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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

December 2, 1981

Mr. Richard E. Dawes  
Deputy Administrator  
Western Technical Service Center  
Office of Surface Mining  
Reclamation and Enforcement  
Brooks Towers  
1020 15th Street  
Denver, Colorado 80202

RE: Eureka Energy Company  
Sage Point-Dugout Canyon  
Mine Plan: D.O.C.  
ACT/007/009  
Carbon County, Utah

Dear Mr. Dawes:

The Division appreciates members of your staff evaluating the items asterisked. The Division staff has reached a consensus that it would be appropriate for the Division to determine the Mine Plan apparently complete at this time, even though both Office of Surface Mining and the Division have some concerns that more information may be needed for technical adequacy.

Attached please find the Division's rationale for handling the comments that your staff has presented. A copy of the Division's notice, and the list of agencies which the Division has sent the notice is also attached.

Sincerely,

JAMES W. SMITH, JR.  
COORDINATOR OF MINED LAND DEVELOPMENT

JWS/LCS:te

cc: Robert Hagen, O.S.M.

DIVISION OF OIL, GAS AND MINING  
RESPONSE TO  
OFFICE OF SURFACE MINING COMMENTS

UMC 783.15 Ground Water Information

The Division will forward this comment to Eureka Energy Company and require Eureka to justify the ground water quality rationale. If the solution for Eureka is to pursue a monitoring scheme, Eureka may be required to propose a scheme to define the ground water regime and model the effects of subsidence on the regime.

UMC 783.16 Surface Water Information

Eureka will need to define seasonal variability of surface water.

UMC 784.14 Protection of Hydrologic Balance

Eureka bases its premise that water will not be discharged during mining on the basis that water that is intercepted in mining will be used for sprays and stored in sumps. Following mining, Eureka has stated that, since the existing portals do not discharge, the new ones will not. The Division agrees, that Eureka may not have defined the ground water regime and modeled the effects of mining on this regime adequately, to project with confidence that water will not be discharged. Eureka may be required to justify their assumptions based on additional information.

UMC 785.19 AVF

The applicant has determined the presense of an AVF and defined the limits and hydrologic functions thereof. It turns out that Office of Surface Mining representatives and Division of Oil, Gas and Mining representatives meeting in the field defined that the significant impact on the AVF was Eureka's use of its water right thereby denying water for irrigation in this AVF. The Division took the position along with Eureka, that the Act was not intended to adjudicate water rights.

UMC 783.12(b) Cultural Resources

The State Historical Preservation Office was consulted regarding the Office of Surface Mining's concerns. The S.H.P.O.'s recommendation to the Division after reviewing the three sites listed, was that Eureka had listed the potential impact as low, and the question of eligibility for a site that would not be impacted was questionable. The S.H.P.O. felt that the other issues pointed out could be resolved during technical assessment.

UMC 817.21 Topsoil

The additional soils information requested by Office of Surface Mining is justified if the soils were to be salvaged to the depths of 15' for the IEC and 6' for the HAC. However, the table on the chemical analysis, Table IV-C.2(2), pages 5 and 6, pedon 6(IEC) and pedon 7(HAC) show that a high salt content of both the soil types is encountered at approximately 75 cm. The salt content restricts the use of the soils at 75 cm. and below as a topsoil material. It is for this reason that additional soil samples to a depth of 15' (IEC) and 6' (HAC) may not need to be taken.