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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

January 14, 1992

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

Dear Mr. Olsen:

Re: Permit Renewal Deficiencies, Soldier Creek Coal Co., Soldier Canyon Mine,
ACT/007/018, Folder #3, Carbon County, Utah

A technical review has been conducted on your application for permit renewal for the Soldier Canyon Mine. As a result of the review, the Division has determined that there are a few technical items that must be addressed prior to issuing a renewal of your permit. These items are discussed in the attached technical memos. Please review them and provide a response as quickly as possible but in no case later than February 3, 1992, the date your renewal is due.

In addition, the technical review has shown that there are other areas of deficiency in your plan. These items will be discussed in a technical review document which will be forwarded to you shortly and can probably be addressed as stipulations to your permit. We encourage you to address those items as quickly as possible as well.

If you have any questions regarding any of these requirements, please don't hesitate to call.

Sincerely,

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

Daron R. Haddock
Permit Supervisor

cc: B-Team
MAJODEFL.SC3



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January 12, 1992

TO: Daron Haddock, Permit Supervisor
FROM: Priscilla Burton, Soils Reclamation Specialist
RE: Permit Renewal Deficiency Review, Soldier Creek Coal Co., Soldier Canyon Mine, ACT/007/018, Folder #2, Carbon County, Utah

SUMMARY

There is a singular requirement which must be completed prior to approval of the permit. A thorough technical review may reveal further deficiencies in the plan as submitted.

TECHNICAL REVIEW

R645-301-221 Prime Farmland Investigation.

Proposal:

Page 2-2 of the MRP indicates that a Soil Conservation Service (SCS) prime farmland determination letter is found in Appendix 2-B.

Analysis:

A letter of determination for the refuse disposal site was found in Appendix 9-B, entitled "Wetlands."

No letter of determination was included with the MRP for the areas within the present permit boundary and added lease modifications.

A letter of determination for the topsoil storage site was viewed by the Division during the amendment to the present plan. The topsoil storage site was not determined to be prime farmland because it is upstream from the source of irrigation water (personal communication, Mr. Leland Sasser, SCS).

Deficiency:

1. **Prior to approval**, letters of prime farmland determination must be included for the central mine facilities locality and other localized areas within the proposed life of mine, including but not limited to the Whitmore Park area, Nine Mile Canyon area, Pine Canyon area, Topsoil Storage Site.

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January 14, 1992

TO: Daron Haddock, Permit Supervisor

FROM: Randy Harden, Sr. Reclamation Engineer 

RE: Permit Renewal, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018, Folder #2, Carbon County, Utah

SUMMARY

Several Stipulations regarding permit renewal were written by the Division at the time of the approval for revision of the mine surface facilities, revision ACT/007/018-91-1. These stipulations, regarding engineering requirements, have been incorporated into this permit renewal review.

On October 11, 1991, the Operator submitted updated information regarding permit renewal. This review is in response to the information proposed by the Operator in regard to its adequacy. The Operator has also incorporated in the proposed plan, changes to the plan which will require the issuance of a new permit upon their approval. These proposed changes include the addition of new mine lease areas adjacent to the currently approved permit area and the construction of a permanent refuse disposal facility which is not immediately adjacent to existing permit area. Additional comments and a separate review for these proposed changes will occur in the near future and are not considered as part of this review for permit renewal. However, reliance upon the eventual incorporation of the above proposals is essential to determining the mining and reclamation plan complete and technically adequate. Comments regarding those specific conditions have been incorporated into this review for permit renewal.

TECHNICAL REVIEW

R645-301-500. ENGINEERING
R645-301-512. Certification

Proposal:

The Operator has committed to provide certified and regular inspections of structures as described in this section of the regulations.

Analysis:

The Operator is considered to be in compliance with the requirements of this section, except for the following drawings which were found in the plan and not certified:

Figure 8 DRAINAGE BASIN CHARACTERISTICS OF
UNDISTURBED WATERSHED WEST OF THE MINE
YARD.

