0007

Route & file in Des Bee Dove mine
UP&L Co
JWS
XMY
TJS

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

OFFICE OF THE REGIONAL DIRECTOR

RECEIVED
MAR 3 1980
DIVISION OF
OIL, GAS & MINING

28 FEB 1980

Mr. Ralph L. Jerman
Utah Power and Light Company
P.O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Jerman:

In accordance with your request of September 27, 1979, and supplemental information provided to the Department on October 9, 1979, November 8, 1979, and January 22, 1980, and based on these and other materials provided in mining and reclamation plans for the Deseret and Beehive Mines on file with this office, I am approving, with stipulations, your plan for continuing underground mining into the "graben" area designated in Attachment I. This approval is also based on the determination that the proposed mining is a logical extension of underground mining into an area that was addressed in the previous plan submitted to and approved by the Department. Your proposal is approved as a more detailed plan to extract coal from an area which is structurally complex (in the geologic sense). The Geological Survey (by memorandum dated December 6, 1979) and the Forest Service (by letter dated January 23, 1980) have concurred with approval.

The stipulations are contained in Attachment II and must be agreed to in writing by the operator, prior to this approval taking effect. The stipulations are necessitated, in part, by the fact that the mining and reclamation plans for the Deseret-Beehive Mine have not previously been revised to be in compliance with the initial regulatory program (30 CFR Part 211). I recognize that all of us are looking forward to an approved State program in Utah and that there is therefore reason to await the permanent regulatory program prior to updating older plans. However, I wish to strongly recommend that you take this early opportunity to bring the mining and reclamation plans for the Deseret and Beehive Mines, as well as the Wilberg, Deer Creek, and Little Dove Mines into compliance with the permanent regulatory program outlined in 30 CFR 740 et seq. It is expected that Utah's program will be equally stringent and therefore no time will be wasted in updating these plans as specified in the stipulations.

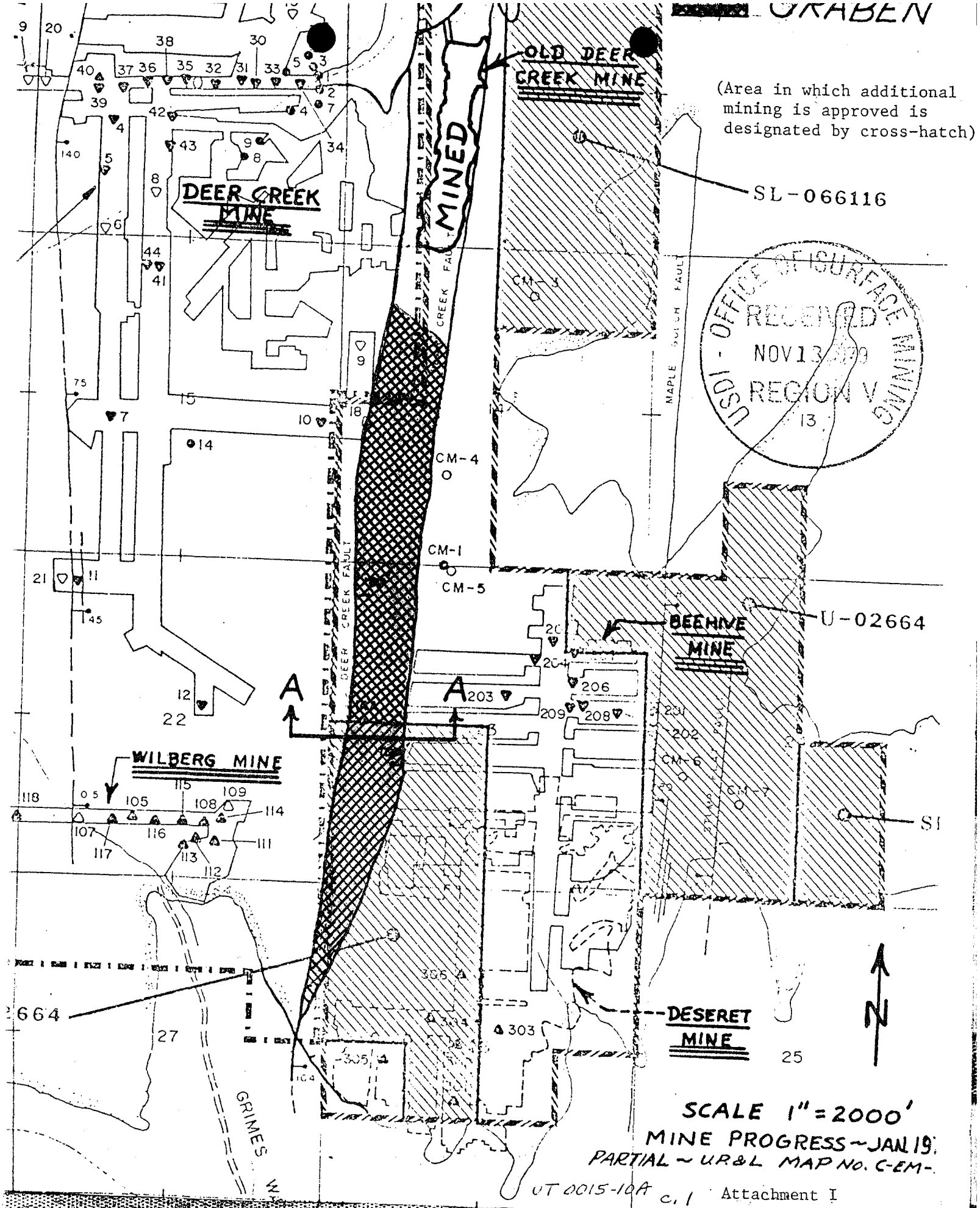
If questions arise, please contact John Hardaway or John Nadolski of this office (303-837-3773).

