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NATURAL RESOURCES

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November 18, 1980

Mr. Dan W. Guy  
Beaver Creek Coal Company  
P.O. Box AU  
Price, Utah 84501

RE: Beaver Creek Coal Company  
Special Stipulations  
Huntington Canyon #4  
ACT/015/004

Dear Mr. Guy:

Huntington Canyon #4 was approved by a letter from Don Crane, Regional Director of the Office of Surface Mining on January 30, 1980. Beaver Creek Coal Company has been providing the Office of Surface Mining and the Division of Oil, Gas and Mining with submittals to satisfy the special stipulations that were conditioned upon approval.

After review of your submittals, a recap of the Division of Oil, Gas and Mining's files indicates the following status of the stipulations:

Special Stipulation #1:

From the 1978 submittal of a mining plan for approval under the interim program, Exhibits: 3, 13, 14, 16, 18, 19, 20, 23, 24, 25, 26, 30, 31, 32, 33, 37, 38, 42, 43, 44, 45, 46, 47, 48, 49 and 51. These exhibits are included as part of the approval of the interim program submission except where revised or conditioned.

Special Stipulation #2:

Exhibits of the 1978 plan which are not included as part of the submittal are Exhibits: 21, 28, 29, 39, 40, 41 and 50. These exhibits do not meet the requirements of the performance standards and/or require further analysis and revision.

Special Stipulation #3:

The following exhibits are included as background information Exhibits: 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 17, 22, 27, 34, 35 and 36.

\*Note: The first three stipulations incorporate 44 exhibits of the 51 submitted, out of the 44, 18 are accepted as background (Stipulation #3) and 26 are accepted somewhat conditionally. Of importance is Exhibit 32, which requires submission and approval of additional information regarding surface disturbance and subsidence as a result of mining both seams. As yet the Division has not seen this point addressed. Exhibit 37 discusses additional facilities over the life of the mine. Since the Division recognizes C.V. Spur as not part of the Huntington #4 plan, only the future activities of the mine with regard to the access of Hiawatha Seam and expansion of underground mining in the Blind Canyon Seam. It is recommended that this portion be extended for the permanent program submittal. Exhibit 43 cannot include coal mining as post mining land use. The post mining land use has not been discussed to date in any more detail than initially shown in Exhibit 43, however, other than eliminating mining as a post mining land use, no other information is required for the interim permit by the State for post mining land use.

Special Stipulation #4:

No plans have been approved for opening surface facilities to the Hiawatha Seam. No additional submittals since January 30, 1980 have been received for the Hiawatha Seam.

Special Stipulation #5:

The Office of Surface Mining approved the submittal "Addendum on Top Coal" submitted September 11, 1979 and incorporated this addendum as part of the mine plan. No top coal will be left without prior approval of the Division of Oil, Gas and Mining and the U.S. Geological Survey. The U.S. Geological Survey would have primary responsibility for approving these plans.

Special Stipulation #6:

No submittals for new construction other than that approved January 30, 1980 has been received by the Division of Oil, Gas and Mining. The Division of Oil, Gas and Mining recognizes C.V. Spur as separate from the Huntington #4 plan and permit.

**\*Special Stipulation #7:**

The Office of Surface Mining approved the submittal "Permit Area Map" submitted September 11, 1979 and incorporated this addendum as part of the mine plan. The Division of Oil, Gas and Mining thus assumes that the underground mining will not cause the angle of draw from subsidence to project disturbance beyond this limit. The U.S. Geological Survey and Beaver Creek Coal Company may wish to discuss this if either party is not in agreement. It is advisable that in future submittals that areas subject to final reclamation be shown, that any areas that will be reclaimed and not redisturbed following construction be shown and that areas within the permit area not subject to disturbance and final reclamation be shown.

**\*Special Stipulation #8:**

Beaver Creek Coal Company by a letter and attachments of February 29, 1980, proposed to locate and plug drill holes that were open during the summer of 1980. The original U.S. Geological Survey exploration plans may describe how holes on federal coal were abandoned or their location. The Division requests that any holes found during this period and any action on these sites be reported pursuant to this stipulation.

**Special Stipulation #9:**

The Office of Surface Mining approved the addendum "Topsoil Protection Plan" submitted September 11, 1979, and incorporated this addendum as part of the mine plan.

