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United States Department of the Interior  
OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
BROOKSTOWERS  
1020 15TH STREET  
DENVER, COLORADO 80202

OFFICE OF THE REGIONAL DIRECTOR

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DIVISION OF  
OIL, GAS & MINING

Mr. Ron Daniels  
Coordinator of Mined Land Development  
Department of Natural Resources  
Division of Oil, Gas and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

Dear Ron:

On November 6, 1979, Beaver Creek Coal Company (formerly Swisher Coal Company) submitted a mining and reclamation plan for their Gordon Creek No. 2 Mine. This office has performed an initial completeness review on the mining and reclamation plan. Our review has been conducted pursuant to the Interim Regulatory Program (30 CFR 211) to determine if the submitted mining and reclamation plan is sufficiently complete so that OSM may proceed with a detailed technical review.

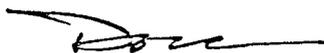
Based on this review, we have found the plan to be incomplete. When the deficiencies identified in our review are corrected, we will be able to schedule the more detailed technical analysis. The technical analysis would be prepared to determine if the plan meets the requirements of appropriate regulations. Other items in the plan have been found to be "complete"; however, this does not imply that the information submitted has been determined to be in compliance with the applicable environmental performance standards. OSM may request additional information on these complete portions as well as resubmitted information once the technical and environmental analyses are underway. We will be reviewing the mining and reclamation plan and our subsequent action on the plan in accordance with the National Environmental Policy Act (NEPA).

We believe it would be to the advantage of Beaver Creek Coal to use the Permanent Program regulations as a guide in preparing the plan, as eventually these regulations or a State equivalent of them will be applicable to the Gordon No. 2 Mine. However, if Beaver Creek Coal Company does not agree with this approach, please advise us accordingly.

We wish to clarify that this review was performed on the update to the interim program permit and not on the permit application for the 70-acre lease modification. The permit application for the lease modification was submitted on November 13, 1979 and is being reviewed separately.

A copy of this letter is enclosed for transmittal to the applicant by your office. If you have any questions in regard to this review, please contact John Nadolski of my staff (303) 837-3773.

Sincerely,



DONALD A. CRANE

Attachment

cc: Moffitt, USGS, UT  
Wicks, BLM, UT  
Trippe, USGS, CO

## Initial Completeness Review

The Applicant should:

1. Provide identification of the permit applicant, together with full identification of every legal or equitable owner of record of the areas to be affected by surface operations, plus the coal holders of record; complete and current mailing addresses, a statement of whether the applicant is a corporation, partnership or other business entity as required under 30 CFR 211.10 (c)(1).
2. Provide anticipated starting and termination dates for each phase of mining, revegetation, and portal sealing. Some information has been submitted in Exhibit No. 14, and in the Environmental Analysis performed by the USGS: however, this information is insufficient to meet the requirements of 30 CFR 211.10(c)(6)(viii).
3. Provide a list of all other local, state and federal licenses and permits, including identification numbers, needed to conduct underground mining to meet the requirements of 30 CFR 211.4(a).
4. Provide, pursuant to 30 CFR 211.10(c)(2), the size, sequence and subareas of the mine plan area for which it is anticipated that individual permits for mining will be requested over the estimated total life of the underground mining activities.
5. Archeology: The Environmental Analysis alludes to a "report". The applicant should provide this report along with an inventory report which documents an intensive cultural resource (history and archeology) inventory which covers the entire mine plan area. The report should be of professionally acceptable quality. Such a report should provide sufficient information for OSM to begin the consultation process (36 CFR Part 800) with the SAPO and the Advisory Council on Historic Preservation. For example, the report should include information on the following:
  - 1) Site definitions.
  - 2) Dates inventory was performed.
  - 3) Principal investigator and qualifications.
  - 4) Names of personnel who worked on the project.
  - 5) Antiquities Permit Number.
  - 6) Environmental setting and relationship to sites located.
  - 7) Inventory methodology and techniques.
  - 8) Description of Cultural Resources located.
    - A) Accurate site maps with artifactual distribution.
    - B) Site forms.
    - C) Description of site.
    - D) Cultural-temporal affiliation.
    - E) Site function.
    - F) Condition of site.
    - G) Site type.

