

0014



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

file ACT/007/022  
#2

OFFICE OF THE REGIONAL DIRECTOR

MAR 30 1981

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

Dear Jim:

By way of this letter, I am recommending approval with stipulations of the mine and reclamation plan for Beaver Creek Coal Company's Castle Valley Spur Coal Preparation and Loadout Plant.

A Technical and Environmental Analysis (TEA) has been prepared on the C.V. Spur Plant. I have determined that the alternatives for action and the environmental impacts of these alternatives have been identified and analyzed in the TEA by OSM. A Public Notice was published; however, no response has been received to date. Comments from the U.S. Geological Survey (USGS) and the Bureau of Land Management (BLM) were received and incorporated into the TEA.

The submission of the mine and reclamation plan was in part a response to Notice of Violation #N79-5529 (N500446) issued September 20, 1979, for operating without an approved mining permit. Also, under the Permanent Regulatory Program, coal processing plants are considered a surface coal mining operation and, therefore, must be permitted (30 CFR 700 and UMC 700). Finally, Special Stipulation No. 6 placed on the Huntington No. 4 Mine and Reclamation Plan approval requires approval by the Regulatory Authority before modification to C.V. Spur.

This approval becomes effective upon written acceptance of the special stipulations by Beaver Creek Coal Company. Also, prior to this approval becoming effective, Beaver Creek Coal Company must submit evidence of a performance bond in the amount of \$833,633. The bond must be payable to both the State of Utah and the U.S. Government. Beaver Creek Coal Company may

-2-

submit a performance bond of a lesser amount upon demonstration, using calculations in the form of units, unit costs, quantities, and methods, that a lesser bond amount is adequate.

Enclosed are the Public Notice, USGS and BLM comments, the Special Stipulations, and the TEA.

If you have any questions in regard to this review, please contact John Nadolski of my staff (303/837-3773).

Sincerely,



DONALD A. CRANE

Enclosures

cc: Moffitt, USGS, SLC  
Trippe, USGS, Denver

Special Stipulations  
Castle Valley Spur  
Beaver Creek Coal Company  
Carbon County, Utah

1. Revegetation

The applicant shall within six months of acceptance of approval: (1) sample the remaining undisturbed topsoil on a 100-foot center grid for chemical and physical properties. Those soils or subsoils that are determined suitable for plant growth material (using the criteria discussed in the application) shall be removed, stored and used as topsoil as described in the application; (2) identify other suitable materials to be used as a substitute for topsoil using the criteria discussed in the application; (3) submit for approval by the Regulatory Authority the results of sampling the chemical and physical properties for the undisturbed topsoil and other identified suitable materials for topsoil substitutes; (4) submit for approval by the Regulatory Authority an adequate plan to utilize areas representative of on-site reclamation conditions on the area for revegetation experimental plots. These plots shall be used to investigate potentially suitable plant growth materials for use as a substitute material for topsoil. Techniques approved by the Regulatory Authority to measure the potential for successful revegetation on these substitute materials will be incorporated into the reclamation operations by the applicant. The plan shall address, at a minimum, the following factors:

1. seed trials
2. topsoil control
3. irrigation
4. measurements of rooting depth

2. Cultural Resources

A. Within 30 days of acceptance of approval of the mine plan, the applicant shall insure that their cultural resource consultant contact OSM to discuss deficiencies and corrections found in the report on cultural resources and within 60 days of this meeting the applicant shall provide an addendum to the current report that corrects the following report deficiencies:

1. Provide proof of a National Register check.
2. Provide an explicit statement of survey methods that include survey strategy, ground cover, visibility, presence of unknown sites, and so on.
3. If any areas were not surveyed, a detailed explanation should be included.
4. Provide a detailed discussion of the criteria used to define a site.
5. Assess likelihood of locating buried sites.

6. If any National Register sites are identified, identify and describe the type and degree of impact expected from the proposed action on those sites eligible for or listed on the National Register.

B. If, during the course of operations, previously unidentified cultural resources are discovered, the applicant shall insure that the site is not disturbed and shall notify the OSM. The operator shall insure that the resource(s) is properly evaluated in terms of the National Register of Historic Places eligibility criteria (36 CFR 60.6). Should a resource be determined eligible for listing in consultation with the OSM and the SHPO, the operator shall confer with and obtain the approval of the OSM and the SHPO concerning the development and implementation of mitigation measures as appropriate. If previously unplanned surface disturbing activities are necessary, the applicant shall submit a justification and maps showing the proposed disturbance to the OSM for their approval prior to the commencement of these activities. If sites are identified which are eligible for listing in the National Register, the applicant shall provide a plan for dealing with potential indirect impacts caused by their activities.

### 3. Hydrology

A. The applicant shall, within 30 days of acceptance of approval, include boron in the monitoring parameters for baseline data. If boron exceeds 750 ug/l, it should be included in the subsequent analyses. The applicant shall clearly identify the wells that will actually be monitored.

B. The applicant shall, within 30 days of acceptance of approval, submit a plan for the reclamation to the regulatory authority of the pipeline and river side well facilities.