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United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

*orig mine file
a Braxton
white head
file*

RECEIVED

JUN 19 1985

JUN 18 1985

Dr. Dianne Nielson, Director
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

DIVISION OF OIL
GAS & MINING

*AC9/007/007
#2*

Dear Dr. Nielson:

The Office of Surface Mining (OSM) Western Technical Center has completed a review of the draft Technical Analysis (TA) for the Kaiser Coal Corporation Sunnyside Coal mine, submitted by the Division on May 20, 1985. Our specific comments on the draft TA are attached. As with the previous draft TA's submitted by the Division of Oil, Gas and Mining (DOGM), the remaining deficiencies are worded as stipulations. Kaiser Coal should be advised that deficiencies must be corrected prior to permit approval.

Current deficiencies preclude a complete analysis to determine if all the findings required for approval of the PAP can be made. A complete review of the draft TA will be provided after it is updated with the information to be provided by the applicant in response to the "prior to permit approval" stipulations and after the cumulative hydrologic impact assessment is included in the document.

We urge DOGM to advise the applicant to submit the revised legal, financial, compliance and related information (Chaper II) as soon as possible so that we may begin processing that information.

If you have any questions please call Richard Holbrook or Dwight Kimsey at (303) 844-3806.

Sincerely,

Allen D. Klein
Administrator
Western Technical Center

cc: Robert Hagen, OSM - Albuquerque

REVIEW COMMENTS
DRAFT TECHNICAL ANALYSIS (MAY 20, 1985)
SUNNYSIDE MINE
June 14, 1985

Findings Document

1. Finding 3 - OSM must review the CHIA before commenting on this finding.
2. Finding 7 - DOGM should update the information on violations.
3. Finding 8 - DOGM should update the information on reclamation payments.
4. Finding 9 - DOGM should update the information on pattern of willful violations.
5. Finding 10 - The Geneva Mine is now owned by Kaiser Coal Corporation.
6. The existing structures finding (UMC 786.21) has not been provided.

Draft Technical Analysis

7. Introduction - The introduction first states the life of the mine is unknown and then later states it is 25 years. The application must contain the mine plan area information for the life of the mine as required by UMC 783.12(a).
8. Historical Permitting Sequence - The date of the change of ownership must be identified in the chronology, and the dates that notice was published pursuant to UMC 786.11 must be identified in the chronology. Also, please review the notice to determine if the public was properly notified who the "applicant" for the permit is.

Stipulations Document

9. Stipulation 817.41-(1)-JW

This information must be provided before approval of the permit application to make the finding required at UMC 786.19(b).

The draft TA and information supplied by the applicant indicate that head-cutting is occurring and will continue to occur in the natural and reclaimed drainages in the area. Grassy Trail Creek appears to have been degraded by valley trenching. This will produce dischordant stream junctions on drainages originating in or crossing over the reclaimed area. These drainages will likely degrade by head-cuts moving upstream until an indurated layer is encountered. If no durable rock strata are encountered, the head-cutting may extent to ponds, roads, fills and waste-piles in the reclaimed surface. The outlets of some of the ponds free-fall five feet or more suggesting the ponds are built over head-cuts that have already progressed up the ephemeral drainages. The issue of head-cutting must be addressed in the draft TA.

10. Stipulation 817.41-(1 & 3)-RVS

The applicant received assistance from DOGM in January, 1985 to develop an underground water monitoring system. The applicant should provide a specific monitoring plan for groundwater and underground water (and surface water) prior to permit approval (UMC 784.14 (b)).

11. Stipulation 817.42-(1)-JW

The applicant appears to be using nine sediment ponds without NPDES permits. The applicant must provide documentation that application for NPDES permits for the ponds' discharges has been made to the appropriate regulatory authority prior to permit approval. This information should be included in Chapter II (UMC 782.19).

12. Stipulation 817.44-(1)-JW

OSM agrees that the design information is inadequate, but because the culverts are existing structures, the applicant must submit the information that you propose to stipulate prior to permit approval (UMC 786.21). During mining operations the culverts may be sized according to the criteria for temporary structures; however, the design data and information required for permanent structures and a commitment to upgrade the culverts to the requirements for permanent structures at the time of final reclamation must be provided prior to permit approval. In addition, the design data and information for the culverts that demonstrates that the culverts meet the existing structures requirements for temporary structures must also be provided before permit approval.

13. Stipulation 817.45-(2)-JW

The applicant must provide the plan for sediment control measures at the reservoir road prior to permit approval pursuant to UMC 786.21.

14. Stipulation 817.46-(1)-JW

The applicant must submit a plan which provides the design and construction information required by UMC 817.46, the geotechnical investigations, and reconstruction drawings for reconstruction of each of the ponds identified in the stipulation prior to permit approval pursuant to UMC 786.21.

15. Stipulation 817.52-(1 & 3)-RVS and JW

As with our previous comment (Number 10), the applicant must provide a specific plan for surface water and groundwater monitoring prior to permit approval pursuant to UMC 784.14(b)(3).

16. Stipulation 817.56-(1)-JW

If Grassy Trail Reservoir is used for mining purposes (such as providing a water supply), the facility must be permitted by MSHA pursuant to UMC 817.49(h) and would be subject to much more intensive monitoring and maintenance. In addition, the reservoir would be subject to the existing structures requirements for impoundments and all the design data and information for the reservoir must be provided prior to permit approval.

17. Stipulation 817.91-.93-(3)-PGL

Dewatering is based on a "10-year" period, this was probably meant to be a "10-day" period.

18. Stipulation 817.101-(2)-EH

At a minimum, a specific plan detailing the methodology to be used for determining static safety factors on specified highwalls to be retained, justification for retention and a schedule of regrading must be provided in the application prior to the approval of the permit pursuant to UMC 786.19 (b).

19. Stipulation 817.103-(1)-EH

The rationale for the stipulation must be discussed in the appropriate section of the draft TA.