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Mine Plan files

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**U. S. Steel
Mining Co., Inc.**

SEP 12 1984

WESTERN DISTRICT

a Subsidiary of United States Steel Corporation

DIVISION OF OIL
GAS & MINING

P.O. BOX AE
PAONIA, COLORADO 81428
303/527-4816

September 7, 1984

Dianne R. Nielson, Ph.D
Director
Department of Natural Resources
Division of Oil, Gas, and Mining
4241 State Office Building
Salt Lake City, UT 84114

Re: Revision No. 2
Wellington Coal Cleaning Plant
ACT/007/012

#2

Dear Dianne:

U. S. Steel Mining Co., Inc. (USSMC) received a letter dated November 8, 1983, containing the DOGM review schedule for the Wellington Coal Cleaning Plant which stated that a final decision would be issued on May 18, 1984. A letter dated December 2, 1983, contained the "Determination of Completeness Review" and required a response by December 30, 1983. The December 2 letter stated that the December 30 deadline must be met since the review schedule contained in the November 8 letter was not flexible. Relying on the projected review schedule and statements from the technical staff that the test plots must be installed in 1984. USSMC included a commitment in the December 30, 1983, submittal to install vegetation test plots in the fall of 1984. A letter dated March 1, 1984, contained the "Draft Technical Analysis" for the permit application and indicated that the review was on schedule. The completion of the permit review on schedule would have allowed U. S. Steel Mining Co. adequate time to install the plots in 1984.

The installation of the vegetation test plots is a complex earth moving project which involves the establishment of 144 individual plots in four areas. Approximately 6200 cubic yards of various materials must be moved up to 10 miles to the test plot areas. Each individual plot is different from the adjacent plots with different thicknesses of materials layered in each plot. Since the surface of the test plot area must be flat, the plots must be excavated checkerboard fashion. The small size of the individual test plots (20' X 35') will require that small equipment and extensive hand labor be used which will extend the construction time. In addition to the actual material movement the following work must be completed:

1. Installation of some 3000 ft. of 8 ft. high fencing.
2. Installation of an irrigation system including
 - 2.1 Design Work
 - 2.2 Two Pump Stations
 - 2.3 Some 5000 ft. of pipe, sprinklers, valves, etc.

USSMC estimates that this job will cost \$100,000 to complete.

The designs contained in the Operation and Reclamation Plan are not adequate for a general contractor to use to perform the work. In order to insure that the job is properly conducted in accordance with DOGM regulations and the design requirements, contract specifications must be prepared ahead of construction. U. S. Steel Mining Co. procedures require that for work of this magnitude specifications be prepared and competitive bids obtained. The following is an estimate of the time required for the completion of the test plots:

<u>Item</u>	<u>Time</u>
Prepare Specification	1 week
Headquarters Review	2 weeks
Obtain Competitive Bids	8 weeks
Review Bids	1 week
Order Placement	2 weeks
Construction	<u>6 weeks</u>
Total	20 weeks

The construction schedule shown above is not the most pessimistic nor optimistic but a practical schedule based on several years experience. It should also be noted that USSMC obtained approval for funding in advance of any DOGM approvals which could have added an additional 4-8 weeks to the project schedule.

On July 25, 1984, USSMC reminded the Division by letter that our labor agreement expires on September 30, 1984, and that approval of the test plots must be received immediately to insure completion during 1984. After receiving no response, USSMC advised the Division by letter on August 10, 1984, that there was insufficient time remaining to complete the project in 1984 and requested deferment of construction until 1985. On August 21, 1984, USSMC received a letter from James Smith authorizing construction on the test plots. No reference was made to our August 10 letter. As I discussed with you on the telephone, the time table contained in Mr. Smith's letter is unrealistic and unattainable. On September 4, 1984, USSMC received the "Final Technical Assessment and Decision Document". Since the commitment to provide test plots is contained in the permit application, it is assumed that official DOGM approval must be the final approval of the permit. As of the date of this letter, no permit has been issued.

In conclusion, U. S. Steel Mining Co. requests a revision to the Wellington Coal Cleaning Plant permit to allow installation of the vegetation test plots in 1985 based on the following:

1. U. S. Steel Mining Co. did not receive timely approval by the Division to allow adequate construction time to complete the test plots in 1984.
2. USSMC's understanding of the purpose of the test plots is that it is essential that good data be obtained from the plots. Therefore, it is much more important that the test plots be installed properly than that the test plots be installed in 1984.

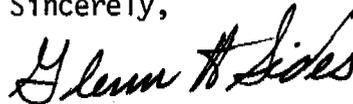
Dianne R. Neilson

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3. It is recognized that the available test data at the time of permit review may not be conclusive as to the success of the test plots and a determination as to the adequacy of the reclamation plan. This might occur even if the test plots were planted in 1984. It appears that DOGM could at that time stipulate that the test plots be continued with modifications, if any, for a midterm review. U. S. Steel Mining Co., Inc. recognizes that these test plots will be continued and modified as necessary until a conclusion as to the requirement for an adequate reclamation plan is attained. It is pointed out that the operator will submit annual reports to the Division for evaluation and review for indicated modifications.

Should you wish to meet and discuss this matter, please let me know.

Sincerely,



Glenn H. Sides
General Superintendent

md

cc: L. King
V. R. Watts
EC File