



April 26, 1984

Mr. Allen D. Klein, Administrator
Western Technical Center
Office of Surface Mining
Brooks Towers
1020 Fifteenth Street
Denver, Colorado 80202

RE Final Technical Analysis and
State Decision Package
Beaver Creek Coal Company
Gordon Creek #2 Mine
(Including Southwest Lease)
ACT/007/016, Folders #2 and #4
Carbon County, Utah

Dear Mr. Klein:

Enclosed please find the Final Technical Analysis and State Decision Package for the above-referenced Mining and Reclamation Plan (MRP).

The Division technical staff has thoroughly reviewed the application and review documents, incorporating all appropriate recommendations and/or changes noted during the TA review phase by the Western Technical Center. These documents have also been reviewed by the Associate Director for Mining and the Administrator for the Mineral Resource Development and Reclamation Program, in accordance with the Division's established quality control review policy, and all subsequent changes have been incorporated into the documents where necessary. The Division is now satisfied with the Final Technical Analysis and Findings and Supporting Documents and is prepared to issue its approval and State permit for the Gordon Creek #2 Mine MRP, with Stipulations (see enclosure).

The required Cumulative Hydrologic Impact Analysis (CHIA), as related to UMC 786.19(c), is currently being prepared by the OSM. The Division has been kept apprised of the status of this document by the Western Technical Center staff and understands that a final summary of the CHIA is close to completion. The Division expects that when this summary is completed, the Western Technical Center will attach it to the Division's enclosed review documents before the decision package is forwarded to Washington, D.C., for Secretarial approval. Concurrently, the Division expects that a copy of the final CHIA summary, as well as the final decision package, will be sent to the Division for our records.

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The Division appreciates the assistance provided by the Western Technical Center during our review of this MRP and the formulation of the Technical Analysis and Findings Document. We now look forward to a timely approval of this MRP, not only from a State and Federal perspective, but from the operator's perspective as well.

Should you have any questions regarding these documents, please contact the Division as soon as possible.

Best Regards,



Dianne R. Nielson
Director

DRN/MMB:btb

Enclosures

cc: Barbara Roberts, Attorney General's Office
R. Daniels, DOGM
J. Smith, DOGM
M. Boucek, DOGM
S. Cox, DOGM

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FINDINGS DOCUMENT

Beaver Creek Coal Company
Gordon Creek #2 Mine (includes Southwest Lease)
ACT/007/016, Carbon County, Utah

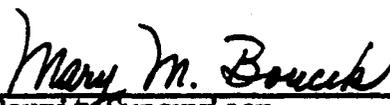
April 26, 1984

1. The plan and the permit application are accurate and complete and all requirements of the federal Surface Mining Control and Reclamation Act (the "Act"), and the approved Utah State Program have been complied with (786.19[a]).
2. The applicant proposes acceptable practices for the reclamation of disturbed lands. These practices have been shown to be effective in the short-term; there are no long-term reclamation records utilizing native species in the western United States. Nevertheless, the regulatory authority has determined that reclamation, as required by the Act, can be feasibly accomplished under the Mining and Reclamation Plan (MRP) (see Technical Analysis [TA], Section UMC 817.111-.117) (UMC 786.19[b]).
3. The assessment of the probable cumulative impacts of all anticipated coal mining in the general area on the hydrologic balance has been made by the regulatory authority. The mining operation proposed under the application has been designed to prevent damage to the hydrologic balance in the permit area and in the associated off-site areas (UMC 786.19[c]). (See Cumulative Hydrologic Impact Analysis (CHIA) Section, attached to this Findings Document.)
4. The proposed permit area is:
 - A. Not included within an area designated unsuitable for underground coal mining operations (see attached Bureau of Land Management [BLM] letter dated September 13, 1983).
 - B. Not within an area under study for designated lands unsuitable for underground coal mining operations (see attached BLM letter dated September 13, 1983).
 - C. Not on any lands subject to the prohibitions or limitations of 30 CFR 761.11(a) (national parks, etc.), 761.11(f) (public buildings, etc.) and 761.11(g) (cemeteries).
 - D. Within 100 feet of the outside right-of-way line of a public road, however, that portion of the mine inside the right-of-way was in operation prior to August 3, 1977 (UMC 761.11).
 - E. Not within 300 feet of any occupied dwelling (UMC 786.19[d]).

