



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

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April 23, 1986

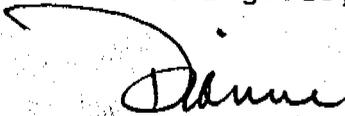
Mr. Robert Hagen, Director  
Albuquerque Field Office  
Office of Surface Mining  
219 Central Avenue, NW  
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

Re: The Star Point Mines ACT/007/006, Carbon County, Utah

In response to your October 7, 1985 request for amplification of permit history at the Star Point Mines Sedimentation Ponds please find enclosed a chronology of that permitting activity written by D. W. Hedberg, April 1, 1986. Page two of your letter asked for specific response to three questions with respect to sedimentation ponds at this mine. I believe these questions are answered on page four and five of Mr. Hedberg's memo. Should additional information be required, please advise.

Best regards,

  
Dianne R. Nielson  
Director

LPB:jvb  
Enclosure  
cc: K. May  
L. P. Braxton  
D. W. Hedberg  
0198R-28

**FILE COPY**

April 1, 1986

TO: Lowell P. Braxton, Administrator

FROM: D. Wayne Hedberg, Permit Supervisor 

RE: OSM Request, Chronology, Certification for Sedimentation Ponds, Star Point Mines, Plateau Mining Corporation, ACT/007/006, Carbon County, Utah

This memo is prepared in response to a series of OSM requests for detailed information regarding the P.E. Certification of the sedimentation ponds at Plateau Mining Corporation's (PMC) Star Point Mines. The OSM letter of October 7, 1985 specifically questioned DOGM's approval for an exemption to UMC 817.46(r) for sedimentation pond #1. The following is a chronology of permitting documentation which pertains to pond #1. Copies of the majority of the referenced documents are enclosed for your review.

1. September 16, 1981 - PMC response to stipulations attached to DOGM's Refuse Waste Pile Approval dated September 16, 1981, Operator request for variance to UMC 817.46(m).
2. October 2, 1981 - DOGM Recommendation for Approval of MRP, Special Permit Stipulation #7, UMC 817.46(m)(n)(o).
3. January 5, 1982 - DOGM Review of Refuse Waste Pile Stipulation Response, and request for variance to Special Stipulation #7.
4. January 22, 1982 - DOGM/OSM/PMC joint onsite meeting at Star Point Mines to discuss company request for variance to sedimentation pond stipulation. (OSM attendees - Randall Overton & Jodie Merriman)
5. January 25, 1982 - Division of Wildlife Resources letter regarding potential wildlife impacts if sediment ponds 1, 3 & 5 are relocated.
6. February 17, 1982 - PMC Reply to Special Stipulations to overall permit approval. Contains November/81 R & M Consultants, Inc. Embankment Slope Stability Study for sediment ponds 1, 3 & 5.

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7. March 9, 1982 - PMC response to address discussions at January 22nd onsite meeting regarding sediment ponds 1, 3 & 5 variance. R & M Consultant report contained suggestions for bringing sediment ponds into compliance.
8. March 23, 1982 - Transmittal letter to OSM, copies of PMC March 9, 1982 submission. Request for expeditious OSM review (ATTN: Bob Bamberg, Randy Overton).
9. April 26, 1982 - OSM response to March 9th submission. Plans found deficient, OSM to send Bob Bamberg and Ken Lawver to meet with DOGM and PMC onsite April 30, 1982.
10. April 30, 1982 - DOGM/OSM/PMC onsite meeting at Star Point Mines to discuss deficiencies with March 9th submission.
11. May 6, 1982 - PMC followup letter to the joint onsite meeting of April 30th. This letter documents the discussion, alternatives and possible technical solutions outlined at the meeting. PMC summarizes the status of their efforts to comply with Stipulation #7 to date and makes recommendations for joint DOGM/OSM consideration in ultimate resolution of this stipulation. This letter outlines PMC's request to have the ponds considered as "treatment facilities".
12. May 14, 1982 - OSM response and followup to April 30th onsite meeting with DOGM and PMC. Recommendations for ultimate compliance are presented for each of the sediment ponds in question (1, 3, 5). Excerpt, "It appears that an exemption could be given under 817.42(a)(3) for Pond #1. The structure should remain in place as an alternate facility."
13. June 2, 1982 - OSM review letter to PMC response to Special Stipulations as outlined in the January 21, 1982 permit approval.
14. June 9, 1982 - DOGM response letter to PMC Response to Special Stipulations. The letter incorporates OSM's June 2nd compliance recommendations for special stipulation #7.
15. August 18, 1982 - PMC reply to (1) Special Stipulations and (2) the Refuse Pile Expansion Stipulations. PMC requests and exemption under UMC 817.42(a)(3) for Pond #1.

