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orig Mine file
cc file
J. Smith
R. Smith

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

RECEIVED

OCT 4 1984

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Mr. Chris Shingleton
Utah Power and Light Company
1407 West North Temple Street
Salt Lake City, Utah 84110

DIVISION OF OIL
GAS & MININGACT 10/15/18
#2

Dear Mr. Shingleton:

Listed below are the deficiencies remaining in the Deer Creek Mine permit application package following receipt of comments from the U.S. Forest Service. These include both Forest Service comments and remaining Office of Surface Mining issues. An adequate and timely response by Utah Power and Light to these deficiencies will allow completion of the permit decision document in the near future, and minimize the number and complexity of conditions to the permit.

The remaining deficiencies are as follows:

1. To comply with the requirements of UMC 817.24, the applicant must provide a commitment in the permit application package to scarify all roads servicing disturbed areas prior to topsoil placement. This practice will eliminate compaction and promote root penetration.
2. Please address the issue of escarpment protection in the permit application, regarding implemented and proposed protection measures, and the effects of mining to-date on the escarpments as required by UMC 817.121 and UMC 817.124.
3. In order to comply with the requirements of UMC 784.20(b)(3)(v) the applicant must provide a plan for continuance of subsidence monitoring in the U.S. Bureau of Mines (USBM) study area in the event that the USBM discontinues the study. Using conventional methods the applicant must collect data that will be compatible with USBM collected data for future analysis. To provide a time schedule supporting the requirements of UMC 817.121, the applicant shall evaluate the USBM data within 6 months of its collection by the USBM, analyze the information with respect to subsidence impacts, and evaluate any mitigation measures that may be required. A comparison of conventional and photogrammetric methods and their respective results should be made.
4. As required by UMC 817.52(b)(1)(iii), the applicant must provide a commitment in the permit application package to provide preliminary results of hydrologic monitoring to the regulatory authority on a quarterly basis. These quarterly reports must be summarized and interpreted in a report by the applicant on an annual basis.

5. To address the requirements of UMC 817.41(a) and (b), please describe the methods proposed to maintain the prevailing hydrologic balance if lost spring flow exceeds the water amount that can be developed using a guzzler.
6. To address the requirements of UMC 817.52(b)(1)(i), the applicant must supplement the description of discharge measurement techniques for springs in the permit application package. Information provided should include both the measuring techniques utilized, and the range of discharge over which they are applied. In addition, the discharges recorded in the monitoring report should note the measuring techniques used.
7. Based upon the soil suitability studies required in OSM's deficiency letter of August 17, 1984 (Item number 11), the applicant must demonstrate that sufficient topsoil exists to spread adequately over disturbed areas during reclamation as required by UMC 817.24.
8. There is currently no information in the permit applicant package to demonstrate right-of-entry. Please provide copies of all necessary lease agreements and/or other access guaranty information to comply with the requirements of UMC 782.15.
9. The applicant must provide documentation in the permit application package to demonstrate compliance with U.S. Fish and Wildlife Service mandates, and the Migratory Bird Treaty Act of 1918, regarding the locations of individual raptor nests in the vicinity of the U.P. & L mines. Please include information regarding how the nest sites were surveyed in 1982.

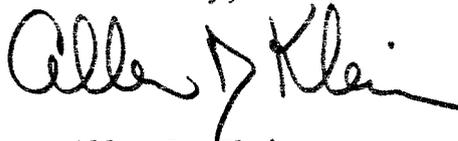
The applicant must provide details of the monitoring plan for golden eagle and other raptor nesting activity as required by UMC 817.97(b). Please include evidence that the plan has been prepared and coordinated with the U.S. Fish and Wildlife Service.
10. To demonstrate compliance with the requirements of UMC 783.20 and UMC 784.24, please provide construction details of the overland conveyor, particularly with regard to height above ground, and qualitative information and observations relating to mule deer crossing along the conveyor.
11. To comply with the requirements of UMC 817.97(d)(7), the applicant must provide a statement committing to avoid the use of persistent pesticides.

12. The structures which could be affected by subsidence, listed in Section XI of the appendices, should also address fences, roads, stockponds and associated earth dams, and water troughs (UMC 784.20, UMC 817.124, UMC 817.126).

Please provide your response to these issues no later than October 26, 1984 in order to allow final development of a decision package on the Deer Creek Mine to continue on schedule.

If you have any questions, please call Louis Hamm or Walter Swain at (303) 844-3806.

Sincerely,

A handwritten signature in black ink that reads "Allen D. Klein". The signature is written in a cursive style with a large initial "A" and a long horizontal stroke at the end.

Allen D. Klein
Administrator
Western Technical Center

cc: Robert Hagen, OSM, Albuquerque
Dianne Nielson, DOGM
Mary Boucek, DOGM
Reed Christensen, USFS