Sincerely,

DONALD A. CRANE

Attachments

cc: Ron Daniels, Utah DOGM
Jack Moffitt, USGS
Regional Conservation Manager, USGS
Reed Christensen, USFS
Jim Boothe, UP&L


GRABEN
(Area in which additional mining is approved is designated by cross-hatch)
OLD DEER CREEK MINE
MINED
DEER CREEK MINE
SL-066116
CM-3
CM-4
CM-1
CM-5
CM-6
CM-7
BEEHIVE MINE
U-02664
WILBERG MINE
DESERET MINE
DEER CREEK FAULT
MAPLE DOLCH FAULT
GRIMES
A
A
N
SCALE 1" = 2000'
MINE PROGRESS ~ JAN 19
PARTIAL ~ U.R.&L. MAP NO. C-EM-
UT 0015-10A c. 1
Attachment I
USDI - OFFICE OF SURFACE MINING
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Attachment II

Standard Stipulations
Attached to Departmental Approval of Modification of
Coal Mining and Reclamation Plan
Deseret-Beehive Mine, Emery County, Utah for Proposed Mining
Federal Coal Lease No. U-02664

The approval to conduct mining at the site(s) described in the referenced mine plan is subject to the following standard and special conditions and stipulations. This approval shall be revocable at the discretion of the Director, Office of Surface Mining, if the operator fails to comply with any condition or stipulation. The term "Regulatory Authority" as used herein (including the Special Stipulations) means both the federal Office of Surface Mining and the Utah Division of Oil, Gas and Mining unless otherwise specified.

1. The operator agrees to be bound by the provisions of Section 517 of the Surface Mining Control and Reclamation Act of 1977, 30 USC 1267 (P.L. 95-87, hereinafter referred to as "Act"), and agrees to allow the authorized representatives of the Secretary, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay, to:

A. Enter upon or through any surface coal mining and reclamation operations to:

1. Inspect any coal mining and reclamation operation, monitoring equipment, or procedure conducted pursuant to the permit;

2. Collect samples and other relevant information regarding air or water, fish and wildlife, soils, vegetation and other resources protected under the Act, this Chapter and the State program; and,

3. Obtain access to any copy of any records required to be maintained under the terms and conditions of the permit or the regulatory program.

