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# State of Utah
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DIVISION OF OIL, GAS AND MINING

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January 10, 2001

TO: ~~Internal File~~

FROM: Michael J. Suflita, Senior Reclamation Specialist MJS for

RE: Water Monitoring Requirements Changes, Plateau Mining Corp., Willow Creek Mine, C/007/038- AM00L

**SUMMARY:**


Proposed changes to the water monitoring plan for Willow Creek Mine were received on November 17, 2000. Information found in the proposal is not considered adequate to meet the requirements of the R645 Regulations. The permittee should make the requisite changes to the proposal as necessary and resubmit the proposal.


**TECHNICAL ANALYSIS:**

# OPERATION PLAN

## HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

**Analysis:**

**Ground-water monitoring and Surface-water monitoring**

The proposed amendment eliminates one stream monitoring point, B131, and one spring monitoring point, B241. The justification for eliminating these points is found in footnote 3 of Table 4.7-3. It states, " Stream monitoring location B131 and spring monitoring location B241 were dropped from the monitoring table in 2000 due to lack of access since 1998 due to a locked gate and no trespassing request by the landowner." Lack of access due to the surface landowner denying access is NOT sufficient reason for removing water monitoring points. The "ownership

of mineral rights in land is dominant over the rights of the owner of the fee to the extent reasonably necessary to extract the minerals therefrom" See *Flying Diamond J. vs Rust.*

While researching the request to eliminate the monitoring points it was evident that the Division should make a finding as to whether the points were "reasonably necessary" for the permit to be maintained. The following permit drawings were reviewed: Maps 12, 14E, 15, 19B, and 19D. From them it was determined that the expected subsidence areas of the A and K seams were the only ones close enough to possibly impact the recharge area to the spring and the drainage area of the stream monitoring points. The subsidence areas for both seams are not close enough to impact the spring or the stream. There is also about 3,000 feet of overburden in the mined area, which would have little subsidence. Further, there is a canyon drainage, Deep Canyon, that is deep enough to separate the subsidence areas and the monitoring points. Therefore, the two monitoring points do not appear to be needed and they can be eliminated from the monitoring plan. They are not reasonably necessary to monitor possible mining impacts to the hydrologic regime. Note 3, table 4.7-3 needs to be changed to simply reflect removal of B131 and B241 since they are not necessary.

Page 4.7-15 indicates eliminating the submittal of quarterly and annual reports of water monitoring data. No justification is given. This is not acceptable since the regulations clearly require such reporting. See Regulatory Reference R645-301-731.200.

Table 4.7-2, Hydrologic Monitoring Program Water Quality Analysis Parameters, has been modified to delete the laboratory analysis of pH and EC, micromhos @25 degrees Celsius. No justification is given. Discussions with Ken Wyatt indicate this mine's monitoring program has had difficulty obtaining reliable field readings of these two parameters. As such, the laboratory tests will have to be continued. The modification to eliminate them is denied.

Table 4.7-2, footnote 3, indicates, "Stream monitoring locations B3N, B5, B6, and B151 will be monitored for dissolved oxygen, all other stream monitoring locations will not be monitored for dissolved oxygen." No justification is given for this change and therefore it is denied.

Page 7-58, paragraph 7.5-1 indicates the, "Surface water monitoring stations will be monitored on or about the following dates (plus or minus 2 Weeks): March 15th, June 10th, Sept. 5th, and Nov. 30th." These dates are not consistent with Table 4.7-3, Willow Creek Operational Water Sampling Schedule. For example, no streams are to be sampled for Jan, Feb, Mar, and Apr. This applies to the first and second pages of the table. There are no page numbers for the table and that should be corrected also. The remaining months of June, September, and November from the text are similarly inconsistent with regard to the table sampling schedule for streams for those months.

The revised Table 4.7-3, completely deletes the baseline record and includes only the operational phase of monitoring. Whether Hydrologic impacts occur due to mining is determined by comparison of baseline monitoring to subsequent monitoring. The baseline

monitoring schedule is valuable for comparison purposes and needs to be preserved in the MRP. The Operator can extend the table or add another one, but the baseline water monitoring schedules need to stay in the plan. Reference R645-301-731.224. Another significant difference was noted between the proposed new table and the one it replaces. The field and baseline monitoring is quite different. For example, for springs the original monitoring before 2000 was F1, B1, (meaning Field measurements if weather and ground conditions permit) for all sites for the month of April. In the revised table these are all deleted. Similarly, for springs in May the sampling used to be F2, B2 and are now F, 0 indicating different sampling. There are several other differences between the old and new version of the table. No justification is given for these changes. In order to approve such changes a rationale and justification must be provided.

**Findings:**

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the permittee must provide the following in accordance with:

**R645-301-731,** 1) Provide appropriate justification for removing monitoring points B131 and B241, 2) Retain quarterly and annual reporting of water monitoring requirements in the MRP, 3) Retain laboratory analysis of pH and EC of water samples, 4) Provide justification for changing Table 4.7-2, footnote 3, or do not make the changes, 5) Resolve the differences in sampling frequency indicated in the text and in Table 4.7-3, and 6) Resolve the differences between the old and new versions of Table 4.7-3, or justify them.

**RECOMMENDATION:**

In its present form, the proposed amendment should be denied.

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