5. The issuance of a permit is in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800) (UMC 786.19[e]). See letters from SHPO dated August 25 and November 7, 1983 attached to TA.
6. The applicant has the legal right to enter and begin underground mining activities in the permit area through two Federal leases (#U-8319 and #U-47975), one USGS permit to mine (letter from U. S. Department of the Interior, Geological Survey dated November 28, 1972) and one fee lease (see MRP, Section 4.3.4) (UMC 786.19[f]).
7. The applicant has shown that prior violations of applicable law and regulations have been corrected (MRP, Section 2.3.3, Table 2-3) (UMC 786.19[g]).
8. Neither Beaver Creek Coal Company nor its parent company, Atlantic Richfield Company, are delinquent in payment of fees for the Abandoned Mine Reclamation Fund for any active mining operation (UMC 786.19[h]) (personal communication, John Sender, OSM, Albuquerque, December 9, 1983 and April 19, 1984).
9. The applicant does not control and has not controlled mining operations with a demonstrated pattern of willful violations of the Act of such nature, duration and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of the Act (UMC 786.19[i]) (see MRP, Section 2.3).
10. Underground coal mining and reclamation operations to be performed under the permit will not be inconsistent with other such operations anticipated to be performed in areas adjacent to the proposed permit area (UMC 786.19[j]). The C & W #1 Mine and the Gordon Creek #3 and #6 Mines are immediately to the east of Gordon Creek #2. Neither mine is currently operating.
11. A detailed analysis of the proposed bond had been made. The bond estimate is \$461,638.00 (1984 dollars). The DOGM has made appropriate adjustments to reflect costs which would be incurred by the State, if it was required to contract the final reclamation activities for the minesite, and the regulatory authority considers this amount adequate. The bond shall be posted (UMC 786.19[k]) with DOGM prior to final permit issuance. An interim bond in the amount of \$58,814.00 is currently on file.
12. No lands designated as prime farmlands or alluvial valley floor occur on the permit area (MRP, Section 8.4, Figure 8-1; Section 7.27) (UMC 786.19[l]).
13. The proposed postmining land-use of the permit area has been approved by the regulatory authority (see TA, Section UMC 817.133) (UMC 786.19[n]).
14. The regulatory authority has made all specific approvals required by the Act, and the approved State Program (UMC 786.19[n]).

15. The proposed operation will not affect the continued existence of any threatened or endangered species or result in the destruction or adverse modification of their critical habitats (MRP, Section 9.4, Section 10.3.3.1; see attached U. S. Fish & Wildlife Service [USFWS] letter dated September 2, 1983) (UMC 786.19[o]).
16. All procedures for public participation required by the Act, and the approved Utah State Program have been complied with (UMC 741.21[a][2][ii]).

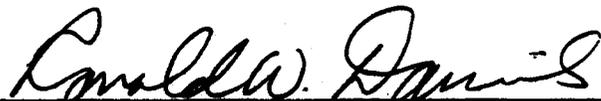
Prior to the permit taking effect, the applicant must forward a letter stating its compliance with the special stipulations in the permit and post the performance bond for reclamation activities.



