0017

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, 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

File #3

February 22, 1988

Mr. Bernard R. Freeman
U.S. Department of Interior
Office of Surface Mining
Albuquerque Field Office
Reclamation and Enforcement
Suite 310, Silver Square
625 Silver Avenue, S. W.
Albuquerque, New Mexico 87102

Dear Mr. Freeman:

Re: Stipulation Follow Up for OSM Oversight Visit of February 17 and 18, 1988

The attached material includes documentation of the resolution of several stipulations you had questions about in your recent visit to the Division offices. These are enumerated as follows:

1. Stipulation 817.46(1)-(TM) Co-Op Bear Canyon Mine, ACT/015/025, - A memorandum dated February 17, 1988, notes the resolution to this stipulation.

2. Condition #4, Wilberg/Cottonwood Mine, ACT/015/019 - A letter from Allen Klein dated December 28, 1984, indicates the condition has been satisfactorily addressed.

3. Stipulations 817.46(1-2)-(JRF), Gordon Creek #3 & 6 Mine, ACT/007/017 - Memos dated June 3, 1987 and April 16, 1987, note these two stipulations have been satisfactorily addressed.

4. Stipulation 817.13-15(1)-(JW), Hidden Valley Mine, INA/015/007 - A copy of page 16-A in the approved MRP documents that this stipulation was adequately addressed at or near the time of permit issuance.

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INA/015/007?
ACT/015/007?
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4. Stipulation 817.13-15(1)-(JW), Hidden Valley Mine, INA/015/007 - A copy of page 16-A in the approved MRP documents that this stipulation was adequately addressed at or near the time of permit issuance.

5. Stipulation 817.101-1-(PGL), Hidden Valley Mine, ACT/015/007, - An OSM Inspection Report dated October 31, 1987, documents this condition has been met in the field.

This should provide you with the information you were seeking during your visit. If there is anything further I can provide to assist in this matter please feel free to contact me.

Sincerely,

John J. Whitehead

John J. Whitehead
Permit Supervisor/
Reclamation Hydrologist

djh
Attachments
cc: L. Braxton
0800R/59

February 17, 1988

TO: File

FROM: Tom Munson, Reclamation Hydrologist TM

RE: Resolution to Stipulation 817.46(1), Bear Canyon Mine Permit, Co-Op Mining Company, ACT/015/025, Folder #2, Emery County, Utah

The necessary information to address Stipulation 817.46(1) is included in a stipulation reply submitted by Co-Op Mining Company on June 21, 1986. This response included text and a Plate 7-9, showing By-Pass Ditch cross-sections, for both sediment ponds. This submittal answered any outstanding concerns.

djh
cc: J. Whitehead
9486R/32

ATTACHMENT A

Special Conditions

Utah Power & Light Company
Wilberg Mine
Emery County, Utah

1. Within 30 days of permit approval, the permittee shall provide, for regulatory authority approval, a statement of criteria that will ensure riprap stability and adequate energy dissipation in accordance with the requirements of UMC 817.44(b). In addition, the following filter gradation must be incorporated into the filter design for the riprap channel lining:

U.S. Standard Sieve Size	Percent Passing By Weight
3"	90-100
3/4"	20-90
#4	0-20
#200	0-3

2. The permittee shall replace any water demonstrated to have been lost or adversely affected by mining operations with water from an alternate source in sufficient quantity and quality to maintain the rights of present users and current and postmining land uses. The permittee shall describe the measures that will be taken to minimize changes to the prevailing hydrologic balance in all perennial streams within the permit area in the event that subsidence effects reduce the baseflow to these streams. This description must be presented to the regulatory authority for approval within 30 days of permit approval.

[Ref:BLM lease conditions 15 and 19, U-47978; condition 14, U-044025; conditions 14 and 18, U-083066; conditions 14 and 18, U-040151; and in accordance with UMC 784.14(a)(2) and (3), UMC 784.20(c), UMC 817.41(a) and (b); and P.L. 95-87 Sec. 508(a)(13)].

3. The permittee shall conduct portal closure activities for the Newberry Canyon breakout during the period from July 1 to January 31.

4. Within 90 days of permit approval, the permittee shall place sufficient clean backfill material on the horizontal portion of each of the benches above Cottonwood portal so as to effectively cover the exposed rider coal seams.

