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March 25, 1993

Daron Haddock, Permit Supervisor
STATE OF UTAH
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180

RE: Mid-Term Review Response: March 26, 1993 submittal
for the Wellington Preparation Plant (ACT/007/012).

Dear Mr. Haddock:

Please find included with this letter the March 25, 1993 submittal and responses to the Mid-Term Review for CASTLE VALLEY RESOURCES. The following information includes responses to the following deficiencies:

R645-301-232.500
R645-301-512.
R645-301-512.100
R645-301-525.
R645-301-528.323
R645-301-712.
R645-301-713.
R645-301-722.400
R645-301-724.200
R645-301-724.700
R645-301-728.
R645-301-728.200
R645-301-728.300
R645-301-728.310
R645-301-731.
R645-301-731.200
R645-301-731.600
R645-301-731.612
R645-301-731.720
R645-301-731.750
R645-301-733.
R645-301-352.

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D. Haddock
3/26/93

Every attempt has been made to address each deficiency completely, with the exception of those few areas that will obviously be changed in the near future with plans for the new postmining land use change (in progress). Please call with any questions that you may have.

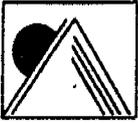
Sincerely,



Patrick D. Collins, Ph.D.

Enclosures

cc: S. Falvey
B. Mower
L. Johnson



MT NEBO SCIENTIFIC, INC.
research & consulting

DEFICIENCIES & RESPONSES

(SET 1)

**MIDTERM PERMIT RESPONSES
MARCH 26, 1993 SUBMITTAL
for the
WELLINGTON PREPARATION PLANT**

R645-301-232.500

Deficiency:

1. The disclaimer regarding the performance standard of R645-301-232.500 should be removed from the MRP.

Response:

1. A section has been added in the MRP that removes the disclaimer for R645-301-232.500.

The attached Section 2.32, p. 2 (3/27/93) replaces Section 2.32, p. 2 (1/27/91) in the MRP.

R645-301-512

R645-301-512.100

Deficiencies:

1. Map A9-1464, which is the dryer pond is constructed, must be properly certified by a registered professional engineer.
2. Map C9-1285, auxiliary pond, must be properly certified by a registered professional engineer. This drawing was signed and dated by Carl W. Winters, but not properly stamped.
3. Map D5-0163, which is the pipeline sediment pond as built, must be properly certified by a registered professional engineer.
4. Map E9-3341, which shows the permit area, facilities, must be properly certified by a registered professional engineer.
5. Map E9-3341A, which shows the surface ownership, must be properly certified by a registered professional engineer.
6. Map E9-3342, which shows the restoration of affected areas, must be properly marked as E9-3342(1).
7. Map E9-3342, which shows the property power lines, must be properly marked as E9-3342(2).
8. Map E9-3343, which is the current land use map, must be properly certified by a registered professional engineer and properly marked as E9-3343(1).

9. Map E9-3343(2), which is loadout operation plan, must be properly certified by a registered professional engineer and lettering must be legible.
10. Map E9-3460, which is the lower refuse dike as constructed, must be properly certified by a registered professional engineer.

Response:

1. All the above maps have been appropriately certified and labeled as required above with the exception of Map E9-3343(2). A new (legible) drawing is being made of E9-3343(2) and will be submitted to DOGM.

Each of the maps included with this submittal replaces each of the maps described in the deficiencies above.

R645-301-525

Deficiency:

1. The Applicant needs to address this section. If no subsidence will occur on site then the Applicant needs to state that in the Mining and Reclamation Plan.

Response:

1. This section has been addressed for the MRP.

The attached Section 5.³⁵~~35~~, p. 1 (3/27/93) should be inserted to the permit as Section 5.~~35~~³⁵, p. 1 (3/27/93).

R645-301-528.323

Deficiency:

1. The Applicant will include a copy of the fire fighting plan as an appendix to the Mining and Reclamation Plan.

Response:

1. A fire fighting and evacuation plan had been previously written by the operator. A copy is enclosed.

The attached Appendix K, (3/27/93) should be inserted to the permit as Appendix K in Volume III-C of the MRP.