Permit Supervisor



Administrator, Mineral Resource
Development and Reclamation Program



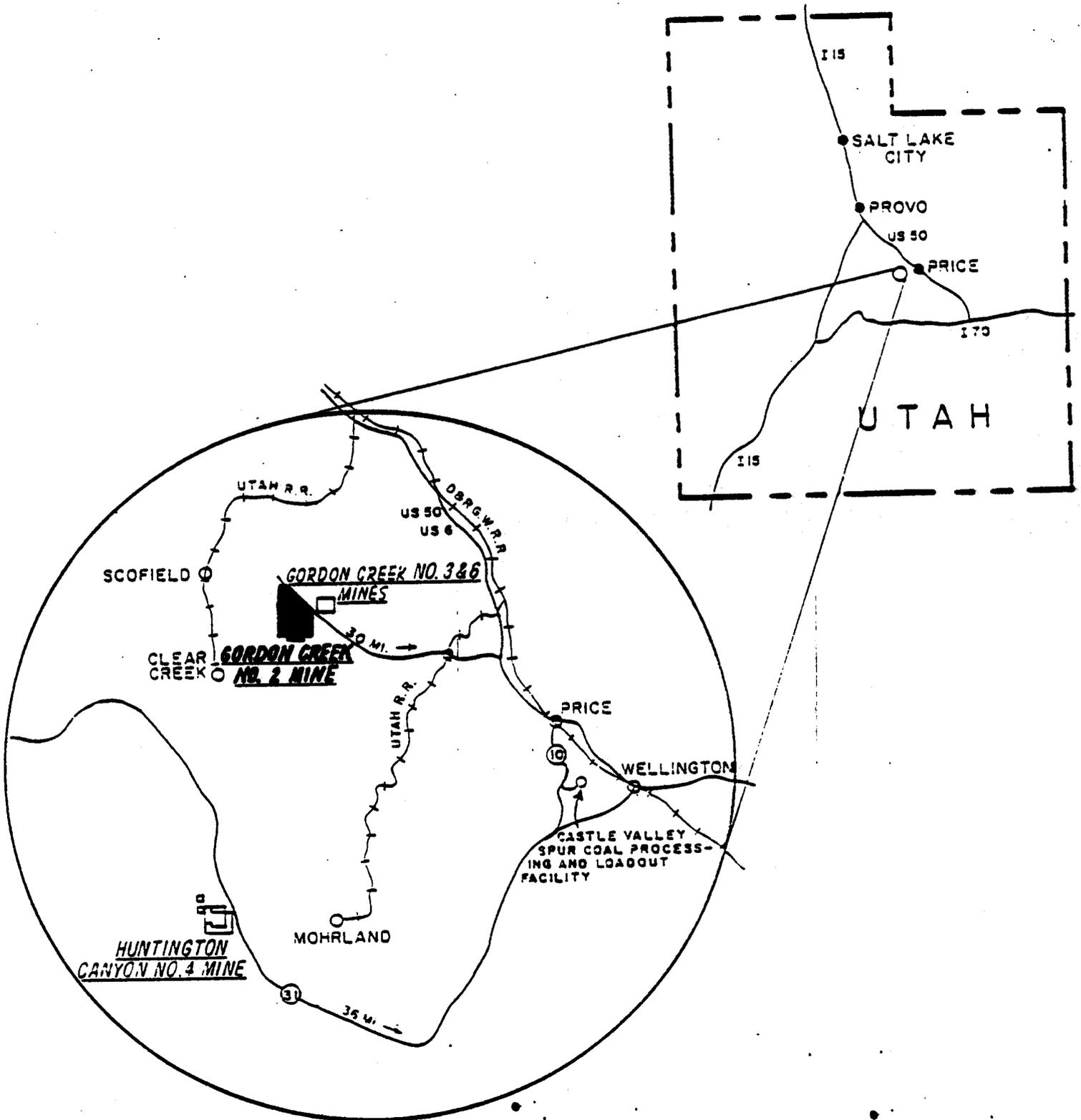
Associate Director



Director

BEAVER CREEK COAL COMPANY

AREA OF OPERATIONS



SUPPORTING DOCUMENTATION

Beaver Creek Coal Company
Gordon Creek #2 Mine
ACT/007/016, Carbon County, Utah

April 26, 1984

1. Memorandum from U. S. Fish & Wildlife Service to Office of Surface Mining dated September 2, 1983.
2. Memorandum from Branch of Solid Minerals, Bureau of Land Management to Office of Surface Mining dated August 12, 1983.
3. Letter from Division of State History to Division of Oil, Gas and Mining dated August 25, 1983.
4. Letter from Division of State History to Division of Oil, Gas and Mining dated November 7, 1983.
5. Memorandum from Bureau of Land Management to Office of Surface Mining dated September 13, 1983.

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