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STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

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

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

May 3, 1988

Mr. Chris Allen  
Soldier Creek Coal Company  
P. O. Box "I"  
Price, Utah 84501

Dear Mr. Allen:

Re: Initial Completeness Review, Soldier Creek Coal Company, Banning Loadout, PRO/007/034, Folder #2, Carbon County, Utah

The Division has completed its review of the Banning Loadout Mining and Reclamation Plan (MRP) and found several sections to be incomplete. Specific deficiencies are identified in the attached review document. When these items have been adequately responded to, the MRP can be determined complete and Soldier Creek Coal Company can proceed with the public notice as required.

Some technical deficiencies have also been identified in the attached review. A prompt and adequate response to these will allow the Division to prepare its Technical Analysis and Decision Document while the public notice period is in effect.

Also attached are copies of letters from other agencies identifying conditions or requirements to permit approval. Please deal directly with the Health Department on sanitary issues. Feel free to contact me if I can provide assistance.

Sincerely,

A handwritten signature in cursive script that reads "Susan C. Linner".

Susan C. Linner  
Permit Supervisor

djh  
Attachments  
cc: L. Braxton  
B Team  
0028R/71

INITIAL COMPLETENESS REVIEW  
SOLDIER CREEK COAL COMPANY  
BANNING LOADOUT  
PRO/007/034  
MAY 2, 1988

UMC 782.13 Identification of Interests - SCL

(c) If Savage Coal Service Corporation is a business entity other than a single proprietor, the application must contain the names of its officers, principals and resident agent.

UMC 782.15 Right-of-Entry and Operation Information - SCL

A copy of the easement with Kaiser Coal Corporation was not included in Exhibit 5, as referenced.

UMC 782.17 Permit Term Information - LK

The applicant has requested a Life of Mine permit (30 years). However, several of the surface leases expire in less than ten (10) years, with no evidence of provisions for guaranteed renewal, nor is there any evidence presented to show that the requirements of UMC 786.25(a)(2) were met. Therefore, a five-year permit term will be required, unless these items can be adequately addressed.

UMC 782.21 Newspaper Advertisement and Proof of Publication - SCL

Page 1-50 must be corrected to read, "Any written comments, objections or requests for informal conferences on the application may be submitted to Soldier Creek Coal Company and the following regulatory agencies", prior to publication.

UMC 783.14 Geologic Description - DD

This section has been partially addressed. The Mining and Reclamation Plan (MRP) states that the mine plan area is situated on the Mancos Shale, a relatively impermeable formation that occurs at the surface over most of that region.

The applicant needs to describe (document in the MRP) the regional geology and geological characteristics and nature of the Mancos Shale; i.e., origin, extent, thickness and structure within the area.

#### UMC 783.15 Ground Water Information - KW

The applicant needs to define the depth to water in the underlying aquifer. This measurement can be made in the existing well onsite. The only constraint is that the well has had sufficient time to recover from any recent pumping.

The applicant is requested to submit one water quality sample with the next submittal and commit to an annual sample from the existing well, to be submitted in all future annual reports. The sample analysis should be performed according to the complete baseline parameter list of the Division Water Monitoring Guidelines. The need for additional monitoring will be evaluated upon receipt of the sample results.

#### UMC 783.20 Fish and Wildlife Resources Information - LK

Complete. However, the data provided by Utah Division of Wildlife Resources is currently being updated. It is expected that the updated material will be incorporated into the MRP when it becomes available and during a normal MRP resubmission (i.e., mid-term review, permit renewal, major revision).

#### UMC 783.25 Cross Sections, Maps and Plans - KW

The statement in Section 2.7.4 of the MRP needs to be changed to show that there is a water well onsite.

#### UMC 784.11 Operation Plan: General Requirements - JRH

This section is considered to be complete. The operator has provided a narrative description of the major equipment and operations facilities for the site. Additionally, the operator has included in the plan a description of the construction, maintenance, use and removal of these facilities.

However, in review of the location of the affected area boundary as shown on the maps and drawings, the operator needs to modify the location of the disturbed area to include all sediment control structures which are to be incorporated into the plan. Specifically, the straw bale and silt fence structures along the western side of the property must be included within the disturbed area boundary in order to properly maintain and regrade this area upon reclamation of the site. Similarly, this area should also be revegetated upon successful completion of Phase II reclamation at the site.

#### UMC 784.13 Reclamation Plan: General Requirements - JSL

Page 2-8 discusses the construction of drainage control structures. However, the removal of topsoil prior to disturbance was not described. All topsoil material must be removed before additional disturbances to undisturbed areas. Please amend.

UMC 784.13 Reclamation Plan: General Requirements - LK

(b)(5) While this section is generally complete, there are a few points that need to be clarified.

It is not clear whether quantitative data collection will also include the qualitative parameters listed on page 3-12 (see Table 3.7-1). The qualitative observations should be made every year and should be identified as such on Table 3.7-1.

Page 3-11 states that the requirements for cover, productivity, and woody plant density are at least 80% of the cover, productivity, etc. of the reference area. This needs to be corrected to read "...at least 90%...".