**WELLINGTON COAL LOAD OUT
MIDTERM PERMIT RESPONSE
R645-301-700's
MARCH SUBMITTAL**

R645-301-712 Certification: Cross-sections, Plans, Maps.

Deficiency:

1. Provide certification on all applicable maps, plans and drawings.
2. Provide the sediment volume and existing storage capacity for the Upper Refuse Basin and Clearwater Pond.

Response:

1. Certification will be provided on all maps identified as needing certification and will be worded similar to as follows: "I certify that to the best of my knowledge the information contained on this map is true and correct based on information supplied by Castle Valley Resources, Inc. at the time of certification."
2. Comparison of new mapping (Olympus Aerial Surveys Inc., June 1991) with mapping from the early 1980's reveals that there has been negligible sediment deposition in the Upper Refuse Basin and in the Clearwater Pond.

Stage-capacity information for the Clearwater Pond is included in the Hydrologic Appendix in Watershed #7. The Clearwater Pond has a capacity of about 190 acre-feet at the elevation of the spillway, and a capacity of about 240 acre-feet to the elevation of the top of embankment.

The capacity of the Upper Refuse Basin is about 50 acre-feet at the elevation of the spillway (Elevation 5380.2 feet) and 135 acre-feet at the elevation of the top of embankment (Elevation 5381.3 feet). The Lower Refuse Basin dike is higher than the Upper Refuse Basin dike. The capacity of the Lower Refuse Basin is about 760 acre-feet, much larger than the capacity of the Upper Refuse Basin.

The attached Section 7.33, pp. 1 thru 4, (3/26/93) replaces Section 7.33, p. 1 thru 4, (9/1/91) in the MRP.

R645-301-713 Inspection. Impoundments will be inspected as described under R645-301-514.300.

Deficiency:

1. If the operator addresses the inspection requirements, a discussion of all applicable inspection requirements should be included to provide a clear and accurate document.

Response:

1. The following sentence is deleted from section 5.14: "Most inspections are done quarterly, kept on site and submitted to the Division annually."
The attached 5.14 (3/26/93) replaces 5.14 (1/27/91) in the MRP.

R645-301-721 General Requirements-Hydrologic Resources.

Deficiency:

1. The Permittee should include in Section 7.21 of the MRP a description of the Price River and of the alluvial aquifer as hydrologic resources. Information given elsewhere in the MRP may be summarized here and references given to sections where more detailed information is already included.

Response:

1. A brief description of the alluvial aquifer and Price River hydrologic resources has been added to Section 7.21 of the MRP. The Division is also referred to other sections in the MRP where detailed information about the alluvial aquifer and Price River can be found such as in Sections 7.22, 7.24, and 7.28.

The attached Section 7.21, p.1, (3/26/93) replaces Section 7.21 (7/15/90).

R645-301-724 Baseline Information.

Deficiency:

1. The Applicant should remove or clarify duplicate water rights points, and the status of rights for water users within the cumulative impact areas.
2. The Operator must identify which water right is specific to the track hopper.

Response:

1. When two points are shown with the same water right number, the points define either multiple diversion points or the beginning and end of a reach where the water can be diverted from the stream or river. The plotted points appear to be consistent with information obtained from the State Engineer's office therefore no changes to the MRP have been made.

Water rights described in the legend of Drawing No. G9-3507 as being unapproved are water right applications that have been filed with the State Engineer and are currently going through the approval process.

2. Based on the location of the diversion point it appears that water right 91-254 is the water right associated with water use at the track hopper. Water right 91-254 allows water to be withdrawn from a underground water sump for industrial use.

R645-301-724.200 Surface Water Baseline Information.

Deficiency:

1. The Permittee should provide clear and concise information to allow correlation of water rights, especially water well locations, from Tables 7.24-1 and 7.24-4 to locations shown on Drawing G9-3507.