5. Within 30 days of permit approval, the permittee shall provide, for regulatory authority approval, a map and/or plan for the location of the primary grid system for the subsidence monitoring plan over the permit area. This grid system must be adequate to ensure that the foot-vertical accuracy will be maintained and that sufficient points are established for adequately measuring horizontal displacement. A map showing the location of the primary grid system used in the 1980 aerial survey must be provided within 30 days of permit approval along with a copy of the baseline data. Each succeeding year, an updated copy of the map must be provided showing the location of any additional primary grid points established and the baseline survey data. This information must be included in the annual monitoring report which must be submitted within six months of data collection. This monitoring report must also identify appropriate mitigation measures to be taken if significant subsidence impacts occur.

6. Within 30 days of permit approval, the permittee shall provide, for regulatory authority approval, a plan for continuance of subsidence monitoring in the U. S. Bureau of Mines (USBM) study area in the event that the USBM discontinues this study. Using conventional methods, the permittee shall collect data that will be compatible with USBM collected data for future analysis. In addition, the permittee shall evaluate the USBM data within six months of its collection by USBM, analyze this information with respect to subsidence impacts, and evaluate any mitigation measures that may be required. Plans must be provided showing that the permittee will conduct a ground survey of the site this year and will submit results of the survey by September 1984. Plans for comparison of the conventional survey information with the photogrammetry studies must be made. This information is needed to show compliance with UMC 817.121.

7. In accordance with the Manti-LaSal National Forest's May 7, 1984 letter, the permittee is required to comply with the following conditions:

a. Several deficiencies have been noted on Map 2-19 which specifices land uses. The map needs to be updated to include livestock grazing, raptor nests, raptor nesting habitat, deer and elk summer/winter ranges, and commercial timber.

b. Prior to Utah Power and Light moving construction equipment on the Forest in Cottonwood Canyon, the jurisdiction of the access road must be determined. A Road Use Permit may be needed.

c. Burying any waste, toxic or natural, is prohibited on National Forest System lands.

d. Section XVII in the appendices deals with structures that could be affected by subsidence. The following items need to be included in the appendices: fences, roads, stockponds and associated earth dams, and water troughs.

8. At such time that OSM, in consultation with the Division of Oil, Gas and Mining and the SHPO, determines that subsidence within the permit area may adversely affect known or unrecorded cultural sites, additional cultural resource studies may be required. This determination will be based on new subsidence or cultural resource information and clear justification will be presented to the permittee.

9. If determined necessary by the Endangered Species Office of the U. S. Fish & Wildlife Service, the permittee shall participate in the USFWS study program "Recovery of Endangered Fishes of the Upper Colorado River Basin".

file ACT/015/019 #2
cc. J. Whitehead

United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

DEC 2 8 1984

Dr. Dianne Nielson
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Dr. Nielson:

This letter concerns the reclamation work carried out by Utah Power and Light Company (UP&L) on the benches at the Wilberg Mine Cottonwood fan portal to meet the requirement of Condition No. 4.

I understand that this work was not done in accordance with verbal and written agreements which had been made previously among the operator, OSM, and the Division.

We have reviewed the reclamation completed at the Cottonwood portal and believe that the surface configuration satisfactorily addresses the intent of the condition.

Sincerely,

Allen D. Klein

Allen D. Klein
Administrator
Western Technical Center

cc: C. E. Shingleton, UP&L
Robert Hagen, OSM/AFO

RECEIVED
JAN 0 1985
MINING AND
EXPLORATION

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

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April 16, 1987

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

Dear Mr. Guy:

Re: Stipulation Response UMC 817.46(1,2), Gordon Creek #3 & #6 Mines, INA/007/017, Folder #2, Carbon County, Utah

The Division has reviewed your submittal for the above-noted stipulation.

Part One of the stipulation has been adequately addressed.

Part Two of the stipulation is not adequately addressed. Attached is a Memo to File from James Fricke detailing the changes which must occur to adequately address the stipulation.

Would you please assure that your response to this letter reaches the Division no later than May 13, 1987.

Sincerely,

John J. Whitehead
Permit Supervisor/
Reclamation Hydrologist

djh
Attachment
cc: J. Fricke
0800R/78

January 27, 1987

TO: Coal File

FROM: James R. Fricke, Reclamation Hydrologist JRF

RE: As-Built Sediment Pond Plans for Gordon Creek #3 and #6 Mines, INA/007/017, Folder #2, Carbon County, Utah

The operator submitted the as-built design plan for Stipulation UMC 817.46(1,2), on December 29, 1986. The ponds are adequate to meet the volume and dimension requirements of part one of the stipulation.

