

**SUNEDCO COAL CO.**

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January 18, 1983

Mr. James Smith
Utah Division of Oil, Gas and Mining
4241 State Office Building
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RECEIVED
JAN 24 1982

DIVISION OF
OIL, GAS & MINING

JIM

RE: ACT/027/009

JAN 24 1983

Dear Mr. Smith:

In a January 13 telephone conversation with Ms. Susan Linner of your staff, we learned that the Office of Surface Mining (OSM) has completed its review of the Technical Assessment (T/A) on our Sage Point/Dugout Canyon permit application. There were a number of questions raised by the OSM review that Ms. Linner indicated should be cleared up prior to finalizing the T/A. The purpose of this letter is to formally respond to some of those concerns raised by OSM in their review. The questions, as transmitted to us by Ms. Linner, are listed below followed by our response. We have retained the numbering sequence from the OSM review letter.

Question: (page 2, OSM letter dated December 9, 1982)

Sunedco should re-submit maps in the "II Legal, Financial, Compliance" section to show Sunedco's ownership. Map D03-0004 (Surface Ownership) shows Milton Thayn as a surface owner in Sections 12, 13, 19, and 24, but he is not listed as such in the Text. Page I-17 A(1) lists the State of Utah as a coal owner, but Map D03-0005 (Coal Ownership) shows only Eureka and USA as coal owners.

Response:

- o Attachment I is submitted in response to OSM's question concerning ownership. The attachment is formatted so that it can entirely replace Section II Legal, Financial, Compliance of the Sage Point/Dugout Canyon Project SMACRA Permit Application (M&RP) and shows Sunedco's legal authority over this project.
- o Milton Thayn's agreement with Sunedco is illustrated in Map D03-004 and is discussed on page I-38 of Eureka Energy Company's and Sunedco's M&RP.
- o State coal ownership was shown on Map D03-0005 and is contrary to OSM's comment that this ownership was not shown. The State property

is Section 2, T13S, R12E; and Sunedco holds this coal lease (ML-22590).

Question: (page 2, OSM letter dated December 9, 1982)

The total permit acreage was not indicated in the T/A and mine plan. This should be provided. The only acreage figure given was for the total surface disturbance (446 acres, Table II-E.1 after page I-41 of MRP). There is a discrepancy in the T/A (page 1, paragraph 2; page 5, paragraph 1) on the disturbed acreage total which should also be resolved.

Response:

The permit boundary encloses 18,241.61 acres of private, State and Federal lands. This acreage is now shown on page I-41 of the M&RP (see Attachment I).

Question: (page 2, OSM letter dated December 9, 1982)

The permit term is listed as 40 years in the M&RP (page I-41). Shouldn't this be revised to show a 5-year permit application and a 40-year mine plan application?

Response:

Within Attachment I, page I-41 was amended to request a 5-year term of permit instead of a 40-year term.

Question: (page 2, OSM's letter dated December 9, 1982)

UMC 817.13-.15 Casing and Sealing of Exposed Underground Openings

Stipulation 4-30-82-TNT is not clear. The first sentence appears to be an explanation of the need for the stipulation; this is very desirable information, but it should be part of the Evaluation of Compliance discussion. The stipulation should be quite specific as to what action is required, and when this action must be accomplished. For instance, this stipulation could be written, "Within 30 days of acceptance of Departmental approval of the mining and reclamation plan, the permittee shall submit a description, for regulatory authority approval, of the method to be used for sealing water wells."

Response:

Attachment II is submitted in response to questions on final water supply well reclamation. The attachment is submitted to replace page I-283 of the M&RP.

Question: (page 2, OSM's letter dated December 9, 1982)

817.21-25 Topsoil

Have certain topsoils been found unsuitable for seed bed material? If so how many acres are involved?

With regard to the requested variance from requirement to salvage topsoil at the Fish Creek and Dugout Canyon durable rock fills--if the soil is found to be unsuitable and no suitable soil is available, you may wish to consider utilization of sediment pond cleanings (if appropriate analyses for potentially toxic elemental concentrations indicated suitability as a plant growth medium). In any case, this variance section would probably be best handled under the Applicant's Proposal and Compliance sections, concluding with a stipulation.

Response:

Attachment III is submitted in response to topsoil handling questions. The response illustrates a change in handling of topsoil in the preparation plant area since chemical analysis of the soil units verified Sunedco's contention that the material did not have to be stored under the plastic sheet. The pages in Attachment III are submitted in a format that can entirely replace pages now in the M&RP.

All of the above attachments were written to replace entire sections or pages in the M&RP. Pages in the existing plan should be removed and discarded.

If you have additional questions after reviewing the submitted attachments, please call me.

Very truly yours,



Charles W. Durrett
Environmental Coordinator