Response:

1. Table 7.24-1 has been updated to include the Township, Range, and Section No. of the groundwater source. Table 7.24-4 was not updated due to its voluminous nature, however, a selective check of the locations of surface water rights described in Table 7.24-4 shows that the water rights listed are included on Drawing G9-3507.

The attached Table 7.24-1 consisting of one page, (3/26/93) replaces old Table 7.24-1 consisting of two pages.

R645-301-724.700 Permit area or adjacent area that includes any stream will meet the requirements of R645-302-320.

Deficiency:

1. Summarize the AVF information located throughout the document. Provide mapping and documentation as required by R645-302-320.

Response:

1. Information contained within the MRP related to alluvial valley floors, including information regarding soils, irrigation practices and noted vegetation has been summarized below and is duplicated within Section 7.24.7. It is believed that sufficient information is contained within the permit as summarized below to allow the Division to make an AVF determination.

The Wellington Coal Loadout Facility appears to be located on alluvial deposits and there is evidence of historic flood irrigation to fields between the DRG&W Railroad and the Price River. Subirrigation in this area is however not highly beneficial because of poor ground water quality.

Section 2.20 entitled "Environmental Description" indicates that the general map unit of soils encompassing the Wellington Plant Site is the Ravola-Billings-Hunting unit. The soils distribution is shown on Figure G9-3510. This map unit is described as:

Very deep, somewhat poorly drained and well drained, nearly level and gently sloping soils; on valley floors and alluvial fans. The average annual precipitation is about 6 to 8 inches, the average annual air temperature is 47 to 50 degrees F. The soils in this area are salt and alkali-affected in some areas.

Information contained in Section 2.21 entitled "Prime Farmland Investigation" indicates the ground water has a high salinity with little irrigation potential. A letter from Francis T. Holt, State Conservationist on June 14, 1983 states:

"After site investigation, the Soil Conservation Service has determined that no prime farmland occurs at the U.S. Steel Mining Company, Inc., Wellington Coal Cleaning Plant. The area is too saline and without irrigation water the moisture requirement for prime farm land cannot be met."

Ground water quality data from 1985 through the present, have been compiled and summarized in Table 7.24-3. An evaluation of the major cations and anions reveal that the water in the load-out area classified as a strong sodium-sulfate type water.

Section 3.11 states that there are basically three major habitats within the permit area: riparian, desert scrub and agriculture. The agricultural habitat is represented as pasture land in the vicinity of the plant (figure E9-3443).

Section 6.24 provides some limited information related to local geology. Within this section it indicates that the area geology consists of alluvial flood plain deposits within the confines of the Price River Valley. These alluvial deposits are in turn underlain by low permeable Blue Gate Shales, thereby resulting in a geologic configuration in which the alluvium becomes an aquifer of limited usage.

The attached Section 7.24 through 7.24.7 (3/26/93) consisting of 6 pages replaces old Section 7.24 through 7.24.7 (November 1991) consisting of 5 pages.

R645-301-728.200 PHC Baseline Information.

Deficiency:

1. The Permittee should resolve the conflicting statements about the Ferron Sandstone and the wells or borings that have penetrated to it on pages 2, 9 and 12 of Section 7.28. Aquifer identification from water user claims and driller's reports should be included when available, and if applicable, reasons the Permittee disagrees with the identification.
2. The Permittee should identify the cause of ponding near GW-7 and provide more explanation of how ponding at that location affects concentrations of dissolved solids in ground water from monitoring wells located several thousand feet upgradient.
3. Possible effects of inconsistent sample collection and analysis of the baseline data should be discussed or at least referenced to Section 7.24, and subsequent effects on determination of the PHC should be analyzed.

Response:

1. A recent review of geologic data suggests that the Ferron Sandstone unit lies at an approximate depth of 300 feet in the vicinity of the Wellington Coal Loadout Facility and

not between 75 and 100 feet as stated. One of the well logs that was previously interpreted by others to have been completed within the Ferron Sandstone appears to be in error and in conflict with more extensive regional data. Appropriate modifications have been made to pages 2, 9 and 12 of Section 7.28 to correctly reflect this finding.