Part two of the stipulation required that the as-built pond contour interval be no greater than two feet. The plan submitted does not meet this criteria. Plate 7-4a in the MRP needs to be modified to reflect the current dimensions of the principal spillway.

The verbage in the MRP needs to be changed in Section 7.2.3.2 to reflect the following modificiations; pond dimensions, figure references, principal spillway dimensions, and the drop chute spillway changes (remove concrete block portion).

djh
cc: J. Whitehead
0798R/18

James.

June 3, 1987

TO: Coal File

FROM: James R. Fricke, Reclamation Hydrologist JRF

RE: Stipulation Response, Beaver Creek Coal Company, INA/007/017, 3 & 6 Mines, Folder No 2, Carbon County, Utah

The operator's response to Stipulation UMC. 817.46 (2), is adequate. The as bulit plans for the sediment ponds meet all applicable state and federal requirements.

pb
cc: John Whitehead
1193R-12

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February 22, 1988

TO: Coal File

FROM: John Whitehead, Permit Supervisor/
Reclamation Hydrologist JW

RE: Resolution to Stipulation 817.13-.15-(JW), Hidden Valley Mine, INA/015/007, Folder #2, Emery County, Utah

This memo is to document the resolution of the above-noted stipulation. The company has submitted revised pages which make the commitment required by the Stipulation. Page 16A of the current approved Hidden Valley Mine plan indicates the following:

> "Should the water right be terminated, then abandonment procedures as required by the Utah Division of Water Rights, will be undertaken within 90 days of final notice on the water right."

This material was apparently submitted very near to the time of permit issuance, however, no memo to file was compiled. This commitment satisfies all requirements of this stipulation.

djh
0800R/58

From Odden Valley; approved mining and reclamation plan

The known location for drill hole #4 will again be searched with a shovel and probe at the time of reclamation to determine if the drill hole is plugged or open. The site is remote and the exploration road is not serviceable. Thus to use equipment on the site to search for this drill hole would require the re-opening of the exploration road, an additional disturbance. Should an open drill hole be discovered at this site it will be plugged with a five-foot surface plug during the reclamation construction period.

Drill holes 1,2,3 and 7 are part of Soldier Creek Coal Company's water right that has been extended to Jan. 31, 1988. Soldier Creek Coal Company through Calmat will notify the DOGM by March 1, 1988 of the action taken by the Utah Division of Water Rights regarding this water right. Should the water right be terminated, then abandonment procedures as required by the Utah Division of Water Rights', will be undertaken within 90 days of the date of final notice on the water right. Soldier Creek recognizes that this may require an extension of a portion of the surety bond to cover the additional costs of reclamation of the drill hole sites following abandonment action.

Should the water rights be transferred then Soldier Creek Coal Company will follow the procedures in UMC 817.53 for transfer of water rights.

MSEIR NARRATIVE

Hidden Valley

PERMIT NUMBER JNA 1015 1007

INSPECTION DATE 10/31/87

General summary:

The last OSM inspection was on 03/24/87. This federal oversight complete inspection was conducted with Bill Malenik (DOGM), Harold Sandbeck (DOGM), and John Rains (Operator) with dry ground conditions.

Following, is the permitting status:

State permit JNA/015/007 was approved 12/12/86 and expires 01/27/92. The minesite is located in T23S, R6E, S17, 18 with:

7 ac of actual surface disturbance.

560 ac permitted

6.7 ac bonded

0 ac of federal coal (assumed, not specified)

7 ac of allowable surface affectment (assumed, not specified)

No joint OSM permit exists.

Following, is the permit conditions status:

Two stipulations exist. First, R17.13-15 is not logical since the operator's commitment is already in the permit application. Second, R17.101 is not applicable since the pond has been completely graded out - there are no slopes remaining for a 3:1. Though DOGM has not signed off on these 2 conditions, I consider the issues closed.

Following, is the certificate of insurance status:

A policy's in effect til 02/01/88 with Transportation Ins. Co.

Following, is the bonding status:

It is, $15 surety bond remains posted with St. Paul Fire & Marine Insurance Co.

Following, is the drainage control status:

Only one pond was required, a temporary structure, approved to be reclaimed for this reclamation permit - it is. Both adjacent silt fences are up for the ephemeral stream channel reconstruction (approved and completed also), along with the SE pad & silt fence. Silt pad and road culverts were to be removed - they