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United States Department of the Interior  
OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
BROOKS TOWERS  
1020 15TH STREET  
DENVER, COLORADO 80202

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OIL, GAS & MINING  
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## MEMORANDUM

TO: Price River Coal Complex File (UT-0007)

FROM: Walter Swain, Senior Project Manager

SUBJECT: Summary of present permitting status.

In a telephone conversation with Tom Tetting and Ron Daniels of the Utah Division of Oil, Gas and Mining (UDOGM), on April 14, 1983, Bill Kovacic and I discussed permitting requirements for the Price River Coal Complex (PRCC).

Ron referenced Willis Gainer's presentation at the Coal Outlook meeting on 4-11-83, stating that OSM's policy is to review permit applications on a case by case basis. After some discussions clarifying this question, the following concepts were established regarding requirements for the PRCC application:

- 1) The applicant has represented the environmental baseline information as adequate. For the purpose of this discussion, this was assumed to be correct.
- 2) The focus of the applicant's concern is the level of detail required for surface facilities design in order to meet the RA's requirements for permitting.
- 3) Both UDOGM and OSM agree that the applicant must provide sufficient design information for surface facilities and roads to allow the agencies to assess impacts and compliance with the regulations.
- 4) The applicant may, if desired, submit information to permit less than the entire lease area. Although both agencies regard life-of-mine permits as very desirable, we do not require that a company apply for the entire area when it represents an extremely long period of mining. In the case of PRCC, the lease area could represent 100 years or more of mining. It is our understanding that the company (PRCC) could mine for 25 years from their present facilities, with minor modifications. This represents a normal life-of-mine period. It would be reasonable, both under SMCRA and NEPA, to assess this 25 year mine area as a permit area. Although it is less than the entire lease area and anticipated life-of-mine, it is not an unreasonably small increment.

- 5) The applicant has expressed a strong desire to get the entire life-of-mine (lease) area under permit. In order to expedite the re-permitting process, OSM has suggested that PRCC concentrate on the 25 year mine area presently developed, and submit additional information in two or three years to expand the permit area to the life-of-mine (lease) area desired. UDOGM has agreed that this is feasible, but is concerned that this not represent an unacceptable precedent. It is our view that it does not, because permitted increment is a reasonable block in terms of both time and coal resources.

A point which was not discussed but which should be considered is the question of probable subsidence patterns and impacts of subsidence. In order to permit an area, the regulatory agencies must have sufficient information to evaluate subsidence impacts to renewable resources. Ben Young, the Project Leader, has previously discussed these informational requirements with Rob Wiley of PRCC.

cc: Ron Daniels, UDOGM  
Ton Tetting, UDOGM  
Ben Young, OSM



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Tom Telling

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MAY 10 1983

May 5, 1983

DIVISION OF  
OIL, GAS & MINING

Mr. Robert Wiley  
Price River Coal Company  
P.O. Box 629  
Halper, Utah 84526

Reference: Price River Coal Company's letter of April 6, 1983 to Bennett Young, Project Leader.

Dear Mr. Wiley:

In response to your letter of April 6, 1983, this letter will confirm the substance of your meeting on March 24, 1983 with Mel Shilling, Bill Kovacic, Walter Swain and Bennett Young of my staff, and confirm Bennett Young's telephone conversation with you on April 20, 1983.

In general, the Office of Surface Mining (OSM) is in agreement with the substance of your letter. I have expanded on each of your points, Items 1 through 6, for the purpose of clarification, although the meaning has not been changed. References to OSM's requirements and reviews should not be understood to be different from UDOGM's.

1. Your discussion of BLM's review of the "mine plan or mineral extraction plan" refers to the Resource Recovery and Protection Plan required by 30 CFR 211. The BLM must review and approve this plan before OSM could recommend approval of the Mine Plan and issue a permit for any part of the lease area.
2. OSM and other Federal agencies would review the permit application package (including the mining and reclamation plan). Upon completion of the review and approval of the mine plan by the Assistant Secretary for Energy and Minerals, OSM would be able to issue a permit for that area covered at the necessary level of detail, addressed in Item 3, below.
3. A) "Full and complete" information for permitting purposes includes that data which OSM needs to evaluate all environmental impacts and to make findings of compliance with the applicable regulations.  
B) No SMCRA permit may be issued on a conceptual basis.  
C) The horizontal and vertical extent of the permitted area in relation to underground mining is limited to that coal which is identified in the permit application and which can be recovered

using identified surface facilities and roads for which "full and complete" information is provided. In addition, sufficient information regarding all surface effects of underground mining (principally subsidence), must be provided to allow OSM to evaluate environmental impacts and compliance with applicable regulations.

4. The term of a permit would be five years with a right of successive renewal for the time required to recover the identified coal resource and to reclaim the affected area. If the facilities and portions of the workings will continue to be used for further mining, the permit would continue to be in effect until operations are permanently terminated and the affected areas are reclaimed. Upon approval, facility design and other aspects of the mining operations would not be subject to a full review. OSM, and UDOGM and other responsible agencies will, of course, monitor the operations covered by the permit. Should information collected under the terms of the permit or from other sources show that certain conditions or assumptions had changed or were incorrect, the permit would be subject to revision at either mid-term or upon renewal. I would expect such revisions to be minor, involving changes in monitoring requirements, environmental studies and the like. By the same token, as PRCC encounters the need to alter the permit to reflect changed or unanticipated conditions, you have the option to request modifications at any time during the term of a permit.

A. The above referenced facilities would include all surface developments supporting coal mining activities such as access for men and materials, utilities, coal and other transport (most roads and all coal belt lines), processing, refuse disposal and ventilation of active workings.

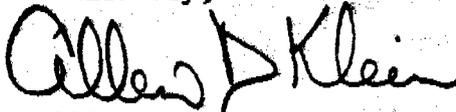
5. Certain sites or activities outside of the permit area and not directly related to permitted mining can be recognized as related activities outside of the permit area. Such activities must be described in the permit application package to allow OSM to reach an informed decision. Such activities and facilities (sites) would include continued ventilation of inactive mines (under the direction of the BLM) and the limited use of existing roads for the purpose of environmental monitoring and studies.
6. The development of new sites and associated mining reserves would be addressed as a new permit application and, when fully approved, would be incorporated into the existing permit.

I understand that PRCC anticipates one major expansion of the limited permit area, which will be identified in your upcoming revised application. OSM strongly encourages permit applications to cover all anticipated mining. The

WTC staff has suggested the two phase approach, recognizing the large amount of recoverable coal in the limited permit area identified during the March 14, 1983 meeting, and to expedite the repermitting of your operation in a timely manner.

Comparing the substance of your April 6, 1983 letter, the position taken by UDOGM, and OSM's requirements for repermitting of the Price River Coal Company, I do not identify any differences which would lead to a significant misunderstanding. Please contact either Bennett Young or Walter Swain of my staff should any questions arise concerning specific aspects of your repermitting effort.

Sincerely,



Allen D. Klein  
Administrator  
Western Technical Center

cc: Ron Daniels, UDOGM  
Tom Tetting, UDOGM  
Bob Hagen, Albuquerque Field Office