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16. September 7, 1982 - DOGM transmittal letter to OSM enclosing PMC's latest August 18, 1982 response to June 9, 1982 deficiency letter.
17. August 16, 1983 - DOGM approval to PMC's response to MRP Special Stipulations & Refuse Pile Expansion Stipulations. The operator's proposal for Pond #1 is determined acceptable to comply with the stipulation (approval to redesignate the pond as an alternative treatment facility).
18. April 4, 1984 - PMC request for variance from UMC 817.46(r), for Ponds 1, 3, and 5 (i.e., requirement that the ponds be inspected during construction by a P.E.).
19. May 23, 1984 - DOGM response to request for variance to UMC 817.46(r). Division requires existing ponds #1, 3 & 5 to be surveyed by a registered land surveyor to verify appropriate construction according to approved designs.
20. July 13, 1984 - PMC response to DOGM May 23, 1984 request for additional information. Contained registered surveyor's measured survey results for ponds #1, 3, and 5.
21. July 19, 1984 - DOGM response to PMC's July 13th submittal. Variance to UMC 817.46(r) granted for treatment facility #1 (pond #1), not for ponds 3 and 5.
22. October 15, 1984 - PMC abatement response to NOV 84-4-11-1. Request for a variance from part of UMC 817.46(r) for Ponds 3 and 5 (i.e., requirement that ponds be inspected during construction by a P.E.).
23. October 23, 1984 - DOGM response to PMC's October 15, 1984 abatement plan and variance request. Request denied and more information required from operator.
24. November 27, 1984 - DOGM receives copies of consultants reports (Vaughn Hansen Associates, and R & M Consultants Inc.) which address the additional requirements of the Division's October 23, 1984 letter.
25. December 7, 1984 - DOGM issues conditional approval of PMC variance request for Ponds 3 & 5 based upon the operator's November 27th response.

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26. March 14, 1985 - DOGM receives the additional copies of the plans requested as a condition to the December 7, 1984 approval.

The documentation outlined above, constitutes the "written history of the case", which OSM requested in their October 7, 1985 letter (received 11/12/85).

The following is an itemized response to the additional written clarification requested in the October 7th letter from the OSM Albuquerque Field Office.

- (1) The rule used in redesignating the water impoundment as a alternate treatment facility was UMC 817.42(a)(3). Also refer to the letter from Allen Klein dated May 14, 1982 which supports and concurs with this decision.
- (2) With reference to our letter dated July 19, 1984, the performance standards referred to were UMC 817.42 (discharge effluent limitations) and UMC 817.46 [except for sections (m) and (r)].

The impoundment had no record of discharge to date, it had not contained more than 3 feet of water at any one time during the four years of operation and had been dry for most of its operational life. OSM concurred that the disturbed area was small which drained to the facility.

A copy of the Division's August 16, 1983 approval documentation is attached.

- (3) To the best of my knowledge, there have not been any other redesignations of water impoundments to treatment facilities approved at any other Utah coal mining operation.

With regard to the OSM reference to the certification requirements of UMC 817.49 for all impoundments, the following explanation is given:

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The Division's approval dated July 19, 1984 for pond #1, which granted a variance to a P.E. certification for this structure, was based upon the series of consulting engineering reports (i.e., R & M Consultants Report, from Larry Migliaccio, P.E., dated November 1981, see PMC response to Special Stipulations, 2/17/82) which present the results of a stability analysis, an engineer's physical examination and recommendations for impoundment #1, and the certified as-built survey results by Mr. Bruce Ware, a registered land surveyor, (see July 13, 1984, PMC response) for impoundment #1.

Summary of Engineering Report (Impoundment #1)

- (a) The impoundment was constructed within a previously disturbed area, close to the active mining operations. The general site location was recommended by an OSM inspector upon a site inspection (DOGM verbal communication w/PMC).
- (b) Engineer reported that impoundment's present condition is structurally sound.
- (c) Engineer's report stated that potential embankment failures would be on shallow critical slope failure surfaces within 6 feet of the surface of embankment fill.
- (d) Before a deep seated failure would occur, the factor of safety would need to exceed 1.5 static and 1.1 or greater in dynamic condition.
- (e) Should a catastrophic event occur, total embankment failure (very remote likelihood) would cause primarily aesthetic downslope impacts. No critical downslope structures exist, the receiving stream is an ephemeral drainage and any impounded water would likely be rapidly absorbed by surface vegetation and permeable soils.

If OSM is of the opinion that our decision was inappropriate, then additional information would be requested of the company similar to that required for sediment ponds #3 and 5 (refer to DOGM letter dated July 19, 1984).

I am available to answer any questions you may have concerning the above, please feel free to contact me at your convenience.

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