The attached Section 6.20, p.4, (3/26/93) replaces old Section 6.20, p.4, (7/15/90).
The attached Section 6.31, p.1, (3/26/93) replaces old Section 6.31, p.1, (7/15/90).
The attached Section 7.28, p.2, (3/26/93) replaces old Section 7.28, p.2, (November 1991).
The attached Section 7.28, pp. 9 through 20, (3/26/93) replaces old Section 7.28, pp. 9 through 19, (November 1991).

2. As conditions at the loadout facility are understood, ponding in the area of GW-7 prior to 1985 was caused by flooding which occurred during the spring snowmelt runoff period of the early 1980's. According to ground water contours shown on Drawing E9-3451, this overall high water condition could have created a dilution effect upon wells in the vicinity of the loadout operations without traveling upgradient. Flooding which might have occurred within the general area northwest of GW-7 would not have been required to travel upgradient to move into the wells located toward the southern end of the loadout facilities. Other wells which are located upgradient might have also been impacted by similar high runoff conditions characteristic of the time period through either direct rainfall infiltration or by seepage from the upper and lower refuse basins.
3. The following statement has been added to Section 7.24 of the MRP.

Water quality data reviewed and analyzed shows that there are some periods of time for many of the stations wherein large variations in water quality are noted. These large variations typically raise concern regarding the validity of the data as an indicator or true water quality and operational impacts. By accepting the data "as is" with the removal of obvious data errors, the operator and the Division are forced to evaluate field conditions and potential impacts based on a range of values. A higher level of sampling control would decrease the range of fluctuation, increase the level of confidence in the data, and generally fine tune the conclusions regarding the degree of potential impact. An increase in sampling accuracy would generally not change overall impact conclusions.

The attached Section 7.24, pp. 4 through 6, (3/26/93) replaces old Section 7.24, pp. 4 through 5, (November 1991).

The attached Tables 7.24-2 and 7.24-5, (3/26/93) replace old Tables 7.24-2 and 7.24-5.

R645-301-728.300 PHC Findings of Impacts.

Deficiency:

1. The Permittee should include a description of the field and laboratory procedures that will be used to monitor for hydrocarbons in GW-9B, GW-10, GW-11, and GW-12.

Response:

1. As with many sites within the nation some localized spillage of petroleum products has occurred around fuel storage tanks. This sporadic spillage generally originates during those time periods when the tank is being filled or while it is being used to refuel machinery. During a site visit made on March 11th, 1993 it was found that two storage tanks are currently being used at the loadout operation. A 500 gallon storage tank located west of the main office building contains gasoline while a 2,000 gallon tank to the north contains diesel fuel used for heavy coal loading and moving equipment.

Discussions have concluded that the best alternative for protecting the local environment while eliminating ongoing needs for monitoring is to contain the storage facilities within a concrete base thereby preventing leakage onto the ground surface in the event that a spill were to occur. Text within Section 7.28.3 the MRP has therefore been modified to include an appropriate discussion outlining this operational consideration.

It was not, nor currently is, the intent of the existing MRP to include current monitoring of hydrocarbon products within the monitoring program, but to indicate that the identified monitoring wells could be used in the future should a serious spillage occur to help delineate area and degree of impact. The monitoring program has therefore not been modified to account for hydrocarbons since containment structures are proposed to be installed. Appropriate modifications to the text to clarify this condition have been made to the text within Section 7.28.3.

R645-301-728.310 Impacts to Hydrologic Balance.

Deficiency:

1. If there are any anticipated for foreseeable operations, such as resumption of cleaning and processing, that could cause diminution of surface or ground water levels, the Permittee should identify them.
2. The Permittee should reference the conversion of monitoring wells to water production wells, as discussed in Section 7.28, to the commitments made in Section 7.48.