Figure 21 DESIGN DETAILS OF PROPOSED SEDIMENT POND.

The drawings must be certified and submitted to the Division for approval in order to be considered in compliance with the requirements of this section of the regulations.

Deficiencies:

1. **Prior to permit approval**, the Applicant must submit certified copies of Figure 8 and Figure 21 to the Division.

R645-301-520. **Operation Plan.**
R645-301-521. **General.**

Proposal:

Drawings have been resubmitted incorporating the proposed facilities into the disturbed areas.

The Operator has indicated that previously mined and presently mined areas are shown on Exhibits 5.22-1 and 5.22-2.

The Operator has referenced Exhibits 5.21-3 through 5.21-8, 5.25-1 and Plate 1 to show the areas of all areas proposed to be affected over the estimated total life of the coal mining and reclamation operations.

Analysis:

Discrepancies still exist between the drawings provided in accurately and completely delineating the disturbed area boundaries.

In particular, Exhibit 5.21-3 was provided to delineate the surface disturbance for the mine facilities area. The location and the extent of the disturbed area boundary on this drawing does not correspond to the disturbed area boundaries shown on other maps and figures presented in the plan for the mine surface facilities. The disturbed area boundary shown on Exhibit 3.7-2 differs from the one presented on the above reference drawing. Reclamation drawings must also show the disturbed area boundary for reference. The disturbed area boundary shown of Exhibit 5.21-3 was traced onto Map 760a. Indications from this overlay indicate that reclamation treatments will occur during reclamation which are currently not within the proposed disturbed area boundary.

All maps used to show the location, design and extent of existing and proposed facilities as well as reclamation activities should include the disturbed area boundary for reference. This disturbed area boundary must be consistent in its location and extent throughout the mining and reclamation plan. These drawings must be updated to show a clear and consistent disturbed area boundary throughout the mining and reclamation plan.

Those drawings or exhibits which will be used to show the extent of the disturbed area boundaries for bonding purposes (such as Exhibit 5.21-3) should also indicate the number of acres which are included in the disturbed area boundary.

Delineation of the disturbed area boundaries on the maps and drawings must be revised, resubmitted, and approved by the Division in order to determine this section of the regulations complete.

Drawings delineating the disturbed area boundaries for the proposed refuse disposal facilities are still under review by the Division. The above comments and conditions also apply to those drawings where applicable.

Map 760a also has a contour bust which provides erroneous elevations for the reclamation contours. This contour information needs to be checked and appropriate changes to the map and subsequent engineering calculations should also be made.

The mine maps presented in the plan include projections into areas outside the currently approved permit area. Projections showing the sequence and timing of mining activities in the Sunnyside seam, as shown on Exhibit 5.21-4, have actually projected mining activities outside of the permit area for 1991. The mine progress map (Exhibit 5.22-2) shows, as of 8-1-91, that development outside the currently approved permit area had not yet occurred, but that mining activities toward the First North section via the Main North First East entries was occurring.

Although lease acquisition of these areas adjacent to the permit area are being perused by the Operator at this time, approval of these mining projections is not possible due to the sequence and timing of those areas within this permit term. The Operator must not conduct any mining activities outside the approved permit area. Although acquisition of these lease areas are considered to be inevitable by the Operator and the Division, several problems occur by projecting the mine workings into these new lease areas.

To alleviate this problem a stipulation to the plan must be presented in the permit renewal to maintain mining and reclamation activities within the currently approved permit area.

Deficiencies:

1. **Prior to approval**, the Operator must commit to not conducting mining activities outside the approved permit area. All mining activities within the currently approved permit area shall conform to MSHA and lease boundary requirements by maintaining a minimum of 100 feet from the permit (lease area) boundary to the mine workings. No mining activities conducted within the permit area shall be conducted which will affect any areas outside the permit area boundary including, but not limited to underground mine workings and subsidence.
2. The Operator shall correct the contour information and elevations as necessary on Map 760a to provide an accurate depiction of the final reclamation contours. In the event that correction of the contour information on the drawing reflects changes in the mass balance calculations, all respective portions of the reclamation plan and the cost estimate for reclamation should be made.

