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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dianne R. Nielson, Ph.D., Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

October 19, 1984

Mr. Dan W. Guy, Manager
Permitting and Compliance
Beaver Creek Coal Company
P. O. Box 1378
Price, Utah 84501

Dan
Dear Mr. Guy:

RE: Technical Deficiencies, Beaver Creek Coal Company,
Huntington Canyon #4 Mine, ACT/015/004, #2, Emery County,
Utah

The Division has completed its review of Beaver Creek Coal Company's (BCCC) responses to Technical Deficiencies (TD) as outlined in the draft Stipulations of the August 27, 1984 draft Final Technical Analysis (FTA). In addition, the Office of Surface Mining (OSM) has presented the Division with its review of the August 27 documents. The remaining TD as outlined below represent the Division's latest review of the October 9 submittal, incorporating those concerns raised by the OSM as well. After your review of these remaining deficiencies, please provide the Division with BCCC's response as soon as possible in order to enable completion of the FTA, but in no case later than within two weeks of receipt of this letter.

TECHNICAL DEFICIENCIES

UMC 782.13 Identification of Interests

The regulatory authority (RA) has recently become aware of apparent discrepancies in Section 4.4.3 of the Mining and Reclamation Plan (MRP) which must be checked and corrected by the applicant. These are the following:

1. On page 4-20 of the MRP, under Item #3, Federal Coal Lease U-33454, the description of Section 8 reads S1/4 SE1/4. The regulatory authority believes this should read SW1/4 SE1/4. Please check this, correct as necessary.

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2. On page 4-22 of the MRP, under Item #7, the applicant refers to a Special Use Permit from U. S. Forest Service (USFS) for use of 1.15 acres in Section 16, Township 16 South, Range 7 East for a parking lot and pumping station. Plate 3-1A designates the parking area in the extreme S1/2 of Section 16, yet Figure 4-1, Surface Ownership, designates this area as belonging to BCCC. This discrepancy must be corrected. In addition, the location of the pump station on Plate 3-1A is in Section 21, not in Section 6. See No. 3 below.
3. The pump station, part of the lower sediment pond and the riprap channel between the lower sediment pond and the creek are designated as being outside the permit area boundary (see Plate 3-1A). As these facilities and structures are clearly existent due to the mining operation, they must be incorporated into the permit area on all appropriate maps and figures and addressed within the context of the legal description of lands affected by mining. In addition, these areas must be accounted for in the total disturbed acreage figure, currently stated to be 12.5 acres, for surface disturbed by the mining operation. At this point in time, it is unclear whether or not these areas are included in the 12.5 acre figure. Reclamation of these areas, including bonding, must also be accounted for in the MRP. These discrepancies must be corrected.

UMC 805.11 Bond Determination

Justification for the amount of time needed for each piece of equipment during each specific reclamation task must be included in the bond estimate (i.e., cycle time, efficiency, etc.)

The cost estimate must include the pumphouse, catch basin, sediment pond and riprap drainage, as indicated above.

UMC 87.41 Hydrologic Balance: General Requirements

BCCC's commitment on page 7-23 to complete a ground water study prior to commencing mining in the Hiawatha Seam northwest of a line between drill holes DH-9 and MC-4-3 requires one

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addition to adequately address Stipulation 817.41-(1)-JW. The company must include in the MRP a commitment, that upon completion of the ground water study, mining will commence only upon written approval from the RA.

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

The applicant used a photocopy of Plate 3-1A to reproduce the sketch of Surface Disturbed Area Drainage, Figure 7-7. This figure is unclear and it seems that Plate 7-8 would have been clearer if it was modified and updated to reflect more detailed drainage areas and controls. Therefore, the RA feels that Figure 7-7 is still inadequate and a more clear, detailed plate showing all ditches and culverts and their contributing drainage areas with an adequate scale is still required.

UMC 817.44 Hydrologic Balance: Stream Channel Diversions

The applicant has failed to address this stipulation by not showing the expected peak flow from the 100-year, 24-hour precipitation event and the associated riprap sizing calculations. Since the applicant chose to use the 10-year, 24-hour precipitation event, the response is not acceptable. The applicant must also show that a properly designed filter blanket beneath the riprap is or is not necessary to prevent piping of the parent soil from beneath the riprap. The applicant must also show the ability of the reclaimed stream to handle the 100-year, 24-hour peak flow.