**\*Special Stipulation #10:**

The Division received a survey of soils and unconsolidated materials located within and adjacent to the affected areas at the mine site not surveyed with regard to the Sedimentation Pond, Stipulation #9. The Division has not as yet reviewed this submission.

**Special Stipulation #11:**

The Office of Surface Mining approved the Addendum #11, "Sedimentation and Erosion Control Plan" submitted September 11, 1979 and incorporated this addendum as part of the mine plan:

**Special Stipulation #12:**

The Office of Surface Mining approved the Addendum #12, "Buffer Zone Signs" submitted September 11, 1979 and incorporated this addendum as part of the mine plan. These signs should be in place at this time.

Special Stipulation #13:

Beaver Creek Coal Company must monitor groundwater if significant groundwater is encountered or if mining could adversely affect springs.

\*Special Stipulation #14:

The Division received a report which addresses all springs and water courses on October 2, 1980. The Division has not as yet reviewed this submission.

\*Special Stipulation #15:

By internal correspondence to Mr. Heine from Mr. Crane of the Office of Surface Mining, Beaver Creek Coal Company, in accordance with Stipulation #15 was to submit information to demonstrate that an alternative water supply can be made available to the City of Huntington if the supply of Little Bear Spring is diminished due to mining.

Special Stipulation #16:

The Division has received the submission to satisfy Special Stipulation #16 on June 25, 1980. The Division has reviewed this submission and asks Beaver Creek to address the following comments:

1. The post mining backfilling and grading plan should address where trash, mine rock refuse etc. will be taken or how they will be buried.
2. The regrading map should have a legend, show disturbed area boundaries, show contours surrounding disturbed area (area subject to reclamation). The map should show areas to be reclaimed by interim reclamation and any areas reclaimed at this time which are final, both included in the disturbed area boundaries.
3. Cross-sections should be shown in critical areas (tight areas) where stability could be questionable and a 1.3 safety factor should be certified for steep areas following final reclamation. Normally, the Bishops ordinary slices method will require a 1.5 safety factor, which implies an actual local safety factor greater than 1 exists.
4. In accordance with Utah's "Steep Slope Window to A.O.C." proposed to the Secretary of Interior, Beaver Creek should show how the final reclaimed area "resembles the general surface configuration and blends into surrounding topography".

5. The Division recommends from reviewing cross-sections provided that at a minimum reclamation equipment (track-mounted) can operate along contour on a 20% slope and steeper if equipment works the area up and down, at right angles to contour. Ledges should be eliminated by grading where possible specifically in the yard portal area. Embankments for pad areas should be reclaimed so that they will not retain water.

\*Special Stipulation #17:

In the future if any development waste that will be stockpiled on the surface from mining it will be subject to approval by the Division prior to disposal in a surface area. Beaver Creek Coal Company must show that the disposal area meets the requirements of UMC 817.71, 817.72, 817.73, 817.74 where applicable.

Special Stipulation #18:

No additional plans have been received by the Division with regard to the lower access road and "Lower Seam Portal Yard" for review and approval. These plans will need to be complete and meet the performance standards (UMC 817 etal) and be incorporated into the operation and reclamation plans prior to approval.

\*Special Stipulation #19:

The Division has reviewed the Haulage Road Data submitted on May 6, 1980 and finds that it adequately meets the requirements of Special Stipulation #19, however, due to questions concerning snow removal, use of sand, salt, etc. for traction, the Division requires Beaver Creek Coal Company to incorporate a plan into your mine plans that will be followed by the permittee for snow removal.

Special Stipulation #20:

The Office of Surface Mining approved Addendum #21, "Wildlife Protection (Haulage)" submitted September 14, 1979 as meeting the requirements of Stipulation 20. The applicant should be sure that road kills are being reported to the Division.

\*Special Stipulation #21:

The seed mix has been approved for temporary reclamation on disturbed areas. Upon approval of a seed mix proposed for final reclamation, any areas that Beaver Creek wishes to reclaim and have released from bonding as final reclamation must be seeded with this mix. In addition to consultation to date on this subject a proposed seed mix must be submitted to the Division.

