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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dianne R. Nielson, Ph.D., Division Director

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

November 2, 1984

Mr. Glenn H. Sides
General Superintendent
U. S. Steel Mining Company
P. O. Box AE
Paonia, Colorado 81428

Dear Glenn:

Re: Revised Permit Stipulations, Wellington Preparation Plant,
ACT/007/012, Folder No. 2 & 4, Carbon County, Utah

Thank you for your letter of October 22, 1984, noting errors in the Division's Final Technical Analysis. The Division appreciates being apprised of these errors; however, since none of them affect the Division's ability to make the findings in the Final Decision Document, or the Permit Stipulations, there appears to be no need to change the Final TA.

The Division has also considered your request of September 26, 1984 to modify permit Stipulation 817.103-(1)-TLP, and has made some changes in the wording of that stipulation. A Revised Stipulations Document is attached. Please notify the Division, in writing, as soon as possible if all of the stipulations are now acceptable to U. S. Steel Mining Company.

The Division has received the rider increasing the Reclamation Bond amount and expects that it will be signed by the Board shortly. When all the Stipulations have been accepted, Final Permit Approval can be granted. Please feel free to call if you have questions.

Best regards,

A handwritten signature in cursive script that reads "Dianne".

Dianne R. Nielson
Director

SCL:jvb
Attachment
cc: R. Daniels
B. Roberts
S. Linner
90350-28

REVISED STIPULATIONS DOCUMENT

U. S. Steel Corporation
Wellington Coal Cleaning Plant
ACT/007/012, Carbon County, Utah
November 2, 1984

Stipulation 817.22-(1)-TLP

1. The applicant shall justify, provide methods, reflect on the coal fines, etc., as to why OM is high and EC is so low. Samples shall be obtained and rerun since the validity of data presented in the applicant's response to the Draft TA is still in question. This shall be accomplished within 90 days of permit approval.

Stipulation 817.22-(2)-TLP

2. Exhibit IIA must be amended within 90 days of permit approval to reflect the revised volume of substitute soil necessary to remedy the soil deficit. This figure is 38,000 cubic yards lower than it should be.

Stipulations 817.24-(1)-TLP

1. Within 90 days of permit approval the applicant must fully describe the mixing procedure including techniques and implements necessary to achieve uniform mixing of materials on a scale this large.

Stipulations 817.24-(2)-TLP

2. Within 90 days of permit approval the methods proposed to be tested to preclude loss of topsoil through voids in the coarse refuse area (page 4, January 1984 "Revegetation Test Plots") should be expanded upon to describe specific test depths of cover necessary to prevent soil loss into voids.

Stipulation 817.48-(1)-DD

1. The applicant will be required to submit to the regulatory authority a chemical analysis of each individual coal seam that will be processed at the plant. The analysis(es) shall depict all acid- or toxic-forming constituents and be submitted on an annual basis, or at any other time required by the regulatory authority, if there is reason to believe that the quality of coal has degraded sufficiently to cause acidic or toxic effects.

Run of the mine coal from newly mined seams (also new coal mines) shall be sampled and the analyses submitted to the regulatory authority within 30 days of processing of the coal so that any acidic or toxic constituents can be identified.

Stipulations UMC 817.52-(1)-DD

1. The applicant will be required to begin initiation of the proposed monitoring plan immediately upon approval of the mine plan, and have the plan fully implemented within 120 days of permit approval.

Stipulation 817.71-.74-(1)-DD

1. The applicant shall commit to submitting new designs for regulatory authority review and approval to satisfy regulations under UMC 817.71-.74 in the event toxic or acidic contamination occurs during future operations. These designs must be submitted within 90 days of discovery of contamination.

Stipulation 817.99-(1)-SL

1. Within 30 days of receipt of Final Permit Approval from DOGM, the applicant must commit to notifying DOGM within 10 days of the occurrence of a slide which has potential for adverse effect on public property, health, safety or the environment. The applicant must also commit to comply with remedial measures required by the regulatory authority to reduce or eliminate the potential adverse effect of such a slide.

Stipulation 817.103-(1)-TLP

1. The success of test plots shall be evaluated at the time of permit renewal. At that time, information from test plots contained in annual monitoring reports, laboratory data, field evaluations and any other measures necessary shall be weighed to determine the adequacy of the twelve (12) inch coarse slurry capillary barrier. At that time, the applicant shall submit a report to the regulatory authority providing interpretations of the available test plot information. This report shall be prepared by a qualified agent of the operator and any conclusions or recommendations shall be subject to the concurrence of the regulatory authority. In the event that the operator feels that the study does not provide adequate basis to maintain the proposed depth of coarse slurry capillary barrier or to require an alternative depth of coarse slurry capillary barrier he may request an extension of the study period. At the time of permit renewal or at the time of completion of the approved extended study bonding for this portion of the reclamation plan shall be adjusted to reflect the costs associated with any necessary changes in the cover depth.