 1984, and the permit with conditions are accurate and complete and comply with the requirements of the approved Utah regulatory program, the Surface Mining Control and Reclamation Act (SMCRA), and the Federal Lands Program [786.19(a)]

II. The Utah Division of Oil, Gas and Mining (UDOGM) and the Office of Surface Mining (OSM) have reviewed the permit application and prepared the technical and environmental assessment (TEA); and based on this have made the following findings:

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I. The applicant proposes acceptable practices for the reclamation of disturbed lands. Vegetation will be reestablished utilizing introduced species which were successfully grown in this area prior to the onset of mining operations. UDOGM and OSM have determined that reclamation, as required by the Act, can be feasibly accomplished under the mining plan. [786.19(b)]

OSM has determined that reclamation at the Price River Mine Complex is technologically and economically feasible under SMCRA. [Section 522(b)]

R 614-300-133,400

2. The cumulative hydrologic impact assessment (CHIA) for the Price River Mine Complex has been made by UDOGM and OSM, and the operation has been designed to prevent any material damage to the hydrologic balance. An assessment of mining operations in the vicinity of the Price River mine showed that there are no active coal-mining operations upstream except for those that are isolated from the Price River by Scofield Reservoir. State leases exist upstream of the mine, but mine plans have not yet been developed for these tracts. Although some mining exists downstream on the Price River, the cumulative hydrologic impacts near the Price River Mine Complex are expected to be negligible. Due to the lack of other coal-mining operations in the Price River basin that could potentially have any cumulative impact on the local

hydrologic system, the cumulative impact area (CIA) includes only the PRCC complex lease and immediate area. A summarization of findings follows:

The surface water control plan is sufficient to prevent uncontrolled runoff from leaving disturbed areas within the surface facilities sites. The chemical quality of the surface water in the permit area is generally alkaline with various parameters that have been found to exceed water quality standards or equivalent NPDES criteria for discharge points, primarily as a result of coal and coal fines being allowed to wash into Hardscrabble Canyon in the past. Although the water quality at the mine sites was declining prior to the implementation of surface water controls, current monitoring data indicates that these controls are allowing the water quality to improve.

Reduction of flow of surface water will occur as a result of evaporation from sediment ponds. The amount of waters evaporated is expected to be insignificant; however, there is a potential to reduce baseflow to the streams by less than one percent. An analysis of the amount of ground-water flow intercepted by mining represents only 0.6 to 0.9 percent of the Price River mean annual flow. This intercepted ground water potentially represents a maximum of 56 percent of the water rights held by the mine. Any diminution of baseflow can be replaced by the mine.

During active mining, inflow into the mine from the regional aquifer system is expected to be in excess of the natural recharge of the aquifer system, indicating that water is being removed from storage. This will result in a decrease in the hydrostatic head of the Blackhawk/Star Point aquifer. Due to a lack of potentiometric data, the loss of hydrostatic head cannot be quantified. This water removed from ground-water storage will eventually be replaced as recharge occurs.

Incremental increases in TDS and TSS constituent loads to receiving waters, based on comparing TDS values from the Blackhawk monitoring wells to water from abandoned mine workings, are expected to be within established effluent limitations. The impact is, therefore, considered to be minimal.

Subsidence impacts to the area as a result of mining will be controlled by limited extraction of coal in the mine under Price River and Willow Creek. Impacts to springs and surface waters by subsidence are expected to be minimal due to the amount of overburden and the fact that there is no historical occurrence of subsidence in the area.

The probable cumulative hydrologic impact assessment of all existing and anticipated mining in the general area indicates that the surface facilities and underground mining operation proposed under this application have been designed to prevent damage to the hydrologic balance in associated off-site areas [UMC 786.19(c); TEA, Cumulative Hydrologic Impact Assessment]

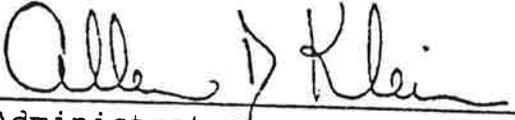
3. After reviewing the description of the proposed permit area, the OSM has determined that the area is:
- Not included within an area designated unsuitable for mining operations. [UMC 762.11] R614-300-133, 210
 - Not within an area under study for designating lands unsuitable for coal mining operations. [UMC 764 and 765] R614-300 133, 210
 - Not on any land subject to the prohibitions or limitations of 30 CFR 761.11(a) (national parks, etc.), 761.11(f) (public buildings, etc.), and 761.11(g) (cemeteries). [786.19(d)(3)]