R645-301-536. Coal Mine Waste.

Proposal:

The Operator has proposed the construction of refuse disposal site in conjunction with the permit renewal. The Operator has addressed most of the proposed new waste facilities under section 5.28 of the mining and reclamation plan.

Analysis:

Information regarding the design and adequacy of the proposed refuse disposal facility is currently under review by the Division. Until such time as approval for these facilities is made by the Division no activities, as proposed within that area, can be conducted by the Operator.

Deficiencies:

1. **Prior to permit approval**, the Operator must commit to not conducting any mining and reclamation activities within the proposed refuse disposal facilities until such time as the plans submitted by the Operator have been reviewed and approved by the division.

STIPULATION REVIEW

The following stipulations were included as part of the permit revision for the surface facilities expansion. Analysis to the Operator's response of these stipulations is as follows:

Stipulation R645-301-520.-(1)-JRH

In conjunction with permit renewal, the Operator shall incorporate the information included in the existing plan, the permit revision, and permit amendments in a consolidated manner and in a form and format to eliminate conflicting information within the text of the plan and on drawings of the mining and reclamation plan. The Operator shall provide a detailed table of contents identifying the exhibits, illustrations, and attachments to the plan. A detailed cross reference to the R645 Coal Mining Rules shall be included with the plan. These changes to the plan shall occur within 120 days prior to the permit renewal due October 11, 1991.

Compliance with the above stipulation:

The Operator is considered to be in compliance with the general requirements of this stipulation. The mining and reclamation plan has been resubmitted in a format structured after the structure of the R645 rules and regulations. Information required under each

section of the regulations is addressed as a corresponding subsection of the regulations, i.e., R645-301-120 is found under section 1.2 of the MRP. An explanation of this referencing is found in section 1.20 of the MRP.

Stipulation R645-301-521.100.-(1)-JRH

Maps and drawings within the plan shall be revised to incorporate the proposed facilities. Disturbed area boundaries shall be revised on all applicable drawings within the mining and reclamation plan to indicate those areas proposed for disturbance in conjunction with the permit revision. These changes to the plan shall occur within 120 days prior to the permit renewal due October 11, 1991.

Compliance with the above stipulation:

The Operator has resubmitted drawings with revised disturbed area boundaries as required in the above stipulation. However, several discrepancies remain with regard to these drawings. These problems are discussed as stated in the Technical Review and those remaining deficiencies are stated under R645-301-521 of the Technical Review.

Stipulation R645-301-528.-(1)-JRH

The Operator shall provide the location, extent and amount of waste materials, excess spoils, mine development waste and other coal waste materials as they are temporarily stored in pads, roads or other fill areas within the permit area. The Operator shall provide sufficient design information within the reclamation plan to indicate the final disposition of these materials upon completion of reclamation. Quantities and amounts of materials to be moved or placed in conjunction with reclamation activities shall be provided with adequate description so as to use the information in the determination of the bond amount. Designs and information for the temporary and permanent storage and disposal of all waste materials shall be provided in the plan and submitted to the Division by October 11, 1991.

Compliance with the above stipulation:

The Operator has provided temporary storage locations for refuse and waste materials

at the mine facilities. The Operator has provided designs for the permanent storage of these waste materials at the proposed refuse disposal site. Information found in the plan is considered adequate to meet the requirements of this stipulation.

Stipulation R645-301-551.-(1)-JRH

The Operator shall provide more detailed information regarding casing and sealing of underground openings. The Operator must indicate that when no longer needed for monitoring or other use approved by the Division upon a finding of no adverse environmental or health and safety effects, each shaft, drift, adit, tunnel, or other opening to the surface from underground will be capped, sealed and backfilled, or otherwise properly managed, as required by the Division and consistent with MSHA, 30 CFR 75.1771. The Operator must submit plans and drawings for permanent closure measures designed to prevent access to the mine workings by people, livestock, fish and wildlife, machinery and to keep acid or other toxic drainage from entering ground or surface waters. These changes to the plan shall occur on or before October 11, 1991.