- 9) Evaluation of the significance of the Cultural Resource. Evaluate in accordance with the criteria of significance as defined in 36 CFR 60:6: Criteria of Evaluation.
- 10) Should the cultural resources consultant determine that sites are potentially eligible for nomination, a National Register Form must be provided for each site.
- 11) Problem orientation of the research.
- 12) Maps - provide topographic maps with site accurately plotted. Show boundary of mine plan and any current or proposed life-of-mine surface disturbance.

It is suggested that the Applicant, or their cultural resources consultant, confer with OSM, BLM and the SHPO on inventory and report guidelines so as to minimize misunderstandings and numerous revisions, delays, etc.

6. Provide, pursuant to 30 CFR 211.10 (c)(2), 211.10 (c)(6)(xii), and 211.10(c)(7)(iii), an adequate, site specific, and documented description of the geology and hydrology for all lands within the mine permit area and adjacent areas. This information should include the nature of any aquifers existing above the coal seam to be mined, the water flow and quality the North Fork of Gordon Creek and Beaver Creek, and an accurate representation of any ground water flow system that could be affected. Regional as well as local flow systems should be shown and a sufficient description provided to permit assessment of impacts. Piezometers and wells might be installed both on-site and off-site to generate data about ground water quantity and flow and ground water quality. A description of the aquifer lithology, thickness, and water used is needed.

Additional geologic and engineering data should be provided to permit an independent finding of the potential for subsidence that may initiate upon secondary mining. A geologic map and geologic cross sections are needed to more fully describe the geology of the site and adjacent areas. Information submitted and the Environmental Analysis performed by the USGS provides sufficient information to evaluate the chemical analysis of the Hiawatha and Castlegate "A" coal beds; however, the stratum immediately above and below the coal seams should be identified for potential acid-forming, toxic-forming or alkalinity-producing materials.

Surface water drainages and springs are shown in Exhibit No. 5 and discussed in the Environmental Analysis performed by the USGS. Additional information is needed as to the average, minimum and maximum water flows as well as seasonal variations in water quality for the North Fork of Gordon Creek, Beaver Creek and springs in the area.

Describe all water used in the area, and provide a plan to insure water replacement if necessary. Provide any other information required by 30 CFR 211.10(c)(6)(xiii).

7. Provide, pursuant to 30 CFR 211.10(c)(2) and 211.10(c)(6)(ix), additional information regarding the winds within the canyon, such as wind conditions and inversion character and frequency. Provide quantitative measurements of suspended particulate concentrations characteristics of the area.
8. Little information is provided in regard to vegetation. Since the portal area has already been disturbed, inventories are needed for the area adjacent to the portal as well as the entire mine plan area (lease) over sub-surface mines as required by 30 CFR 211.10(c)(2). Information requirements should include, at a minimum, a map delineating the existing vegetation types, a quantitative description of the existing plant productivity, and an indication of plant diversity. The map must identify location(s) of vegetation reference area(s) that are to be established. It is suggested that the applicant request that the Soil Conservation Service (SCS) perform a range survey over the entire mine plan (lease) area. All rare or endangered species must be identified in the area adjacent to the portal. If none are found to exist, a "negative declaration" should be included in the mine and reclamation plan.

The seed mixture included in Exhibit No. 10 contains all introduced species. Disturbed lands must be seeded or planted with species of the same seasonal variety native to the area. A revised seed mixture, formulated in consultation with OSM, BLM and Utah Division of Oil, Gas and Mining should replace the seed mixture identified in the mine and reclamation plan. If different seed mixtures are to be used for temporary versus permanent cover, it should be so stated. The seed mixture must include amount of live seed per acre and the number of seedlings to be used as specified in 30 CFR 211.10(c)(6)(iii)(D) and (E).

A plan for revegetation must be included in the mine and reclamation plan. Beaver Creek Coal Company must provide, at a minimum, a description of the schedule of revegetation, methods to be used in planting and seeding, mulching techniques, measures proposed to be used to determine the success of revegetation, and all other requirements of 30 CFR 211.10(c)(6).

9. Provide, pursuant to 30 CFR 211.10(c)(2), information to document and complete the fish and wildlife study as presented in the Environmental Analysis as performed by the USGS. Information needed includes a map of the mine plan area location habitat and migratory routes, by species, as well as sampling locations showing raptor observation and nest sites (if any). The text of the Environmental Analysis states that there are no raptor nest. A statement is needed as to whether a survey was performed to determine this declaration.

If subsidence is anticipated, the projected impacts should be quantified. Also, provide a plan to minimize disturbances and adverse impacts on fish and wildlife. This is to include protection of deer migratory routes and eagles as well as springs and seeps.

