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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangarter  
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Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

August 29, 1988

Mr. Keith Welch  
Coastal States Energy Company  
175 East 400 South Suite 800  
Salt Lake City, Utah 84111

Dear Mr. Welch:

Re: Waste Rock Disposal Site Access Road, Utah Fuel Company,  
Skyline Mine, ACT/007/005, Folder #2, Carbon County, Utah

Enclosed is a copy of the memo regarding the access road at the waste rock disposal site, which we discussed on the phone August 26, 1988. Since writing the memo I have found that Drawing No. 1.6-1 of the updated Mining and Reclamation Plan for the Skyline Mine also shows the road being within the permit boundary.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Susan C. Linner".

Susan C. Linner  
Reclamation Biologist/  
Permit Supervisor

cl  
Enclosure  
cc: L. Braxton  
R. Harden  
WPOB45/14



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August 24, 1988

TO: File

FROM: Susan C. Linner, Reclamation Biologist/Permit Supervisor *sc*

RE: Waste Rock Disposal Site Access Road, Utah Fuel Company, Skyline Mine, ACT/007/005, Folder #2, Carbon County, Utah

## Summary

During the permit renewal review for the Skyline Mine, the Division has required that further information be put in the Mining and Reclamation Plan (MRP) regarding the access road to the Schofield Waste Rock Disposal Site. Representatives of Coastal States Energy Company, during meetings with Division personnel in July of 1988, have requested a further consideration of whether the road should be included as part of the permitted disturbed area. Review of the road situation included looking at Division policy on roads as part of a permitted area, the original plan for the Waste Rock Disposal Site, and the Division's Decision Document and Technical Analysis for the disposal site.

## Analysis

Current Division policy on roads requires that mining related roads that are not public roads be included in the mine permit area. Criteria for determining if a road is public (dated January 27, 1984) includes the road being classified as a public use road; construction and/or maintenance, or control of these activities, by a public body; and substantial public use. There is no evidence in the application for the waste disposal site that any of these criteria are met. In fact, on page 8 of the application it is stated that a fence and gate would be constructed to control access to the site, thereby denying access to the general public. The application also discusses upgrading of the road by the applicant to prepare for mining activities.

The permit application also includes on page 11, a commitment to maintain the access road in compliance with rule UMC 817.165, which contains the performance standards for Class II roads. This implies that the road was considered by the applicant to be part of the permitted area.

The Division's Decision Document (dated July 20, 1984) includes frequent references to the disturbed acreage as including 2.7 acres for the access road and 2.3 acres for the disposal site. There was also a stipulation to the permit, UMC 817.163-(1)-JW, which required a specific level of revegetation to be established on the cut-and-fill slopes associated with upgrading of the access road. A personal communication with John Whitehead, author of that stipulation, confirmed that this stipulation was written with the understanding that the access road was part of the permitted disturbed area.

Recommendation

No evidence was found to indicate that the access road to the Waste Rock Disposal Site should not be considered to be part of the permitted area of the Skyline Mine. Although, as per the permit approval for the Disposal Site, the road need not be reclaimed, it must be maintained in accordance with the rules and performance standards during mining activities and its use and maintenance documented in the MRP. Utah Fuel Company should respond to comments regarding this road in the Division's May 25, 1988 review document.

cl  
cc: L. Braxton  
R. Harden  
J. Whitehead

WPOB45/11-12