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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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June 13, 1986

Mr. Charles Durrett
Sunedco Coal Company
7401 West Mansfield Avenue
Suite 418
Lakewood, Colorado 80235

FILE COPY

Dear Mr. Durrett:

Re: Initial Completeness Review, Soldier Canyon Mine, ACT/007/018, Folder No. 2, Carbon County, Utah

The Division has performed an Initial Completeness Review (ICR) on the new Mining and Reclamation Plan submitted March 26, 1986 for the Soldier Canyon Mine.

The plan has been found to be incomplete. The enclosed comments detail information required before the plan can be determined complete. A few technical deficiencies are also addressed but a complete technical review will not be done until the plan is determined complete.

Please contact me or Susan C. Linner if we can provide assistance. A response to the ICR at your earliest convenience will be appreciated.

Sincerely,

L.P. Braxton

L. P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

SCL:jvb
cc: A. Klein
S. Linner
B" Team
0028R-72

INITIAL COMPLETENESS REVIEW

Soldier Creek Coal Company
Soldier Canyon Mine
ACT/007/018
Carbon County, Utah

June 13, 1986

UMC 782.13 Identification of Interests - DL, SCL

(c) The applicant has not provided the names and addresses of the principals, officers, and resident agents, for all of the owners and holders identified under UMC 782.13 (a). Specifically, the applicant must provide the required information for: Sunoco Energy Development Company; Great Western Drilling; Resource Enterprises, Inc.; and Sunedco Coal Company.

(d) According to Section 2.2.10 (pg. 2-6) of the application the applicant lists Plymouth Coal Company, Sunedco Coal Company, Sun Oil Company, and Sweetwater Coal Development Company as mining companies under whose name the principal shareholder has operated coal mining activities in the last five years. The applicant has failed to list any coal mining permits for any of these companies in Table 2.2-1. The applicant must provide a list of all coal mining permits held by the above mentioned companies subsequent to 1970, as required by UMC 782.13(d).

(g) In the discussion of interests in lands contiguous to the permit area, a legal description of these lands should be provided by referencing maps 2.2-1 and -2.

UMC 782.14 Compliance Information - DL

(c) The applicant has not properly identified the violations received by the applicant. There is no indication given whether these are Notices of Violation or Cessation Orders i.e., N85-4-15-1 vs C85-4-15-1. The applicant must provide complete violation identification numbers.

(c)(5) The applicant must provide information regarding what actions, if any, were taken by the applicant to abate each violation.

UMC 782.15 Right of Entry and Operations Information - DL

(a) Regarding State Coal Lease ML 42648, described on pg. 2-22, the applicant should state under "Land Covered:," that the "lands described below are only a portion of the entire lands held by this lease."

On page 2-172 of the application the applicant provides a letter from the BLM approving the assignment of BLM Right-of-Ways (ROW's) from Soldier Creek Coal Company to Sunedco Coal Company. In the letter is a list of the ROW's transferred to Sunedco which includes ROW's U-33855 and U-49763. Neither of the aforementioned ROW's are listed in Section 2.4.4 of the application. Information regarding these two ROW's must be provided by the applicant.

UMC 782.19 Identification of Other Licences and Permits - SCL

The current Air Quality Approval Order for the Soldier Canyon Mine provides approval for mining of up to 1,040,000 tons of coal per year. Since this level will be exceeded during the new five year permit term, a new Approval Order will need to be acquired.

UMC 782.21 Newspaper Advertisement and Proof of Publication - DL

In Section 2.11 of the application the applicant provides a copy of the public notice which they will place in the Sun Advocate upon filing a complete application with the Division. UMC 786.11(a)(3) requires that the location where a copy of the application is available for public inspection must be stated in the public notice. This information is not provided in the copy of the public notice in Section 2.11 of the application. The applicant must make sure that UMC 786.11(a)(3) is complied with at the time of publication.

UMC 783.12 General Environmental Resources Information - SCL

(b) The applicant must respond to the attached letter from the Division of State History outlining deficiencies in the cultural resources survey.