Response:

1. No foreseeable changes in operations are planned for the Wellington Coal Loadout Facility and therefore no changes to the hydrologic system are anticipated. For this reason the statement was made in Section 7.28.3.1 that "in the unlikely event that a significant diminution in water level" were to occur, that the water would be replaced from existing wells. Although it is true that additional pumping would increase local drawdowns, the replacement of water from these private wells does still meet the State's requirement that the water loss be mitigated. The burden of supply simply falls more heavily upon the owners of the loadout facility since they would continue to pay increased pumping costs. This point is however likely mute since no changes in operation are anticipated that could potentially create any significant change in the local

water resource. The statement in the permit discussing the issue has been changed to reflect this conclusion.

2. The conversion of monitoring wells to water production wells as discussed within Section 7.28.3.1 is given as a possibility for reference only. It is well understood that should such a conversion be implemented (which again is unlikely) that appropriate documents would have to be filed with the State Engineer requesting a potential change in use. It is also impossible to correlate totally sections of the text where reference is made to the use of existing wells versus those sections discussing the casing and sealing of abandoned wells to prevent the possible introduction of acid/toxic materials. The two discussions must stand independent. Sealing as discussed within Section 7.48 would be completed only in the event that a well were to be abandoned or no longer needed for permit or reclamation purposes. Wells still utilized for permit or operation purposes are and will continue to be maintained to prevent additional damage to the environment.

R645-301-731 General Requirements.

Deficiency:

1. Include quarterly monitoring for all surface water sites. Commit to sample collection during storm precipitation events for ephemeral drainages and include copies of the UPDES DMR in quarterly reports.
2. Provide a discussion of pertinent operation methodologies, such as flow and water table depth measurements, used to gather data that have significant bearing on the data analysis.
3. Identify pertinent methodologies/information on the data sheet, for the depth to water in wells and surface flow.
4. Include the Cation - Anion balance, Boron and Selenium on the quarterly water quality monitoring parameter list.
5. Include the track hopper in the water monitoring plan. Sample for a complete extended parameter list including hydrocarbon sampling to aid in assessing necessary quarterly parameters for the monitoring plan. Discuss results.

Response:

1. Statements within the MRP have been modified to indicate that all surface water stations will be monitored quarterly as required by the regulations. However, it is anticipated that these stations will not be monitored during local precipitation events for the following site specific reasons. In an attempt to comply with the request to monitor during local precipitation events the applicant will agree to collect water quality samples from the straw bale and silt fence area adjacent to station SW-4 when practical and feasible. These samples will be taken when adequate flow exists to collect a representative sample without the introduction of additional sediments or contaminants through the sampling process.

STATION	COMMENT
SW-1	This station is located on the Price River and data is collected on a routine basis as part of the ongoing operational water quality monitoring program.
SW-2	This station is located on the Price River and data is collected on a routine basis as part of the ongoing operational water quality monitoring program.
SW-3	This station is located above the upper refuse pond and monitors undisturbed area water quality. Since there is no disturbance within the watershed, no monitoring is required.
SW-4	This station is located at the downstream end of the Siaperas Ditch. The only disturbance tributary to this station is an approximate one acre of ground adjacent to a roadway which parallels the ditch. High natural erosion rates in the ditch would render the results of water quality samples useless in determining any potential impact from the alternate sediment control area paralleling the ditch.
SW-5	This station monitors outflow from the upper refuse pond, and therefore is already monitored when the structure spills.
SW-6	This station monitors outflow from the lower refuse pond, and therefore is already monitored when the structure spills.
SW-7	This station monitors outflow from the clearwater pond, and therefore is already monitored when the structure spills.
SW-8	This station monitors existing flow as part of the current and future surface water runoff conveyance facilities.

The attached Section 7.31.2, pp. 3 through 6, (3/26/93) replaces old Section 7.31.2, pp. 3 through 4, (November 1991).

