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STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

October 19, 1982

Mr. John Huefner
Kaiser Steel Corporation
Western Coal Operations
Sunnyside, UT 84539

RE: Stream Fording
Small Area Exemption
Sunnyside Mines
ACT/007/007
Carbon County, Utah

Dear Mr. Huefner:

The Division has reviewed your recent letter concerning the stream ford and small area exemption for the Manshaft area. The provisions set forth in Kaiser's October 15, 1982 letter concerning the temporary stream ford, should be adequate to minimize environmental impacts to Grassy Trail Creek. Therefore, the Division approves this proposal.

In regards to your small area exemption it is the Division's opinion that your proposal does not qualify based upon the amount of area in question and general lack of adequate justification. Your letter of October 7, 1982, outlines 5.17 acres of disturbed area versus 2.51 acres as stated in your October 15, 1982 letter. Not only are there discrepancies in your acreage calculations, but you have failed to present any plans for monitoring the water quality above and below the disturbed site. Adequate justification for exempting the surface runoff from a small disturbed area from passage through a sedimentation pond would necessitate that the operator prove that runoff from the disturbed area would not contribute additional contributions of sediment to the receiving stream. The obvious intent of a small area exemption is to exclude areas which offer no potential for degradation of the receiving environment. In the case of the Manshaft area, it has proven to be a large enough disturbed area to warrant sediment control.

The Division has looked at various measures to surmount the problems with Kaiser's ability to meet the regulations regarding the size of their sediment pond. Due to the amount of watershed drainage running through the proposed pond, the design calculations do not adequately meet regulatory requirements. If Kaiser was to divert the undisturbed drainage away from the disturbed site, then the Division could possibly accept the designs for the sediment pond in question. Until such time, the Division can not issue a permit to build the Manshaft sediment pond according to the designs as currently proposed.

Mr. John Huefner
ACT/007/007
October 19, 1982
Page Two

The Division would like to approve construction of the mine water discharge pond, as long as the operator meets the requirements stipulated by the Division of State Health regarding sediment levels and the design of the discharge structures.

We hope that following communications will be more constructive in achieving an adequate solution to the problem.

Sincerely,



THOMAS MUNSON
RECLAMATION HYDROLOGIST

TM/tck

cc: OSM, Denver
State Health
James W. Smith, DOGM
Joe Helfrich, DOGM
Wayne Hedberg, DOGM
Barton Kale, DOGM