UMC 817.45 Hydrologic Balance: Sediment Control Measures

The applicant shows 15 snow storage areas associated with Plate 3-1A and five of those areas are close to Mill Fork Creek. There is a definite concern about these areas and their sediment contribution to Mill Fork Creek. The Division is aware that data from Stations 4-4-W and 4-5-W indicate a sediment loading along this portion of the creek and that visual on-site inspections have indicated problems with sediment loading due to melting snow waste. The Division requests alternative sediment controls (i.e., straw bales, gabions, silt fences, etc.) for these areas which potentially influence Mill Fork Creek.

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UMC 817.46 Hydrologic Balance: Sedimentation Ponds

See the discussion under Section UMC 817.43.

UMC 817.50 Hydrologic Balance: Underground Mine Entry and
Access Discharge

Page 3-56a of the MRP notes that monitoring and treatment, if necessary, of discharges will be for the permit term only. UMC 817.50(b)(2)(iii) requires treatment (if needed) for the period of discharge. The MRP (page 3-56a) must be amended to reflect this change.

UMC 817.52 Hydrologic Balance: Surface and Ground Water
Monitoring

Pursuant to comments from the OSM, an addition to the surface and ground water monitoring plan is needed to avoid a stipulation in this section. A cation anion mass balance should be performed on at least 10 percent of the water quality samples taken to verify accuracy of laboratory analysis.

UMC 817.57 Hydrologic Balance: Stream Buffer Zones

The information submitted by BCCC dated October 9, 1984 notes acceptance of the stipulation in this section.

It would be the Division's preference that the Company include (and commit to) in the MRP the requirements of the stipulation. The contents of an inclusion in the mine plan would need to incorporate the following points to delete the stipulation in this section.

1. Monthly water quality data from Stations 4-4-W and 4-5-W (see Plate 7-3) will be analyzed for total suspended solids. Upon detection of an increase of 200 mg/l or greater between the two stations on three or more occasions within any two calendar year span, the RA will be notified in writing and additional sediment control measures with appropriate calculations, maps, plans, cross sections and narrative explanation shall be forwarded to the RA within 30 days of detection of the third occurrence.

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If the RA notifies the Company that the measures proposed are not adequate, the Company will submit revised plans within 30 days of the RA's notice and achieve compliance with the applicable standards within 90 days of the RA's notice.

UMC 817.97 Fish and Wildlife Information

An adequate discussion of protection of cliff escarpments has been presented in Chapter 10. However, the potential for subsidence of cliffs still remains. Therefore, mitigation for the potential loss of nests is needed. Mitigation could include replacement of nests, establishment of alternate nest sites, etc. The U. S. Fish & Wildlife Service (USFWS) should be contacted for more site-specific mitigation measures.

In addition, although no impacts to seeps and springs are expected from subsidence, the potential for impacts remains. Therefore, specific plans for mitigation of loss of water for all seeps and springs which may be impacted by subsidence should be discussed.

UMC 817.101 Backfilling and Grading

The wording "highwalls will be reduced . . . where feasible" must be more specifically defined, i.e., exactly where the reclamation will occur.

The applicant must meet all of the criteria for retention of highwalls pursuant to UMC 817.101(b)(8)(i) and (iii).

The sediment control measures during backfilling and grading must be included.

UMC 817.111-.117 Revegetation

The applicant must discuss disturbance to riparian habitat associated with the pumphouse and other facilities. This discussion must include a detailed description of the riparian vegetative community, a complete reclamation plan for restoration of the community and methods for determining successful reclamation for bond release. Appropriate changes should be made in the bonding section, reclamation schedule, wildlife section, etc., to incorporate this information.

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UMC 817.154-.156 Roads: Class I

The surfacing, maintenance and rectoration of the Class I haul roads must be included in the text of the MRP. The 900 foot road must be addressed in the MRP.

UMC 817.166 Roads: Class II

The restoration of the Class II road must be included in the text.

UMC 817.181 Support Facilities and Utility Installations

The pumphouse and catch basin on Mill Fork Creek need to be identified and restoration of the site specified (include in bond estimate), as previously discussed under Sections UMC 782.13, 805.11 and 817.111-.117 above.

Should you have any questions or need further explanation, please contact the Division at your earliest possible convenience.

Sincerely,



Mary M. Boucek
Permit Supervisor/
Reclamation Biologist

btb
cc: Allen Klein
Mary Humphrey
Steve Cox
Pam Grubaugh-Littig
Ev Hooper
Tom Munson
Jim Smith
Rick Smith
John Whitehead
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