The Willow Creek facilities area is adjacent to the Willow Creek Cemetery but beyond 100 feet from the nearest border of the cemetery. The area is currently used only for storage and a ventilation system with an access road. The area was in existence prior to 1977; therefore, the prohibitions and limitations of 30 CFR 761.11(g) do not apply (see letter from Price River Coal Company dated November 1, 1983). The cemetery will not be impacted by the activities at the Willow Creek site (see TEA, "Cultural Resources"). The Price Canyon Recreation Area, located at the north-central border of the proposed permit area, will most likely experience some subsidence as a result of longwall mining underneath the recreation area by the applicant. No structural damage is anticipated, and subsidence effects are expected to be minimal. The applicant is responsible for material damage to structures or facilities resulting from subsidence and is tied to liability under State of Utah law. The land management agency of this recreation area, the Bureau of Land Management, has consented to permit the applicant to mine under the Price Canyon Recreation Area (see BLM letter of concurrence dated February 2, 1984). Concurrence between BLM and OSM allowing the applicant to mine underneath the Price Canyon Recreation Area is in accordance with UMC 761.11(a)(3).

- d. Within 100 feet of the outside right-of-way of a public road. The operations within 100 feet of public roads existed prior to the passage of PL 95-87. [UMC 786.19(d)(4)]
- e. Not within 300 feet of an occupied building. [UMC 786.19(d)(5)]
- f. Not unsuitable in accordance with section 522(b) and (a)(3) of SMCRA.
4. OSM's issuance of a permit and the Secretarial decision on the Mineral Leasing Act plan are in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800). The life-of-mine area includes a cemetery site that represents the known extent of cultural resources sites in the vicinity of the permit area. [UMC 786.19(e); see Concurrence Letter section]
5. The applicant has the legal right to enter and begin mining activities in the permit area. [UMC 786.19(f)]
6. The applicant has submitted proof, and OSM's records indicate, that prior violations of applicable laws and regulations either have been corrected or were in the process of being corrected. [786.19(g); verified as of May 17, 1984; personal communication with Steve Martin, OSM, Albuquerque Field Office.
7. OSM's records confirm that all fees for the Abandoned Mine Reclamation Fund have been paid. [UMC 786.19(h); verified as of May 17, 1984; personal communication with Joanna Sanchez, OSM Albuquerque Field Office.
8. OSM records show that the applicant does not control and has not controlled mining operations with a demonstrated pattern of willful violations of the Act of such nature, duration, and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of the Act. [786.19(i); verified as of May 17, 1984; personal communication with Steve Martin, OSM Albuquerque Field Office.
9. Coal mining and reclamation operations to be performed under the permit will not be inconsistent with other underground mines in the general vicinity of the Price River Mine Complex. [786.19(j)]

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10. The applicant has provided evidence and OSM and UDOGM have found that there are no prime farmlands in the permit area. [UMC 786.19(1)]
11. Negative alluvial valley floor (AVF) determinations have been made for the drainages in the proposed permit area and life-of-mine area. Alluvial deposits along the perennial streams will be not be disturbed further by the continuance of mining operations. Agriculture that does occur downstream of the Price River Mine Complex typically consists of small areas that rely on surface water diversions from the Price River. The mine is not expected to affect this surface water source available to downstream users. [UMC 786.19(1)]
12. The proposed postmining land use for the permit area has been approved by UDOGM, OSM and BLM. [UMC 786.19(m)]
13. UDOGM and OSM have made all specific approvals required by the Act, the Utah regulatory program and the Federal Lands Program. [UMC 786.19(m)]
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14. The proposed operation will not affect the continued existence of threatened or endangered species or result in the destruction or adverse modification of their critical habitats. [UMC 786.19(o); letter from U.S. Fish and Wildlife Service]
15. Procedures for public participation have complied with requirements of the Act, the Utah regulatory program, the Federal Lands Program, and Council on Environmental Quality regulations (40 CFR Part 1500 et seq). [30 CFR 741.21(a)(2)(ii); see Chronology of Events]
16. The applicant has complied with all other requirements of applicable Federal laws and either has or has applied for permits from the Environmental Protection Agency. [30 CFR 741.17(d)]



Administrator
Western Technical Center

Headquarters Reviewing Officer