Special Stipulation #22:

Beaver Creek Coal Company has identified and submitted productivity data for revegetation reference areas. Beaver Creek Coal Company should outline this area on an appropriate map and show a plan for maintaining this reference area for the life of the mine which can be used in bond release upon final reclamation.

Special Stipulation #23:

With reference to Stipulation #16 no reference to the way that the Backfilling and Regrading Plan will conform to post mining land use is found. Exhibit 43 of the original 1978 submittal suggests that the Forest Service has designated these lands for wildlife habitat, watershed, dispersed recreation, timber, harvesting, coal mining and in some parts of the lease tract, grazing. It must be assumed that coal mining will exhaust reserves in the Huntington #4 area so that the post mining land uses would conform to the present uses other than coal mining. Therefore a discussion with regard to the reclamation plans of the mine site conforming to the post mining land uses would be appropriate in the submittal for the permanent program.

Special Stipulation #24:

The Division received a letter from Mr. Holligan to Mr. Crane requesting an extension of the date of submittal for a Wildlife Habitat Survey to September, 1981. On September 15, 1980, a telecommunication from Shirley Lindsay indicates that an extension is granted except for the Raptor Survey and Plan and the Threatened and Endangered Species Survey and Plan.

Special Stipulation #25:

A fugitive dust plan has been submitted to the Office of Surface Mining, however, the Division does not have a copy. The Division request that 3 copies of the fugitive dust plan be submitted.

Special Stipulation #26:

Notification of surface owners and submission of monitoring reports should be submitted to the Division as available pursuant to the monitoring plan (Special Stipulation #27).

Special Stipulation #27:

The Division received the Subsidence Monitoring Plan June 25, 1980. Since the surface is under the management authority of the Forest Service, the Division acknowledges that Beaver Creek Coal Company has complied with the Forest Service requirements for monitoring and that these monitoring requirements satisfy the Utah Mining Code. However, UMC 784.20(b) asks for the operator to give a detailed description of the measures to be taken to prevent subsidence from causing material damage or lessening the value or reasonable foreseeable use of the surface, including etc. The Division feels that Beaver Creek Coal Company should integrate subsidence into the mining plan and show what considerations for property barriers, areas for first mining only, size of barriers between panels, widths that would crush after pillars are pulled etc. The Division would like to point out that safety of the underground production sections should be of primary concern with subsidence secondary and that U.S. Geological Survey should be consulted with regard to coal recovery.

Special Stipulation #28:

The Division received the survey for cultural resources over the mine plan area and adjacent area August 20, 1980. To date the Division has not reviewed the plans submitted and will forward these plans to State History, as soon as you send an additional copy.

Special Stipulation #29:

The Division of Oil, Gas and Mining has a Reclamation Performance Bond for \$154,275.00 that was executed by ARCO and Swisher Coal Company on February 25, 1980.

Special Stipulation #30:

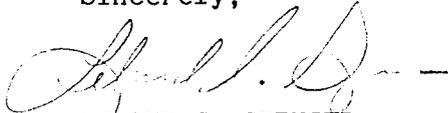
The Board of Oil, Gas and Mining granted a variance on September 27, 1978 for the Haul Road. On September 14, 1979 the Division received a Road Drain Modification from Swisher Coal Company wherein Swisher agreed to add a series of 12 inch culverts at 200-foot intervals along the steepened portion (the area for which the variance was granted), in addition 3 culverts along the upper portion would be installed. Culverts would be provided inlet protection and outlets will be constructed and maintained to control erosion. On March 3, 1980 after discussion of installing culverts on 100-foot intervals, the Division approved the 200-foot spacing on a trial basis.

Mr. Dan W. Guy  
November 18, 1980  
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Permanent Program Submission

The Division hopes to have its program approved by the end of February, 1981. The operators will then be required to submit by the end of April the permanent program applications. Beaver Creek Coal Company should include the items discussed above in their submission. An organizational guideline is attached to assist in preparation of these plans. U.S. Geological Survey and Forest Service requirements should be incorporated. The recapitulation of the status of the interim plan for Huntington #4 must be maintained current until the permanent application is submitted. If you have any questions or if the Division can assist you in any of these matters, please feel free to call.

Sincerely,



LELAND C. SPENCER  
RECLAMATION ENGINEER

LCS/te  
Enclosure