UMC 783.13 Description of Hydrology and Geology: General Requirements - RS

(b) The applicant is requested to submit the model inputs and results discussed on page 3-46, used to determine the required groundwater information.

UMC 783.19 Vegetation Information - LK

There are several conflicts between text and tables as to the cover values for the various vegetation types. Specifically:

Mountain Brush Type:

Page 3-188 shows 81.7% understory cover, excluding any contribution of trees (pinyon, juniper, and Gambel's oak) and an overstory of 25.9% (trees only). Yet, on table 3.7-8, herbaceous cover is 7.6% (and appears to be equal to total cover) and aerial cover is 100% (litter, rock and bare ground account for 92.1% cover for a total of 192.1%).

Shrub - Grass - Juniper Type:

Page 3-185 states overstory cover is equal to 2.9% and the understory cover equal to 16.1%. Table 3.7-7 shows aerial cover of trees to be 38.5%, total aerial cover at 51% yet herbaceous cover is only 2.32%.

Please provide the correct cover value for total cover of all living plant material (grasses, forbs, shrubs and trees) within one meter of the ground. Also, some of the apparent discrepancy may evolve from definition of terms. Therefore, please define what total cover, aerial cover and herbaceous cover are, as used in Table 3.7-7 and 3.7-8.

Please provide the data on woody plant density, including sample size and standard deviation, for the deciduous streambank reference area.

For all reference areas, please provide documentation (a letter from the Soil Conservation Service) as to their current range condition. Also, please describe how they are marked in the field (i.e., fenced, metal stakes in corners, or etc.).

Please provide a table which shows the acreage of each vegetation type within the permit area and the acreage of each vegetation type that is currently disturbed or will be disturbed within this permit term. This data currently exists in text from between pages 3-173 and 3-185. However, the data provided in text does not account for the stated 12.03 acres of current disturbance.

With regards to the proposed reference area for the waste disposal site, before any sampling is done, please arrange with the Division to meet on site with your vegetation person (consultant) to discuss sampling strategies and approve the proposed location of the reference area.

Finally, the proposed ISMO similarity index for showing similarity between the proposed reference area and the area to be disturbed (or reclaimed) is not acceptable in Utah. Please be sure to use one of the methods outlined in the Division's Vegetation Information Guidelines.

UMC 783.20 Fish and Wildlife Information - LK

Please correct the statement on Table 3.10-10 that states there are no bald eagle nests in Utah. Within the last couple of years, bald eagle nesting has been documented in Utah.

UMC 783.21 Soil Resources Information - JSL

Several inaccuracies have been identified in the soil survey submittal. The Bege series description incorrectly indicates a $B2_t$ horizon depth incremented from 16-14 inches. The correct depth should be 6-14 inches. Several reported available water capacities (AWC) are also inaccurate. The Strych soil has the AWC of 35-65 inches on page 3-113, while page 3-129 describes the Strych AWC as 3-5 inches. On page 3-115 the Haverdad loam AWC is 9 to 11.5 inches while the water supplying capacity is only 5.5 to 6.5 inches. Please clarify this discrepancy.

UMC 783.22 Pre-Mining Land Use - LK

As per UMC 783.22(b), please clarify whether historic mining occured in one or both seams. Also, what mining methods were used for historic mining.

UMC 783.24 Maps: General Requirements - RS

(g) Exhibit 5.4-6 does not supply the needed information for this subsection. A map depicting the water supply intakes (i.e. including, but not limited to the irrigation intakes referred to in Section 3.8) and the names of the waters which will receive discharges from the permit area must be submitted.

UMC 783.24 Maps: General Requirements - JRH
&
UMC 783.25 Cross Sections, Maps and Plans - JRH

The applicant has not provided on the maps of the rock waste disposal and sewage lagoon areas, boundaries for the affected areas of those facilities and their respective acreages. A map similar to that of Exhibit 5.4-1 should be prepared for these areas showing the affected areas and those areas covered with the bond.

The applicant has not provided maps and drawing of the existing sediment pond for the mine site. The drawings provided in the MRP are those for the proposed modifications to the pond. Since the pond will be modified this summer (1986), current drawings of the sediment pond as it exists are not really needed. The applicant should submit as-built drawings of the sediment pond upon completion of the reconstruction and submit those drawings with the plan. These maps should replace many of the outdated maps that are currently in the approved plan and in the proposed plan.

