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

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Act/007/005
#3

June 26, 1995

Ken Payne, General Manager
Utah Fuel Company
P. O. Box 719
Helper, Utah 84526-0719

Re: Mid-Term Review Response, Coastal States Energy Company, Skyline Mine, ACT/007/005, Folder #3, Carbon County, Utah

Dear Mr. Payne:

The Division has reviewed your letter dated June 1, 1995, which was submitted in response to the Mid-Term Review for the Skyline Mine. We concede to your argument that some of the requirements discussed in the review are beyond the scope of the Mid-Term Directive. Your response to the Revegetation, Postmining Land Uses, Approximate Original Contour Restoration, and Bonding and Insurance issues is considered appropriate and the requirements as related to the Mid-Term are hereby dropped. This does not mean that issues identified no longer need to be addressed, only that they will be handled outside the context of the Mid-Term. We request that a meeting be scheduled between the Division and Utah Fuel Company in the near future to discuss resolution of these items. Please call me to set up this meeting.

With regard to the Hydrologic Resource Information, which is still considered under the Mid-Term review, an additional response is still needed. First, the regulations demand that, in order for the Division to permit coal mining activities, within the stream buffer zone, it must find that such activities will not cause or contribute to water quality standards violation *and will not adversely affect the water quantity and quality or other environmental resources of the stream.* To this point, the Division has been unable to make such findings and Utah Fuel Company has not provided necessary information which would aid the Division in making such findings.

Second, Utah Fuel Company claims that no water quality standards are being violated. However, once again, the Utah Fuel Company sampling data for Eccles Creek has shown a consistent trend in degradation of water quality. Without the information requested in the original Mid-Term review, one cannot concluded that this trend is not as a result of the mining operations within 100 feet of the creek.



Page 2

ACT/007/005

June 26, 1995

While Utah Fuel Company believes that sampling, in itself, shows that it has not caused or contributed to water quality standards violations--it does not show that coal mining activities within 100 feet of Eccles Creek have not contributed to the degrading water quality of the stream. All coal mining activities within a stream's buffer zone can only be permitted after the Division has found that those activities will not adversely affect the water quality or quantity in addition to finding that no water quality standards will be violated. Therefore, Utah Fuel Company must submit necessary information that would allow the Division to conclude that the degradation of Eccles Creek is not resulting from its coal-mining activities within the stream buffer zones.

Please provide the required hydrologic information by no later than July 21, 1995. If you have any questions call me or Steve Johnson.

Sincerely,



Daron R. Haddock
Permit Supervisor

cc: S. Johnson
W. Western
P. Baker
P. Grubaugh-Littig
middlet.sky