2. Clarifications have been made to Section 7.31.2 regarding sampling procedures for both ground and surface water stations.
3. Sampling data collections sheets will be modified to include pertinent information for depth to water in wells and for flow at surface sources. Information to be added to ground water stations include the measuring datum elevation and the ground surface elevation. Surface water station record sheets will be modified to include flow calculation method used and flow calculations.
4. The Cation-Anion balance as well as boron and selenium has been added to the quarterly water quality monitoring lists as appropriate. These parameters will remain on the baseline and operational parameter lists until the Division approves that they no longer need to be analyzed.

5. It is the position of the operator that the track hopper does not need to be sampled and is not a part of the ongoing water quality monitoring program. The track hopper functioned historically by lowering the local water table through pumping. However, since cessation of operations pumping has ceased and ground water has inundated the structure. Points to be made why sampling should not be required are:

- Water within the track hopper is relatively stagnant and theoretically will not move out of the hopper structure because of continued evaporation. Evaporation within the hopper will continue to create a water demand scenario within the hopper thereby resulting in continued small seepages into the bin.
- No physical evidence exists of either a visual or an odorous nature.
- Containers and materials floating on the surface have been removed and there has been no historic visual appearance of either oils or grease on the water surface nor was there any such materials detected in a water sample collected by the Division earlier.
- The earlier sample collected by the Division showed no anomalous data for the limited parameters analyzed.
- The track hopper is a totally enclosed structure with limited access to either human or animal activity. Little potential for contamination from an outside source exists.
- Water being pumped from the hopper for operational purposes will not contaminate the source as inferred, but will actually help maintain the inflow status into the hopper thereby controlling any outward seepage potential.

R645-301-731.200 Water Monitoring.

Deficiency:

1. If the Permittee is actually following an operational sampling program similar to that outlined in DOGM's Guidelines for Establishment of Surface and Ground Water Monitoring Programs for Coal Mining and Reclamation Operations (1976) rather than measuring for the entire extended or "baseline" list of parameters of pages 6-7 of Section 731.200, then the Permittee should submit for DOGM's approval an amended Section 731 that clarifies and updates the water monitoring program. The Permittee should make note that the Guidelines recommend measurement of all parameters on the extended list during the year preceding repermitting.
2. The Permittee should consider adding measurement for dissolved iron and manganese to the water monitoring parameters. This addition should be included in the amendment of Section 7.31.

3. The Permittee should make reference in Section 7.31 to parts of Section 7.24 that pertain to the operational monitoring program, specifically the proposals to improve the sampling program, or incorporate that information directly into this section.

Response:

1. The baseline and operational sampling parameters have been modified to correspond to those currently recommended by the Division. The operator hereby makes formal request to modify the baseline and operational monitoring program as identified within Section 7.31.
2. Dissolved iron and manganese have been added to the water quality monitoring program as recommended in the baseline and operational monitoring parameter lists used by the Division. Appropriate corrections have been made to the MRP within Section 7.31.2.
3. A booklet of sampling procedures has been prepared to as part of the ongoing effort to increase the accuracy of water sampling within the permit area. This informational booklet has been added to an appendix of the permit as discussed within Section 7.31.

The attached Appendix 7.31-1, pp. 1 through 4, (3/26/93) is to be added to the MRP.

R645-301-731.600 Stream Buffer Zones.

Deficiency:

1. See R645-301-731.612

R645-301-731.612 Permanent stream channel diversion.

Deficiency:

1. The Operator should recognize the "So-called" Permanent diversion as well as the Siaperas ditch as permanent intermittent stream channel diversions and address and applicable portions of this regulation.

Response:

1. Change the last sentence of Section 731.600 to read: "No temporary or permanent Price River channel diversions are planned." And add the following: "The Siaperas Ditch and Permanent Diversion are permanent intermittent stream channel diversions. See discussions in 742.320."