UMC 783.25 Cross-sections, Maps, and Plans - RS

(g) The applicant refers to drawing 4.2-4 for this information. This exhibit is a sediment pond cross-section and does not relate to this subsection. The irrigation diversion referred to in section 3.8 must be depicted on a map.

(j) Exhibit 3.2-1 shows the locations of water wells in the permit area. Is this inclusive of all wells in the adjacent area, including oil and gas wells (both producing and not producing)?

UMC 783.25 Cross-sections, Maps, and Plans - DD

The applicant shall provide a geologic map which portrays all geologic formations in and adjacent to the mine plan area. The map shall show all coal outcrop lines, the attitude of all formations, the location of all active, inactive or abandoned mine openings, faults, fracture zones, folds or other structural fractures, monitoring wells and springs.

The applicant shall submit an isopach map of the overburden and interburden.

The applicant shall submit a piezometric surface map of the regional aquifer.

Provide a map which illustrates the existance and extent of abandoned coal mines within and adjacent to the mine permit area.

UMC 783.25 Cross-sections, Maps, and Plans - DC

(i) The applicant must include this regulation in the cross reference and state where in the PAP it is addressed. Specifically, the applicant must include in the cross reference where the map showing the location and dimensions of existing areas of spoil, waste, coal development waste, noncoal development waste, noncoal waste disposal, dams, embankments, impoundments and water and air treatment facilities is located in the plan.

UMC 784.11 Operation Plan: General Requirements - DC

(b)(1) The cross reference states that this information is located in Section 4.2.2. However, Section 4.2.2 discusses Coal Handling Facilities rather than dams, embankments, and impoundments. The applicant must clarify this discrepancy and include the required information explaining the construction, modification, use, maintenance, and removal of all dams, embankments and impoundments.

UMC 784.13 Reclamation Plan: General Requirements - JSL

(b)(4) The topsoil and subsoil redistribution depth for each identified area is unclear. It would be beneficial for the applicant to express the volumes of soil material in a soil mass balance table. The operator has submitted an account of the volume of soil material to be redistributed but has not defined the depth of material that will be in place after redistribution. It is advisable to present the following information for each soil type: a) location, B) area (acres), c) available volume, d) total removal depth, e) stockpile volume, f) depth of redistribution and g) total rooting depth.

(b)(5) On page 5-32 the applicant suggests that a soil composite sample will be taken for every five acres of disturbance. The Division has determined that composite sampling is not acceptable due to possible "soil characteristic dilution." The soil sample must be site specific. The sampling rate is acceptable at one sample for every five acres of disturbance. However, the operator must commit to individually sample all possible problem areas and accurately delineate the extent of such materials.

UMC 784.13 Reclamation Plan: General Requirements - LK

(b)(5)(i) Recent reports indicate that spring seeding of native ranges is not very successful in Utah. Therefore, please revise your plan so that the final seed mix is only seeded in the fall. A contingency plan to use a cover crop should be included to seed regraded areas that are ready for seeding in the spring.

(b)(5)(ii) The applicant has included several introduced species in the proposed final seed mix and has not provided any documentation that they meet the criteria of UMC 817.112. Therefore, please revise the final reclamation seed mixes to exclude introduced species or provide the necessary justification for their use.

(b)(5)(v) The operator has not provided plans for irrigation. If no irrigation is planned, this should be stated in the permit application.

(b)(5)(vi) There are several problems with the methods proposed to determine success of revegetation. First, the weighting of the several parameters between vegetation types is not acceptable. Reclaimed areas are to be compared directly to the appropriate reference area. Second, the proposed ISMO similarity index is not acceptable in Utah. Potentially, one could have two different communities with no species in common and yet show 100% similarity with this index. Finally, there are not plans to monitor revegetated areas until years 9 and 10 of the liability period. The operator must have a monitoring plan for earlier years (years 1, 2, 3, 5, and 7 of the liability period) to provide information as to whether revegetation is progressing in a satisfactory manner towards the reclamation standards. Parameters to be monitored should include initial establishment, frequency, woody plant density, survival (of transplants), and cover.