Current regulations and policy do not allow augmented seeding, fertilizing, etc., on reclaimed areas without restarting the liability period for those areas. Only activities that would be expected to continue beyond the liability period would be allowed (i.e., pest/weed control). (See rule UMC 817.116(b)(1)).

The MRP states that only qualitative observations will be made with respect to the vegetation testplots to be established this fall. Quantitative data will be needed to "evaluate the efficacy of the proposed reclamation methods", as stated on page 7-17. At a minimum, this data is to be collected during years 3, 5 and 10.

UMC 784.14 Reclamation Plan: Protection of Hydrologic Balance - KW

The applicant needs to commit to the implementation of an effective ground water monitoring program if any of the coal samples indicate potential acid- or toxic-forming materials. This program must be approved by the Division before implementation.

UMC 784.15 Reclamation Plan: Postmining Land Use - LK

Some question exists on the final disposition of fences along the haul road, whether or not they are needed to control wildlife movement in the vicinity. This question needs to be resolved with the land managing agency and clarified in the MRP.

UMC 784.17 Protection of Public Parks and Historic Places - SCL

This rule is not addressed in Section 9.2, as referenced, but rather in Section 2.1.

UMC 784.18 Relocation or Use of Public Roads - JRH

It is evident that the operator had pre-existing rights for use of the public (BLM) access road to and through the property. In order to meet the requirements of this section, the operator should reference and include as part of the MRP, the authorization and conditions of the road use and accessibility of landowners and the public through the site. Subject to this prior approval, the operator would not be required to fulfill the obligations under UMC 761.12(d) for the permitting of the site.

UMC 784.21 Fish and Wildlife Plan - LK

The Fish and Wildlife Control Plan (FWCP) on page 2-14 needs to reference the compliance section on page 8-3 for details on the employee education program and reporting of threatened and endangered species, or amend the FWCP to show that the employee education program is part of the annual retraining program; and that threatened and endangered species reporting will be made to the appropriate State (DWR, DOGM) and Federal (BLM, USFWS) agencies.

UMC 784.22 Diversions - KW

The permit needs a narrative describing the use of the diversions that control the flow of water to the sediment pond.

UMC 784.26 Air Pollution Control Plan - SCL

The applicant will need to acquire a new Air Quality Approval Order prior to upgrading capacity to 6,000 tons/hour or installing any new facilities for crushing, screening or production of lump or stoker coal.

TECHNICAL DEFICIENCIES

UMC 800. Bonding and Insurance - JRH

Bonding details and calculations are considered to be sufficient to determine the bond amount.

With regard to bonding requirements, the operator has requested that bond be provided in the form of self-bond for the site. Currently, the Division has a moratorium on self-bonding and will not accept such bond. The operator will be required to post a surety or collateral bond in order to meet the permit requirements. The specific amount of bond required will be determined during the compilation of the findings document for permit approval. Based on the information provided in the plan, the cost will be close to that estimated by the operator.

UMC 817.24 Topsoil: Redistribution - JSL

Due to the high risk of soil erosion, the redistributed soil should not be disked to the extent proposed (i.e., 1" or less). The material should be left in a rough state to hinder potential erosion and increase the water infiltration. The redistributed soil should not be disked unless the organic amendment will be tilled into the soil.

UMC 817.42 Hydrologic Balance: Water Quality Standards and Effluent Limitations - KW/RS

Following the April 18, 1988 site inspection, performed by Randy Harden of the Division staff, it became apparent that the sedimentation control plan for the site should be re-evaluated. It appears a topographic break exists that prevents runoff from approximately two-thirds of the disturbed area from reporting to the sedimentation pond. Recently this runoff breached the protective berm and discharge occurred off the site.

It is the inspector's opinion that straw bale or silt fence treatment structures will not be adequate to treat this runoff. Discussions with operation personnel onsite also indicated a need to have an additional storage volume in the pond to treat water pumped from the sump.

It appears that a reasonable solution to the problems would be the construction of another small sedimentation pond in the southeast corner of the disturbed area. This would ensure complete treatment of the disturbed area drainage without excessive regrading and diversion construction. It would also allow some additional volume in the currently proposed sediment pond for treatment of sump water.

The proposal currently identifies the areas that will not report to a sediment pond as two small areas that sit below the drainage controls on the south and west side of the disturbed area. These areas will not have any ongoing disturbances associated with them and should not degrade the quality of the receiving waters.

UMC 817.43 Hydrologic Balance: Diversions and Conveyance of Overland Flow, Shallow Ground Water Flow and Ephemeral Streams - KW

The above-mentioned diversions need to be described and shown in a typical cross-section. These diversions must be able to convey the design discharge and have the adequate freeboard to meet the design criteria of this section of the rules.

The above-mentioned diversions need to be shown to be stable (average velocity less than 5 ft/sec) or designs submitted showing that the channel can safely pass flow of higher velocities.

UMC 817.46 Hydrologic Balance: Sedimentation Ponds - KW

The site map and the sediment pond detail map need to show the location of the dewatering device.