Compliance with the above stipulation:

Information regarding the casing and sealing of underground opening as required by this stipulation was submitted by the Operator as required by the above stipulation and is considered adequate to meet the requirements of this stipulation.

Stipulation R645-301-800.-(1)-JRH

The Operator shall provide to the Division, a detailed and concise cost estimate for reclamation with supporting reclamation designs and calculations which encompass all existing and proposed mining and support facilities and proposed facilities anticipated within the next permit term by October 11, 1991.

Compliance with the above stipulation:

The Operator has provided a detailed cost estimate pertaining to the existing and proposed mining and reclamation operations for the upcoming permit term as required by the above stipulation. The Operator has met and is in compliance with the requirements of this stipulations. However, review of the permit changes proposed by the Operator which were added to the plan in conjunction with the permit review is not complete and a determination of the bond amount required for the Operator cannot be effectively determined until such

time as these proposed changes are approved and incorporated into the plan.

Stipulation R645-301-553.-(1)-JRH

The Operator shall revise and update the mining and reclamation plan to provide more specific and detailed information regarding reclamation backfilling and grading designs. Maps and drawings shall be provided by the Operator to clearly delineate disturbed areas, demonstrate ability of the reclamation plan to meet AOC requirements, demonstrate highwall and spoil pile elimination, provide slope protection and stability for regraded areas, prevent erosion and water pollution, and support the post mining land use. Mass balance calculations for the entire disturbed area shall be provided to demonstrate that a shortage or excess of materials is evident in backfilling and grading contours proposed and to provide quantities for bonding calculations. Backfilling and grading plans for reclamation shall indicate the final disposal of refuse and mine development waste present within the disturbed areas, and locate and describe the final location and disposition of these materials for final reclamation. The Operator shall identify and quantify topsoil and substitute topsoil materials to demonstrate that sufficient soils materials are available for reclamation and to provide quantities for reclamation cost estimation. These changes to the plan shall occur by October 11, 1991.

Compliance with the above stipulation:

The Operator has provided revised calculations and drawings for backfilling and grading requirements for reclamation. The information presented in the plan is considered adequate to address the requirements of this stipulation. However, additional comments have been made under this section of the regulatory requirements concerning backfilling and grading.

Stipulation R645-301-553.-(2)-JRH

In the event that any highwalls or highwall remnants are to be retained in conjunction with the final reclamation of the mining operations, the Operator must address the specific requirements under this section of the regulations and under R645-302-270 of the Rules. Upon submittal of information regarding the retention or partial retention of highwalls, the Division will be required to make a determination as to whether or not the information provided in the mining and reclamation plan is sufficient to allow a variance for the retention of the

highwalls as part of the post mining land use. The Operator shall clearly and specifically indicate which areas under consideration for highwall retention are in conjunction with pre-law disturbances, and those areas which are disturbed after those dates set forth by the regulations which allow for specific variances from the regulations regarding the retention of highwalls. These changes to the plan shall occur by October 11, 1991.

Compliance with the above stipulation:

The Operator has indicated in section 5.53 through 5.53-24 that backfilling and grading will be done so as to create a reclaimed surface which matches the final reclamation contours shown on map 760a. Highwall and depressions will be eliminated as shown on map 760a.

Because the Operator has committed to the elimination of all highwalls within the disturbed area boundary and to achieve AOC requirements, a request for variance from the requirements of this section of the regulations is not needed and the Operator has complied with the requirements of this stipulation.

SUMMARY

Additional technical comments regarding this mining and reclamation plan are forthcoming. The above analysis represents only those comments which have currently been found within the plan that need to be addressed prior to permit approval.