



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

*orig Mine file
cc R Daniels
W. Bonick*

*ACT 10/15/017
#2*

RECEIVED

JAN 28 1985

FEB 4 1985

Reed C. Christensen, Forest Supervisor
 Manti-La Sal National Forest
 599 West Price River Drive
 Price, Utah 84501

DIVISION OF OIL
 GAS & MINING

Dear Mr. Christensen:

The Office of Surface Mining (OSM) Western Technical Center, has received your concurrence comments regarding the Des-Bee-Dove mine complex dated January 3, 1985. Many of the comments noted in your letter are issues addressed by Utah Power and Light Company in their permit application.

The following information responds to issues in your letter:

1. "Volume I, Page 2-70 The analysis of the overburden samples tested show that in general no toxic or hazardous materials are present."

"The above statement implies that toxic or hazardous materials were found during sample testing. If specific hazardous or toxic materials were found we need to know what they were and the measures taken for their disposal. If no toxic or hazardous materials were found, then the words in general should be deleted from the sentence".

Sampling methods are based on statistical probability and unless a 100 percent sampling method is used, no one can definitely state that there are no toxic or hazardous materials within the permit area. Therefore the words "in general" are acceptable to OSM.

2. "Volume II, Page 4-6 Any other material found to be toxic are to be handled in the same manner."

"The Forest Service does not allow the burying of toxic waste on National Forest System lands".

A condition to the permit will be included in the Surface Mining Control and Reclamation Act (SMCRA) permit that precludes Utah Power and Light Company from burying toxic materials on National Forest System lands without written permission from the U.S. Forest Service.

3. "Volume II, Page 4-30 A survey to locate structures on East Mountain that could be affected by subsidence has been completed and none were located above Des-Bee-Dove mine".

"A spring and water trough in the NW¹/₄NW¹/₄SW¹/₄, Section 23, Township 16 South, Range 8 East, SLBM, needs to be identified and protected. The spring needs to be added to the water monitoring stations".

The legal location above is incorrect according to Mr. Sam Hotchkiss (T. 17 S., R. 8 E. is correct). The spring has been noted in OSM's technical analysis and Utah Power and Light Company currently monitors this spring. OSM hydrologists have found that the Deer Creek fault is the source of the spring, which is recharged from the westside of the fault. Therefore, Des-Bee-Dove mine complex should not have a dewatering effect on the spring.

4. "Volume IV, Map 1-1"

"This map shows some unleased land within the permit area. These lands are NE¹/₄SE¹/₄, Section 26, and NW¹/₄SW¹/₄, Section 25, Township 17 South, Range 7 East. Utah Power and Light is occupying these lands under a Special Use Permit issued by the Forest Service, so the jurisdiction is still with the Forest Service. These lands need to be excluded from the permit area".

The only land to which this comment applies are the Forest Service special use permit areas. As we have discussed with representatives of the Manti-La Sal National Forest on a number of previous occasions, such activities within the special use permit areas are integral to underground coal mining activities as defined in UMC 700.5, these activities fall under the requirements of the Surface Mining and Reclamation Act of 1977, and must be considered part of the mining permit area.

5. "Map 4-1 Final Reclamation Map"

- a. "Sheet 2 of 5 shows a drainage channel being proposed to be reestablished out of the bottom of the natural channel. The channel needs to remain at the lowest part of the natural channel."

The channel designed must remain as proposed by Utah Power and Light Company in order to be in compliance with Utah permanent regulatory program (UMC 817.72) and Federal regulations (30 CFR 817.72). These requirements prohibit the company from establishing surface water flow across a valley fill. In any case, it would be very difficult to design and construct stable structures to bring a stream down the face of a valley fill.

- b. "Sheet 2 of 5 also shows a closed gate within the switchback area. The gate needs to be left where it is, down the canyon from the switchback area."

A condition to the permit will be included in the Surface Mining Control and Reclamation Act (SMCRA) permit that precludes Utah Power and Light Company from removing the gate from National Forest System lands without written permission from the U.S. Forest Service.

I hope that these responses and the forecoming technical analysis satisfactorily address the Forest Service comments itemized in your letter. If you have any further comments or questions, please call either Mark Humphrey or Walter Swain at (303) 844-3806.

Sincerely,


Allen Klein
Administrator
Western Technical Center

cc: Robert Hagen, OSM- Albuquerque
Dianne Nielson, DOGM ✓
Mary Boucek, DOGM
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