A statement is needed clarifying all statements of wildlife abundance and location. Lists of all fauna should include both the common and the scientific names. It is suggested that Beaver Creek Coal Company contact the State of Utah Division of Wildlife Resources for a species list, including a determination of the presence of any endangered species. Eagles, as listed in the USGS's Environmental Analysis, should be listed as to their species type.

10. Provide, pursuant to 30 CFR 211.10(c)(2) and 211.10(c)(3)(ii), data from an adequately intense soil survey to include a map delineating different soils, soil identification, soil description and an analysis of the present and potential productivity of existing soils. This should consist of an Order 1 Soil Survey for surface disturbed areas and a range survey for the areas located over the underground workings. **The soil analysis should include pH; electrical conductivity; particle size; sodium absorption ratio; soluble calcium, magnesium and sodium; percent saturation; percent organic matter; and USDA soil texture.**

If suitable topsoil material is not present, Beaver Creek Coal Company should commit to obtaining topsoil or a substitute growing medium to replace the topsoil in the portal area. Indicate the amount of material available to be used as topsoil. Indicate area affected and depth to which this material will be placed. Provide a soil testing plan for evaluating the results of topsoil handling and reclamation procedures related to revegetation. This should include a plan for removal, storage and redistribution as well as fertilizer recommendations pursuant to 30 CFR 211.10(c)(g)(iii)(3) and 211.40(a)(ii)(5).

11. Provide, pursuant to 30 CFR 211.10(c)(3), site specific information on the land-use. Include the condition and capability of land within the area, together with productivity determinations.
12. Provide, pursuant to 30 CFR 211.10(c)(g)(ii) and (g)(viii) maps and analyses of projected impacts of underground mining, permit application boundary, mine plan boundary, and adjacent areas with a description of size, sequence, and timing of the mining of the sub-areas for which it is anticipated that additional permits will be sought.
13. Provide an accurate report of all reserves of all mineable seams as required in 30 CFR 211.10(c)(g)(i).
14. Provide, pursuant to 30 CFR 211.10(c)(4), 211.10(c)(7)(iii)(1) and 211.40(a)(13), a postmining topographic map to include representative profiles of the regraded terrain across and along (at 200 foot intervals) the canyon and (at 200 foot intervals) along the regraded road. Postmining longitudinal profiles of all drainages are needed. If the approximate original contour is sought for the portal area, information as to the amount and source of material should be submitted.

15. Provide maps and analyses for the location and depth of any gas or oil wells within the permit area as well as any water wells or springs in the mine plan and adjacent areas as required under 30 CFR 211.10(c)(g)(xiv) and 211.10(c)(7)(iii).
16. Provide, pursuant to 30 CFR 211.10(c)(b)(iv), 211.10(c)(7)(iv), and 211.40(a)(ii)(u), a description of the construction, maintenance, and removal of impoundments, coal processing areas, storage areas, waste handling areas, and disposal areas, including the Castle Valley coal preparation plant.
17. Provide, pursuant to 30 CFR 211.10(c)(2), 211.10(c)(g)(xiii), and 211.10(c)(7)(iii), additional information regarding the proposed water monitoring program, to include at a minimum, all baseline data and monitoring reports available, an analysis of any underground water encountered in the mine, and the location of the mine water discharge outlet. Provide details, in the form of descriptions and diagrams, of permanent entry seals and other postmining facilities necessary to ensure stability under anticipated hydraulic heads.
18. Provide information pertaining to the road drainage, gradient, surface, and cut/fill embankments pursuant to 30 CFR 211.10(c)(7)(iv). The mine and reclamation plan must include a general description of each road used or maintained within the mine plan area with appropriate maps and cross-sections.
19. Maps and diagrams for, but not limited to, roads, diversions, sedimentation ponds, and mine workings must meet acceptable standards and shall be certified by a professional engineer, professional land surveyor, or other professionally qualified person as required by 30 CFR 211.11(e).
20. Provide, pursuant to 30 CFR 211.40(a)(20), sufficient information to establish that the operations will be conducted in accordance with the requirements of 30 CFR 716.2 for operation in areas of steep slopes.
21. Provide the information regarding bonding as required under 30 CFR 211.40(b)(17). Ensure that bonds cover removal of surface facilities, as well as regrading, topsoiling, and revegetation.