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Norman H. Bangerter

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Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS AND MINING

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

June 1, 1992

Mr. Rick Olsen, President
Soldier Creek Coal Company
P. O. Box I
Price, Utah 84501

Dear Mr. Olsen;

Re: Deficiencies in Subsidence Buffer Zone Plan, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018-92-1, Folder #3, Carbon County, Utah

The Division has completed a review of your plans for permit change to address subsidence outside your permit area. With regard to expanding your permit area to include areas of subsidence, the following information should be considered:

Areas of potential subsidence do not require permitting if you can demonstrate that there will be no potential for material damage to occur. If however, there is potential for material damage to occur the area must be within the permit boundary.

Our review indicates that there are a few deficiencies that still need to be addressed. Please review the enclosed technical memos and respond to the deficiencies pointed out in them by July 1, 1992.

If you have any questions please call me or the appropriate member of my staff.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".

Daron R. Haddock
Permit Supervisor

cc: W. Western
P. Baker
SUBSDEFI.SOL



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April 13, 1992

TO: Daron Haddock, Permit Supervisor

FROM: Wayne H. Western, Reclamation Engineer *W H W*

RE: Soldier Creek Coal Company MRP Subsidence Deficiency Issue, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018, Folder #2, Carbon County, Utah

SUMMARY

On March 9, 1992 Soldier Creek Coal Company submitted their response to the technical deficiencies noted in their subsidence plan. The amended plan includes a map of the extended permitted boundaries and their legal description.

The amended plan increases the permitted area to include lands that have the potential for subsidence damage. Protection of structures and renewal resources have not been addressed.

FIRST DEFICIENCY

Division's Requirement:

The Operator shall revise the mining sequence in this area to accommodate the buffer zone indicated for Soldier Creek, County Road 53, and Questar's pipeline, or submit a detailed analysis and present engineering evidence that these changes will not adversely impact those renewable resource areas.

Operator's Response:

The Operator did not address this issue.

Analysis:

The Operator failed to address the issue.

Recommendation:

The Operator needs to supply the Division with the required information.

SECOND DEFICIENCY

Division's Requirement:

The Operator must incorporate into the permit area, all areas impacted by subsidence or areas which potentially could be impacted by subsidence in accordance with the mine design and the angle of draw.

Operator's Response:

The Operator submitted to the Division a map and the legal descriptions of the lands that have the potential for subsidence damage in the next five years. Those lands were then incorporated into the permitted area.

The Operator projected subsidence boundaries using a 22.5 degree angle of draw.

Analysis

The Operator did not justify his reasons for using a 22.5 degree draw angle. A 22.5 degree draw angle is generally considered a conservative estimate by the Division.

The Operator did not supply any information involving the landowners effected lands. The Operator needs to supply the Division with documents showing that the landowners have agreed to have the additional lands included into the permitted area. Nor did the Operator include any information about surface maps, markers and signs that show that the permit boundaries have changed.

Recommendation:

The Operator should state his reason for choosing the angle of draw.

The Operator needs to provide documentation that the effected landowners have given their consent to having the permit boundaries changed. Surface maps and signs should be modified to show the boundary changes.

THIRD DEFICIENCY

Division's Requirement:

The Operator must further detail the subsidence buffer zone which has been projected to the north in Soldier Canyon. Changes to this buffer zone which are different than the design angle of draw projection must be explained and detailed adequately to allow the proposed buffer zone location.

Operator's Response:

The Operator did not address this issue.

Analysis:

The Operator failed to address the issue.

Recommendation:

The Operator needs to address this deficiency.



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TO: Daron Haddock, Permit Supervisor

FROM: Paul Baker, Reclamation Biologist 

DATE: April 29, 1992

RE: Subsidence Buffer Zone Revision, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018-91-1

SUMMARY

To comply with the requirements of item 1 of Division Order 92-A, Soldier Creek has submitted an application for a significant permit revision to add to the permit area areas outside the currently permitted area that could be subjected to subsidence. The submittal basically consists of a page giving the reasons for the buffer zone, criteria used to determine the area that could subside, and a legal description of areas to be added to the permit area.

This memorandum discusses only items related to approving a significant revision, giving public notice of underground mining in certain areas, and to requirements for conducting mining and reclamation activities within 100 feet of a road. With the exception of public notice of proposed mining, it does not address issues covered in the R645-301-525 section of the regulations which deal primarily with engineering aspects of subsidence. The existing plan discusses material damage that could be caused by subsidence, such as to the Questar pipeline, County Road 53, Pine Creek, and Soldier Creek, but this revision does not discuss potential impacts to these facilities and resources in the area proposed to be permitted.

Impacts to renewable resource lands, other than to the hydrology, would probably be minimal. The life of mine and adjacent areas have been surveyed by helicopter for raptor nests, and none were found in the areas proposed to be permitted. The Applicant is required to commit to compensate for livestock lost through subsidence effects in the permit renewal technical deficiency review and subsequent division order.

Deficiencies:

The Applicant must submit to the Division a draft copy of the advertisement of a significant permit revision as it will appear in a local newspaper. This advertisement must contain information required by R645-300-121.100, including a concise statement describing the public road that traverses the proposed addition to the permit area. Upon the Division determining that the application is complete, the advertisement must be placed in the newspaper for four consecutive weeks. A copy of the application for significant permit revision must be filed in accordance with R645-300-121.200.

**R645-301-112.500 Surface and Subsurface Permit and
R645-301-112.600 Contiguous Area Property Owners**

Proposal:

The existing plan identifies property owners of the currently approved permit and adjacent areas.

Analysis:

There are no owners of property contiguous to the proposed expanded permit area that are not already identified in the existing plan. One property owner, Newel and Madge Nelson, owns surface property that was not previously within the boundaries of the permit area. If the buffer zone is approved, part of this owner's property would be within the permit area. The list of surface property owners within the permit area needs to be changed.

Deficiencies:

The list of property owners within the permit area needs to be updated to include all property owners whose property would be included in the permit area.

R645-301-525.300 Public Notice of Proposed Mining

Proposal:

The existing plan contains commitments to notify all owners and occupants of surface property and structures above and adjacent to underground workings at least six months prior to mining, or within that period if approved by the Division, of specific areas in which mining will take place, dates that specific areas will be undermined, and the location or locations where the Applicant's subsidence control plan can be examined.

Analysis:

The Applicant has committed to perform the requirements of the regulations.

Deficiencies:

None.

RECOMMENDATIONS

Approval of this revision is not recommended at this time. Soldier Creek needs to obtain approval to conduct mining and reclamation activities within 100 feet of a public road, and they need to advertise this permit revision. The Division will need to provide an opportunity for a public hearing on conducting mining and reclamation activities within 100 feet of a public road in the locality where the proposed activities would occur. Also, the list of property owners within the permit area needs to be updated.