B. Be accompanied by private persons for the purpose of conducting an inspection in accordance with Section 521(a) of the Act.

The term "authorized representative of the Secretary" as used in Section 517 and this paragraph shall be construed to include, but not be limited to, employees of the United States who are supervised by, or detailed or assigned to the Office of Surface Mining, any person under contract who is acting on behalf of the Secretary or any person employed by the State Regulatory Authority if it is authorized to regulate surface coal mining operations on federal lands; or any other person identified as an authorized representative by a letter signed by the Director, Office of Surface Mining.

2. The operator shall comply at all times with the provisos of the Surface Mining Control and Reclamation Act of 1977, the Mineral Leasing Act of 1920, as amended, and the rules and regulations promulgated pursuant to said Acts, and such other requirements as the Regulatory Authority shall promulgate by rule.

3. The operator shall conduct surface mining and reclamation operations only on those lands specifically designated on the map(s) submitted and approved for the term of the permit, and only in the manner or with the processes and techniques described in the approved mining and reclamation plan.

4. The operator shall (a) install, maintain, and use any monitoring equipment required by the Regulatory Authority as a condition of this approval or required subsequent to approval during the life of the mine; (b) establish and maintain appropriate records of such monitoring; (c) evaluate the results in accordance with such methods, at such location, intervals, and in such manner as the Regulatory Authority shall prescribe; (d) make reports of the results of monitoring as required by the Regulatory Authority and (e) provide such other information as the Regulatory Authority shall require.

5. The operator shall comply with the Surface Mining Control and Reclamation Act of 1977; the Federal Metal and Nonmetallic Mine Satety Act; the Federal Coal Mine Health and Safety Act of 1969; the Federal Water Pollution Control Act, as amended; the Clean Air Act, as amended; the Resource Conservation and Recycling Act, as amended; the Refuse Act of 1899; the Fish and Wildlife Coordination Act of 1934; the Mineral Leasing Act of 1920, as amended; and any regulation, performance standard, effluent limit, emission limit, water quality standard, or ambient air quality standard promulgated or approved there under, as well as all applicable state and local laws, ordinances, regulations, standards, and limitations.

6. Compliance with any design criteria, or technology requirement, even where design criteria or the technology has been approved by the Regulatory Authority, shall not relieve the operator of the duty to comply with any applicable effluent limitations, emission limitation, applicable performance standard, water quality standard, ambient air quality standard, or any order issued by the Regulatory Authority under Section 521 of the Surface Mining Control and Reclamation Act.

7. The operator shall file a request with the Regulatory Authority seeking the release of all or part of a performance bond only during those seasonal periods when it is possible for the Regulatory Authority to inspect the area subject to the proposed release and make determination (a) regarding the completeness of reclamation; (b) the degree of difficulty to complete any remaining reclamation, including success of revegetation; (c) whether pollution of surface or subsurface water is occurring; and (d) the probability and estimated cost of abating such pollution or other applicable reclamation requirements.

8. Each of the mining, reclamation or monitoring procedures, techniques, methods or descriptions contained in the approved mining and reclamation plan or in any requirement, stipulation or condition established by the Regulatory Authority as part of any approval of a mining plan, or revision or modification thereof, or by order of the Regional Director following such approval shall be deemed a "permit condition required by this Act" for the purposes of enforcement under Section 521 of the Act and "a condition of a permit issued pursuant to a Federal Lands Program" for the purposes of Section 518 of the Act.

9. The approval of this permit shall terminate six months following the date on which a completed permit application is required to be filed pursuant to the Federal Lands Program unless the requirement to obtain a new permit is deferred beyond such date in accordance with said Federal Lands program. This approval shall not be construed as estopping the Federal Regulatory Authority from denying the permit application in accordance with the requirements of the Federal Lands Program then in effect.