UMC 817.48 Hydrologic Balance: Acid-Forming And Toxic-Forming Materials - JSL

This section is not technically adequate. The applicant has committed to analyze for a variety of potential toxic inorganics. According to the National Research Council, research in the Western states, and the Division's current findings for Utah, the following parameters are of greatest concern in coal development: acid-base potential; total non-sulfate sulfur; total organic sulfur; percent calcium carbonate; water extractable boron and selenium; texture; pH; sodium adsorption ratio; nitrate-nitrogen; electrical conductivity; copper; molybdenum; and arsenic. Other possible toxic contaminants such as barium, cadmium, lead, mercury, and zinc are not typical problems in Utah coal development but should be analyzed to verify the extent of availability.

Samples for the parameters of concern should be collected as outlined in the plan. Sampling for the other possible toxic contaminants should be collected when the general location of mining operations changes.

The analysis for most of the above-mentioned parameters should not, generally, follow EPA toxicity test procedures as outlined in the MRP. The analysis should follow the "Standard Methods of Analysis", American Society of Agronomy, Mono. No. 9, 1982, procedures for all parameters except the Acid-Base Potential. The Acid-Base Potential should be calculated according to USEPA document 600/2-78-054, Method 3.2. These methods are the most commonly used in coal development overburden physio-chemical characterization.

UMC 817.71 Disposal Of Excess Spoil And Underground Development Waste: General Requirements - JSL

This section is not technically adequate. A plan for the location and disposal of sediment pond waste must be included within the MRP. The plan shall include a determination as to the acid- or toxic-forming potential of the sediment waste if the outcome of the coal acid- or toxic-forming analysis is positive. If the material is an acid- or toxic-forming material, then the MRP must include plans to the extent and treatment of such material as required by UMC 817.48 and UMC 817.103.

UMC 817.89 Disposal Of Non-Coal Waste - JSL

This section is not technically adequate. All designated non-coal waste must be disposed of in an approved sanitary landfill. The MRP must identify the approved landfill in which the non-coal waste will be transported to and disposed of.

SCL/jr  
1514R/1-6



# State of Utah

Division of State History  
(Utah State Historical Society)  
Department of Community and Economic Development

Norman H. Bangerter  
Governor

Max J. Evans  
Director

300 Rio Grande  
Salt Lake City, Utah 84101-1182

File PR0/007/034 #2

RECEIVED  
FEB 04 1988

DIVISION OF  
OIL, GAS & MINING

January 29, 1988

Susan C. Linner  
Permit Supervisor/  
Reclamation Biologist  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RE: New Permit Application, Soldier Creek Coal Company, Banning Loadout,  
PR0/007/034, Carbon County, Utah

In Reply Please Refer to Case No. K680

Dear Ms Linner:

The Utah State Historic Preservation Office has received for comment the above referenced project. A review of the project area by our staff indicates that there are two sites within the project area. We concur that archeological site 42Cb 91 is not eligible for the National Register. With regards to the dugout in the project area, we would need more documentation, especially photographs, before we can comment on the eligibility of the project. However, we understand that both sites will be avoided and that there are no plans for development in that area. Therefore, we can concur that there will be no effect as a result of this project. However, if additional disturbance is done in the site areas, we would strongly urge additional documentation of the historic site.

The above is provided on request as outlined by 36 CFR 800 or Utah Code, Title 63-18-37. If you have questions or need additional assistance, please contact me at (801) 533-7039, or 533-6017.

Sincerely,

A. Kent Powell  
Deputy State Historic  
Preservation Officer

AKP:jrc:K680/5130V OR/NE

File #  
PRO/007/034



STATE OF UTAH  
DEPARTMENT OF HEALTH

NORMAN H. BANGERTER, GOVERNOR

SUZANNE DANDOOY, M.D., M.P.H., EXECUTIVE DIRECTOR

February 8, 1988

Ms. Susan C. Linner, Permit Supervisor  
Utah Department of Natural Resources  
Division of Oil, Gas & Mining  
355 W. North Temple  
Salt Lake City, Utah 84180-1203

RECORDED  
FEB 11 1988

Dear Ms. Linner:

RE: New Permit Application, Soldier Creek Coal Company, Banning  
Loadout, PRO/007/034, Carbon County, Utah

We have completed our review of preliminary plans for the referenced facilities and offer the following comments:

1. A new Air Quality Approval Order will be required for the facility due to an increase in capacity. The applicant should contact Dave Kopta of the Bureau of Air Quality at 538-6108 for details.
2. A construction permit will be required for the proposed sedimentation pond. We will complete our review of the sedimentation pond upon submittal of the final plans.
3. The preliminary plans do not provide an adequate description of sanitary facilities. We assume sanitary facilities will consist of chemical toilets. This should be more clearly stated in the permit.

If you have any questions or need additional information, please contact me.

Sincerely,

David R. Ariotti, P.E.  
Southeast District Engineer  
Division of Environmental Health

cc: Dale Parker, Division of Environmental Health  
Robert Furlow, Southeast Dist. Health Dept.  
Don Ostler, Bureau of Water Pollution Control