(b)(5)(vii) The operator is requested to provide details of the as-built field trials that have been implemented, including seedbed preparation, topsoil applied, seed mix used and method of seeding, type and rate of mulch used, type of protection (bermed, fenced, etc.), the year and season of seeding and a map showing their location.

UMC 784.14 Reclamation Plan: Protection of the Hydrologic Balance - DC

(b)(2) The applicant must submit a determination of the probable hydrologic consequences as outlined by this regulation.

UMC 784.16 Reclamation Plan: Ponds, Impoundments, Banks, Dams and Embankments - DC

(a)(1)(i) The applicant must ensure that all maps and cross-sections of the sedimentation ponds are certified by a professional engineer. Specifically, all maps in Appendix 1, Hydrology must be certified.

UMC 784.19 Underground Development Waste - JRH

Excess spoil and underground development waste material is addressed in section 4.2 including appropriate maps, plans, drawings and geotechnical study. No references to the maps addressing this section are found in the regulation cross reference listing.

UMC 784.20 Subsidence Control Plan - DD

The applicant shall establish on a map those areas to be designated as buffer zones to be protected from subsidence.

The applicant should provide detailed information on subsidence monitoring. Provide a map of marker sites, state who will provide the survey and what equipment will be used.

UMC 784.23 Operation Plan: Maps and Plans - JRH

Surface facilities and structures for the operation are found on Exhibit 4.1-1. The area of the land to be affected within the permit is shown on Exhibit 5.1-2. Defined acreage and areas for bonding requirements are found on Exhibit 5.4-1. Exhibits 4.1-1, 5.3-2 and 5.3-3 should include the disturbed area boundaries for reference on the drawings. Exhibit 5.3-2 should include a reference map number for the cross section shown on the plan.

UMC 784.25 Return of Coal Processing Waste To Underground Workings - JRH

References made in the cross reference on this section do not comment about the return of coal processing waste to underground workings nor do they comment that there is no coal processing waste facility on the site. The plan does however, mention the crushing that is accomplished at the coal rail loadout facilities. These facilities shall be under the permitting of Coal Resources as part of the coal loadout facility and not included in the MRP for Soldier Creek.

TECHNICAL DEFICIENCIES

UMC 817.25 Soil: Nutrients and Soil Amendments - JSL

The applicant has submitted an acceptable fertilizer scheme. Should the word "area" in the last line of the first paragraph on pages 3-155, describing sulfer-coated "area" be urea?

UMC 817.97 Protection of Fish, Wildlife and Related Environmental Values - LK

(b) Please include a commitment to report any new sightings of threatened or endangered plant species within the permit area to the threatened or endangered species section on page 4-76.

(d) The applicant needs to provide plans to mitigate the 22.2 acres of critical deer winter range that will be disturbed in connection with the waste disposal area. The Utah Division of Wildlife Resources (DWR) does not accept the assessment of severity of impacts (page 3-251). The loss of any critical valued habitat (1 acre of riparian and 22.2 acres of winter deer range) is considered substantial. The DWR has suggested that chaining or some other type of habitat improvement in the vicinity would be adequate. This should be coordinated between the DWR and the Division.

On Page 4-76, the operator has referred to Section 5.5 for details on restoration or enhancement for high value habitats. This reference needs to be corrected to refer to Section 5.6. See specific comments under UMC 784.13(b)(5).

The operator must provide a commitment to operate and maintain all transportation system (roads, conveyors, etc.) and support facilities in a manner that minimizes impacts to fish and wildlife.

Page 4-75 identifies a mine personnel education program for avoiding or minimizing impacts to wildlife. However, this program is not identified in the training schedule (Appendix VI pages VI-1 to VI-6). Please note, the DWR has prepared a film for this purpose which can be obtained by contacting their Price, office.

UMC 817.131 - .132 Cessation of Operators - SCL

These sections are not addressed except in relation to portal sealing. A commitment to the entirety of the regulations must be made.