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U.S. DEPARTMENT
OF THE
INTERIOR

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OFFICE OF THE
SOLICITOR
DIVISION OF
SURFACE MINING

31 DEC 1979

MEMORANDUM

TO: John Martin, Office of the Solicitor, Division of Surface Mining

FROM: John E. Hardaway, Chief, Technical Analysis and Research, Region V

SUBJECT: Confirmation of Telephone Call of December 21, 1979 Regarding
Special Stipulations for Huntington Canyon #4 Mine (UT 0004)

This is to confirm our discussions regarding Special Stipulations 10, 14, 16, 19, 21, and 25 for the Huntington Canyon #4 as follows:

Special Stipulation #10 is designed to collect soils information for the areas surrounding those areas already disturbed. The applicant's proposal does not involve disturbing additional area except at the sedimentation ponds. The soils in this area were covered by Special Stipulation #9. Soils survey could not now be performed, with certainty, since snow cover is likely. The bond contains an amount necessary to import soils if adequate soils are not found available on site. The situation at the existing mine will not change within the designated time frame. The information will provide a basis to determine the best sources of soil for final reclamation. Final reclamation may be 10's of years in the future.

Special Stipulation #14 is designed to satisfy a request of the Forest Service. OSM believes that adequate information has been applied to enable a finding that the applicable portions of the governing regulations are satisfied. The surface water drainages are located below the mineable coal seams. The key spring emanates from below the mineable coal seams (see Special Stipulations #15). However, the understanding of the hydrologic system can stand some improvements. Since the Forest Service has concurred with OSM's action on Forest Lands and since the Forest Service recommended approval with this stipulation, OSM considered the request to reflect a need that could be satisfied by a special stipulation. Again, OSM did not see a need for additional information in terms of finding compliance with 30 CFR 211.10.

Special Stipulation #16 requires an acceptable postmining backfilling and grading plan for those areas which have already been disturbed by the existing operations. The proposal does not include additional disturbance except at the location of the sedimentation pond and in the areas of diversion ditches. The bond includes the estimated cost of all backfilling and grading, including importation of some fill material (if inadequate materials are found available on site). The operations if resumed prior to obtaining this information, will not affect one's ability to backfill and grade the area. The alternatives and general nature of an acceptable solution for backfilling and grading the area have been discussed with the applicant and the State of Utah during a 1979 field investigation.

Special Stipulation #19 requires a series of maps showing the coal haul route from the mine to the distant coal preparation facility (the "CV Spur" facility). There is no requirement for this information specifically cited in 30 CFR 211.10 or 30 CFR 784 and 30 CFR 785 applies to coal processing facilities rather than public roads used for coal hauling. This information is requested to enable the regulatory authority to begin a more thorough assessment of the cumulative environmental impacts of haulage pursuant to NEPA.

Special Stipulation #21 requires identification of a permanent seed mix. The mix must be based on an analysis of the native vegetation of the area which cannot be accurately performed until the growing season (1980). Since the only additional area to be disturbed under the proposal is the area of the sedimentation pond and the diversion structures, and since the areas will not be permanently revegetated until completion of mining, it was considered best to allow characterization of the vegetation system prior to selection of a vegetation seed mix. If the mix was selected prior to gathering field data, the seed mix would likely have to be changed again prior to approval.

Special Stipulation #25 requires fugitive dust control information. EPA and the State of Utah have not requested this information. 30 CFR Part 211 requires compliance with the Clean Air Act. The permanent regulatory program requires a plan...

Special Stipulation #7, #11, #30 were addressed in our previous memorandum.

I hope this correctly confirms our discussion.