Add the following to R645-301-742.320: The Siaperas ditch is an old ditch that collects runoff from agricultural and undisturbed lands northwest of the permit area as shown on Dwg G9-3504. The tributary area includes as much as 1266 acres in addition to the flow from the 680-acre drainage area diverted by the Permanent Diversion that empties into the Siaperas ditch, for a total tributary area of 1946 acres. In accordance with R614-301-746.212, the Siaperas ditch must safely pass the runoff produce from a 100-year, 6-

hour precipitation event since it prevents run-on into the Upper Refuse Basin. Calculations contained in Volume II - Hydrology Appendix show that the Siaperas Ditch can adequately meet this requirement. Calculations also show that the estimated velocities within the ditch during a 10-year, 6-hour design storm are probably within the recommended limits for the channel material to prevent serious erosion. The highest velocities are in the steeper sections of the ditch just upstream from the county road culvert. This area should be watched, and if unacceptable erosion occurs, appropriate measures should be taken.

The so-called Permanent Diversion is a permanent diversion that diverts runoff from 680 acres of undisturbed hills to the east of the permit area. Certified as-built drawings of the Permanent Diversion are contained in Dwg. E9-3427. In accordance with R614-301-746.212, this diversion must be designed to safely pass the runoff produced from a 100-year, 6-hour precipitation event since it prevents run-on into the Upper Refuse Basin. Calculations contained in Volume II - Hydrology Appendix show that the design of the Permanent Diversion adequately meets this requirement. The calculations also show that the estimated velocities within the diversion channel during a 10-year, 6-hour precipitation event are within the recommended limits for the channel material to prevent serious erosion. However, visual inspection has revealed that the downstream end of a grouted riprap portion of the channel has experienced some degradation. This area should be watched, and if degradation continues, necessary modifications should be made to protect the grouted section from further breakup.

The attached Section 7.42, p. 7, (3/26/93) replaces Section 7.42, p. 7, (6/1/92) in the MRP.

R645-301-731.710 A map showing the locations of water supply intakes.

Deficiency:

1. Identify the Track Hopper as a waster supply intake on an applicable map.

Response:

1. Water from the track hopper basement is used for road dust suppression. The location of the track hopper is already shown on Drawing E9-3341 along with other water supply intakes and facilities.

The first sentence of 731.700 has been changed to read: "The water supply intake from the Price River to the River Pump House is shown on Drwg. E9-3430."

The attached Section 7.31 p. 8, (3/26/93) replaces Section 7.31, p. 8, (1/27/93) in the MRP.

R645-301-733

Impoundments.

Deficiency:

1. Provide the MSHA with proposed design changes and submitted copies to the Division.
2. Correct text to indicate all impoundments will be maintained as required by R645-301-733.210

Response:

1. The proposed decant changes to the Lower Refuse Basin will be submitted to MSHA and copied to DOGM. The proposed decant changes to the Lower Refuse Basin are the only proposed changes to the ponds meeting MSHA size requirements.
2. The second paragraph of R645-301-733.210 has been deleted and the following sentence substituted in its place:

Each of the impoundments will be maintained as required by the referenced sections in R614-301-733.210 of the Regulations.

The attached Section 7.33 p. 4, (3/26/93) replaces Section 7.33 p. 4, (6/1/92) in the MRP.

R645-301-738

Temporary Casing and Sealing of Wells.

Deficiency:

1. Provide a description of how the Operator is meeting this requirement.

Response:

1. All monitoring wells located within the permit area are constructed in such a fashion as to prevent the introduction of surface contaminants into the well casing. All casings extend vertically above the ground surface and have been installed with caps which prevent the direct introduction of rainfall or other materials into the well. The caps currently do not contain a locking device, however they are constructed of steel and weigh enough to prevent their accidental loss through wind or animal activity.

Another area of concern which have been raised with regard to the introduction of acid or toxic materials into the ground water system is the track hopper. During operations, this structure was pumped continually to keep ground water levels below the building foundation. Since cessation of operations water has seeped into the lower levels of the structure thereby inundating the facility. Water contained within the structure is stagnant with little potential for discharge except through evaporation within the structure itself, and since the hopper is enclosed by a structure, little potential for contamination into the facility or subsequent ground water exists.