10. Special Stipulations follow (3 pages, 3 stipulations).

Special Stipulations
Attached to Departmental Approval of Modification of
Coal Mining and Reclamation Plan
Deseret-Beehive Mine, Emery County, Utah for Proposed Mining
Federal Coal Lease No. U-02664

1. Within 30 days of acceptance of this approval, the operator shall submit a complete subsidence monitoring plan for the Deseret-Beehive Mine for approval to the regulatory authority. The subsidence monitoring plan will incorporate, at a minimum, the following:

A. Identification of all monitoring for subsidence accomplished at the Deseret-Beehive Mine including station locations, measurements, observations, and analyses of the cause and effects of subsidence at the mine; the personnel responsible for the measurements shall be identified; and the relationships between the measurements and the mining operations.

B. A grid network of survey monuments which enable long-term (life-of-mine) elevation measurements to be made over the mine plan area including the "graben" area. The grid shown in UPL Dwg. #CM-10008-EM dated December 28, 1977 is adequate for permanent survey points. The grid shown in UPL Dwg # CM-10006-DS must be extended to include the "graben" area. Aerial imagery shall be used to supplement the grid network, in accordance with UPL's Document "Subsidence and Hydrology Monitoring Plans-Deseret and Beehive Mines" (undated).

C. A series of closely-spaced survey monuments established over one or more panels where pillars will next be extracted and which will be reoccupied immediately after completion of pillar extraction and thereafter on a schedule agreed to by the regulatory authority. These sites must be reoccupied with a minimum precision of ±0.2 feet unless otherwise approved by the regulatory authority.

2. The following material, at a minimum in forms adequate to comply with the requirements of 30 CFR Part 211 for a mining plan, shall be incorporated into an updated edition of the mining and reclamation plan for the Deseret-Beehive Mine within the time frames specified below:

A. A description and location of signs and markers required by 30 CFR 211.40(b)(2) (see 30 CFR 717.12), preferably in graphic form, submitted within 30 days of acceptance of this approval.

B. A map showing how it is proposed to backfill and grade road cuts, mine entry area cuts, fills and other work areas pursuant to the requirements of 30 CFR 211.40(b)(3) (see 30 CFR 717.14), in accordance with the provisions for roads and support facilities areas existing prior to December 13, 1977, and which have been used for coal mining operations after May 2, 1978. This plan should, at a minimum, include retrieval of material used as fill should reestablish stable drainages; should leave minimal bluffs (and only where stable) and, if required to achieve the purposes of the regulations and the Act, include importation of material. Plans shall be submitted within 90 days of acceptance of this approval.

C. 1. A modified mine plan boundary map for the Deseret and Little Dove Mine consistent with Attachment I. This map shall be submitted within 10 days of acceptance of this approval.

2. A plan addressing the mining of the Hiawatha seam. This plan should, at a minimum, include a plan for the "graben" area with anticipated starting and termination dates. Also inlude a discussion of the geology conditions found at the Little Dove Mine which makes it possible to mine the "graben" area. A plan must be submitted within 10 days of acceptance of this approval.

D. 1. Certification that all roads diversions, road drainages, and sedimentation ponds are portrayed in an "as built" condition in the mining and reclamation plan (including, if appropriate, certified confirmation of the completeness and accuracy of "Engineering Bulletin" by Morison-Knuclen Co. Inc dated October 9, 1978. This may suffice for diversions and sedimentation ponds). The analysis shall include all surface facilitites in the portal/shop/office area (30 CFR 211.40(b)(5) and 30 CFR 717.17). The plan shall identify appropriate critical flow velocities and erosion control measures. The plan(s) or verification shall be submitted within 90 days of acceptance of this approval.

