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

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October 26, 2000

TO: **Internal File**

FROM: Mike J. Suflita, Project Lead *MS*

RE: Utah Power and Light Tract, Canyon Fuel Company, LLC., Skyline Mine,
ACT/007/005-IB00B

SUMMARY:

On July 6, 2000, the Division received a proposal from Canyon Fuel Company to add 459 acres to its permit area. They do not plan any new surface disturbance. The area is to the south of the current permit area and just to the east of Electric Lake. This Technical Memo covers the Hydrology portion of the submittal. There are deficiencies that need to be addressed.

TECHNICAL ANALYSIS:

OPERATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Surface-water Monitoring

The submittal is to amend the Mining and Reclamation Plan to add 459 acres at the southern end of the current permit area, adjacent to and east of Electric Lake. The additional

TECHNICAL MEMO

acreage is in the lower James Creek drainage and constitutes about 30% of the total drainage area. The upper James Creek drainage is contained in the current permit and constitutes about 70 % of the total drainage area. About 33% of the 459 acres drains directly into Electric Lake.

As required, the ground water and surface water rights that are in the area are shown on Dwg.23-5-1-1, Surface Water Rights on and Adjacent to Skyline Property and Dwg. 23-5-2-1, Ground Water Rights on and Adjacent to the Skyline Property. A check of the Utah State Water Rights Internet pages showed that the rights shown were complete and accurate.

The water monitoring plan was revised to include two new springs. One is designated 2-413 and is located on the northeast corner of the new area. It was selected, "because of its proximity to the Connelville Fault, mining activity, and accessibility." The other is designated 3-290 and is located across Electric Lake about half-way up an unnamed drainage near the Sanpete and Emery County line. It was, "selected because it is located in an area where mining will not occur for some time and can be used as an undisturbed site for comparison to 2-413." While these are fitting sites, they do not provide sufficient monitoring. When Dwg. 23-6-1, Location of Hydrologic Monitoring Stations is reviewed, there is an absence of monitoring of James Creek. While a flume, designated F-9, is shown at the Forest Service boundary, that flume is only monitored according to the provisions of the Decision Memo between the Forest Service and Skyline Mine. That calls for, "Monthly stream discharge monitoring of James Creek at the existing flume during active subsidence and when accessible." With longwall mining the subsidence period is on the order of months before subsidence is complete. All data, past and future, taken at this station will need to be submitted to the Division as part of the water monitoring for the MRP.

The Utah Department of Wildlife Resources (DWR) expressed the same concern of inadequate monitoring in an August 10, 2000 letter to the Division. Subsequently, on August 23, 2000, a meeting was held to discuss this issue. Attendees included personnel from Skyline Mine, DOGM, and DWR. The outcome was a series of monitoring requirements that were believed to adequately protect James Creek. Included was a new flow monitoring station near the mouth of the creek, invertibrate studies, and fish population surveys. The meeting minutes were agreed to by all parties and the described monitoring program is understood to be included as part of the next submittal on this amendment. The monitoring station at the mouth of James Creek will become a permanent part of the MRP. The monitoring schedule needs to include the chemical parameters normally done on surface waters for the mine.

Since the coal is owned by Utah Power & Light, Inc.(UP&L), there is a lease agreement between them and Skyline Mine. That agreement is included in the submittal. That includes a provision to restrict mining to not occur within a buffer zone described as follows: "that area determined by a 22 degree draw angle from the bottom of the Coal seam being mined plus 25 ft. (measured horizontally) from the high water mark of Electric Lake, which is defined as an elevation of 8,575 feet above mean sea level." It appears that provision is being honored. See

Dwg. 3.1.8-3, Mine 3 Level 2, Mine Plan Including UP&L Tract. It should be noted that this is not the only mining planned in the UP&L Tract. However, that information is based on discussions with the mine personnel and not on the contents of the submittal. The complete mining plan needs to be included to show that multiple seams will be mined under James and Burnout Creek. The times the various locations will be mined within each seam must be included.

One minor editorial change seems appropriate. On page 1-20 reference is made the Denver and Rio Grande Railway. That firm has been out of business for several years and the information referencing it needs to be brought up to date.

Findings:

In its present form the submittal does not meet minimum regulatory requirements. Accordingly, the permittee must address those deficiencies as found within this Technical Memo and provide the following, prior to approval, in accordance with the requirements of:

R645-301-730, 1) A commitment to submit all data, past and future, taken at the Forest Service boundary monitoring station to the Division, as part of the water monitoring for the MRP. **2)** Inclusion of the monitoring program agreed to at the 8/23/2000 meeting referenced above. The monitoring station at the mouth of James Creek will become a permanent part of the MRP. The monitoring schedule needs to include the chemical parameters normally done on surface waters for the mine. **3)** The complete mining plan needs to be included to show that multiple seams will be mined under James and Burnout Creek. The times the various locations will be mined within each seam must be included. **4)** Update references to the Denver & Rio Grande Railroad.

RECOMMENDATION

The submittal should not be approved in its present form.