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April 23, 1979

Mr. Howard J. Bressler
Vice President
Braztah Corporation
10880 Wilshire Blvd.
Suite 1500
Los Angeles, California 90024

RE: "Conceptual Design of Compliance
Measures for Disturbed Surface Areas,
Castlegate Area, Carbon County, Utah."

Dear Mr. Bressler:

The Division staff has reviewed the above-mentioned compliance study prepared by Golder Associates, submitted to the Division on February 8, 1979. Copies were forwarded to Region V of the U.S. Office of Surface Mining on February 20, 1979 soliciting their comment by March 15, 1979. At this time no comment has been received. In order to expedite the development of working plans these comments are transmitted to Braztah Corporation without comment from the Office of Surface Mining.

Golder's report covers regulations for the interim regulatory program and the proposed permanent program regulations. Since Braztah's existing mines produce Federal coal, performance standards of the permanent regulatory program published in Volume 44, Number 50, March 21, 1979 of the Federal Register will apply in mid-September 1979. A new permit application will be required under the permanent program two months after the implementation of the State program. This program must be approved by the Office of Surface Mining and be implemented by June 3, 1980. In summary, the mines will be inspected for compliance under the permanent program regulations starting in mid-September, and a new permit application will be required under the permanent program no later than August 3, 1980.

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In your February 8, 1979 letter of transmittal you expressed concern about the uncertainty of regulations promulgated under House Bill 138. The Division is presently in the process of drafting regulations under this Act. For the most part, the regulations are a mirror image of the Federal permanent program regulations.

The Division offers the following specific comments to Golder's report:

2.4 Protection of the Hydrologic Balance

Page 5 - Proposed hydrologic techniques appear to be acceptable.

4.0 Sowbelly Gulch

Page 14 - Development of retention areas by constructing basin-shaped terraces and small retention basins in lieu of sediment ponds is acceptable only for small areas that do not create a sediment problem, or as a last resort where it is physically impossible to construct a sediment pond according to the regulatory specifications. The proposed concept has several potential problems. First, ponding of storm-water on surface work areas may be disagreeable to employees. Second, ponding may create operating problems. Third, due to the aforementioned problems, there is a good chance that the impounding structure will be purposely breached. Finally, in order to assure no runoff from the design storm under spring runoff conditions or from back-to-back storms, the design water retention depth may be excessive.

Page 16 - Allowing untreated runoff from undisturbed areas to pass over cut or fill banks before being diverted away from the disturbed area is allowable in some cases; i.e., where construction of a diversion ditch or structure above the cut or fill is either dangerous, or the sediment load caused by water flowing over the cut or fill is less than the sediment load created in a diversion ditch or structure above the cut or fill. The advantage to this concept is that the amount of disturbed land is not increased by the construction. If the cut or fill face above the diversion structure is composed of unconsolidated material, it must be revegetated.

Page 16 - The last paragraph on this page indicates the regrading of a steep embankment, to be covered with soil and reseeded. Where will the soil be borrowed from, and what seed mixture is proposed? The heavy use of mulch is recommended. Temporary sediment control measures may also be appropriate.

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Page 17 - It is inconceivable that a 100 foot undisturbed buffer will be required for pre-existing structures. However, it may be appropriate to upgrade the vegetation between the existing disturbed area and the stream.

Page 17 - What is the schedule for sealing the shaft and reclaiming the adjacent area.

Map - An enclosed culvert may be needed for the entire length of the diversion adjacent to the bathhouse.

Map - A possible sediment pond location exists on the west side of the road, across from the unused shaft.

General - Final plans must include sediment disposal plans, surface and groundwater monitoring plans, and construction and implementation schedules.

Hardscrabble Canyon

Page 18 - What is the proposed time schedule for phase out and interim reclamation of the Hardscrabble Canyon plant site?

Page 19 - Coal processing waste may be returned to underground workings only with the approval of a State approved program, and in compliance with M.S.H.A., 30 CFR 784.19 and 784.25.

Page 21 - The Division feels that some work can begin prior to the removal of the preparation plant. In any case, interim erosion and sedimentation protection measures should commence immediately.

Page 21 - Where will the two feet of soil be borrowed from; and what are the specific revegetation plans?

Page 22 - Sediment control is required for reclaimed areas until vegetation is established. Sediment ponds should be utilized; however, if adequate sediment control is demonstrated, alternative measures may be acceptable.

Page 22 - Construction of a permanent diversion structure partially in pre-existing refuse is acceptable if no other reasonable alternative exists.

Page 23 - See the previously listed comment for page 1⁴/₃ concerning the use of runoff retention areas in lieu of sediment ponds.

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Map - Hydrology and construction design is needed for the sediment pond by the washhouse. Berm specifications are also needed.

General - Final plans must include sediment disposal plans, surface and groundwater monitoring plans, and construction and implementation schedules.

Willow Creek

Page 25 - Natural revegetation with volunteer weed species is not in compliance. The area must be revegetated with approved methods. The area could be completely redone, or interseeded by drilling. At this time, it appears that interseeding is the more appropriate measure as it would probably produce less sediment than other methods.

Page 27 - Conveyer crossing design must be approved prior to construction.

Page 27 - The Division feels that sufficient room is available in Areas A, B and C for sediment ponds. Therefore, at this time, the runoff retention basin concept is not accepted for these areas.

Page 28 - Prior to any new facility construction, plans to bring the area into compliance must be approved.

Castle Gate

Page 33 - Are the three ponds designed to handle plant water plus runoff resulting from the design storm?

Page 34 - The Division will review the refuse disposal site for compliance with the permanent program regulations. Some concern has been expressed, as the facility may be classified as a valley fill.

Map - There may be need of more extensive revegetation than what is shown on the map. This will be verified by a field examination.

General - Final plans must include sediment disposal plans, surface and groundwater monitoring plans, and construction and implementation schedules.

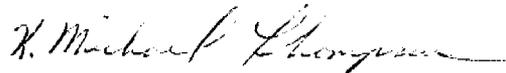
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Time Required for Compliance

Page 36 - Estimates shown for time required to complete compliance measures should take into account the procedure of fall seeding.

The Division appreciates the opportunity of commenting on the proposal prior to the initiation of construction. We would appreciate the opportunity of meeting with your staff and Golder's staff at the mine sites to further discuss the proposal.

Sincerely,



K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

KMT/te

cc: Region V, Office of Surface Mining
Lee McClosky, American Electric Power, Helper
Ken Hutchinson, Braztah Corporation, Helper