2. All hydrologic data collected since the preparation of the report titled, "Subsidence and Hydrology Monitoring Plans - Deseret and Beehive Mines" (undated). Also a description of water quality monitoring conducted in association with sedimentation control facilities and data from this monitoring. The methods of measurement, scheduled frequency of data collection; and any other information pertinent to explanations of the data shall be included where appropriate, the previously-cited report should be updated to reflect any changes shown in the more recent data and to identify the impacts of mining on the hydrologic system since initiation of monitoring in 1977. The report should incorporate stratigraphic and structural cross-sections in order to demonstrate the geohydrologic conditions supporting the statement regarding the Church Mines on page 10 of the previously-cited report, and adequate maps to show drill hole locations (ibid, page 14), accompanied by drill hole logs and descriptions of pertinent hydrologic tests performed on the wells. Further explanations of sources of water enountered in the mine shall be provided to identify the approximate areas of recharge and flow paths. Monitoring wells shall be included in the description. Water rights, owners and water uses that may be affected by the operations shall also be identified. This will require an expansion of Appendix E of the previously-cited report. The information listed above will be submitted within 90 days of acceptance of this approval.

3. The plan shall clearly indicate whether any waste rock is produced and proposed for disposal on the surface (outside the underground portion of the mine. No waste rock shall be disposed of outside the underground mine area without prior approval by the regulatory authority. This clarification shall be submitted within 30 days of acceptance of this approval.

E. A soils map for the mine plan area. This map may show the equivalant to a Class III soils survey conducted by the Soil Conservation Service. Provide soils analyses of suitable plant growth materials to be used to

prepare all disturbed areas that require stabilization with vegetation. These areas include portal areas, roads, temporary diversions, and the sedimentation pond area. If inadequate materials exist on site to provide suitable growth conditions for the approved postmining vegetation, the plan shall identify off-site sources of materials (30 CFR 211. 40(b)(8) and 30 CFR 717.20.) The soils map and information shall be submitted within 180 days of acceptance of this approval.

F. Vegetation information for the mine plan area in sufficient detail to identify major vegetation communities. Provide quantitative measurements of those vegetation communities that are likely to have existed in the disturbed areas. These quantitative measurements shall adequately describe canopy cover, species, and productivity. Identify a predominantly native seed mix and seeding practices that will comply, at a minimum, with 30 CFR 211.40(b)(8) (30 CFR 717.20) or provide a demonstration that adapted introduced species will support the postmining land use approved pursuant to 30 CFR 211.40(b)(9). The vegetation information and an acceptable permanent revegetation plan shall be submitted before September 30, 1980.

G. A complete description of all previous temporary and permanent vegetation activities and identify seed mix used, any areas not yet seeded or planted, and the revegetation procedures presently planned. Identify reference areas and vegetation measurements underway or planned (excluding the requirements of special stipulations F). This description and accompaning data shall be submitted within 30 days of acceptance of this approval.

H. A sample survey (15%) for cultural resources shall be conducted for all areas where there is the potential for subsidence. Provide a proposal, within 90 days of acceptance of this approval that describes plans for this survey. Include with this proposal a quantitative estimate of the magnitude of the anticipated subsidence. A report of the inventory shall be submitted for approval, before Decemer 31, 1980.

Should sites which could be sensitive to subsidence, e.g. structures, rocks art, rock shelters, be located the operator will consult with OSM and the Utah State Historic Preservation Officer to determine whether mitgation measures or monitoring activities are necessary to avoid adverse impacts or to determine whether the site will be impacted by subsidence.

If during mining operations, previously unidentified cultural resources should be discovered, the operator shall immediately notify the regulatory authority, the operator should consult with the regulatory authority. SHPO and the land managing agency concerning the development and emplimentation of appropriate mitigating measures.

I. All other information required to satisfy 30 CFR Part 211 at a minimum, and 30 CFR 741.13 wherever possible. This information shall be provided before December 31, 1980 unless the requirements of 30 CFR 741.13 are required to be met at approximately the same time, in which case the regulatory authority may, upon proper request of the operator, grant a minor time extension.

3. Submission of evidence of adequate bond to cover the mine plan area within 30 days of acceptance of this proposal. Within 10 days, provide a detailed estimate of the bond amount for review by the regulatory quthority.