Since it is believed that current operations are adequate to protect the local ground water as required under the regulations, no additional changes in operation of monitoring wells or surface facilities are planned at present time.

R645-301-742

Sediment Control Measures.

Deficiency:

1. The discussion of ASCA's should be moved to a section on Sediment Control measures.
2. Address the known problems with sediment control measures along the Siaperas ditch in ASCA #7. Provide a new alternative measure for sediment control at ASCA #7.
3. Provide a design diagram for standard installation procedure for silt fences and straw bales.
4. Summarize the total Alternate Sediment Control areas and the ASCA as a percentage of the total disturbed areas.

Response:

1. The information on ASCA's has been moved from 742.240 Exemptions to Section 752 Sediment Control Measures.
2. A field examination of ASCA #7 revealed that the silt fence is functioning adequately. The Siaperas ditch is an old ditch that collects runoff from agricultural and undisturbed lands northwest of the permit area as shown on Dwg G9-3504. The Siaperas ditch is deeply incised with very steep side slopes. The nature of this ditch is typical of other natural drainages in the vicinity (for example Millers Creek). The Mancos derived soils tend to form steep near vertical cut banks. The silt fence in question is located at the top of the south bank of the Siaperas Ditch between the access road to the Upper Refuse Basin and the Siaperas Ditch. Because the silt fence is presently functioning as intended, no new sediment treatment is proposed for this area. If in the future sediments bypass the silt fence, the toe of the silt fence in these areas will be bedded with straw bales and straw bales shall be used upstream to control the movement of sediments.
3. A typical installation guide for silt fence and straw bail barrier (reference: Urban Drainage and Flood Control District, "Urban Storm Drainage Criteria Manual, Volume 3 - Best Management Practices, 1992) is provided on the following sheets and are included in the permit.
4. A summary of the total Alternate Sediment Control areas is presented on the following table. The total ASCA area is 72.9 acres which represents about 29% of the total disturbed site within the permit area.

**ALTERNATE SEDIMENT CONTROL AREAS
(ASCA'S)**

ASCA #	AREA (acres)	DISTURBED AREA 10 Year-24 hour Runoff Volume (Acre-Feet)	ALTERNATIVE SEDIMENT CONTROL
1	45.	2.9	Depression storage, straw bales, and 1000-foot minimum travel length through agricultural area prior to reaching river.
2	9.41	0.4	Still fence and straw bales.
3	12.61	0.3	Depression storage.
4	0.56	0.02	Vegetated filter.
5	2.47	0.1	Berm and silt fence.
6	0.35	0.02	Straw bales.
7	2.52	0.24	Berm around top soil stock pile. Remainder of area uses silt fence and straw bales.
TOTAL	72.9	4.0	

The attached Section 7.52, pp. 1 & 2, (3/26/93) replaces Section 7.52, p. 1, (1/27/93) in the MRP.

R645-301-765 Permanent Casing and Sealing of Wells.

Deficiency:

1. The Permittee needs to make a commitment on permanent casing and sealing of wells in Section 7.65, and correct the description for closure of the pump house well.

Response:

1. A commitment to permanently case and seal wells as requested has been added to Section 7.65. It is noted however that the regulation requires that the wells be cased and sealed to prevent damage to local ground or surface waters. The closure of deep wells require the installation of a cement grout to prevent water from moving between shallow unconfined aquifers and deeper aquifers through which the well penetrates. Since no deep wells are found within the permit area to which this is a concern, closure as

required by State regulation does not prohibit the use of backfill material as the closure medium for shallow wells. The permittee however reserves the right to backfill wells upon abandonment with either local shallow soil materials or cement grout as stated in Section 7.65. With the addition of Section 7.65, the permit should stand without additional requirements for well closure.

The attached Section 7.65, p. 1, (3/26/93) must be added to the MRP.