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United States  
Department of  
Agriculture

Forest  
Service

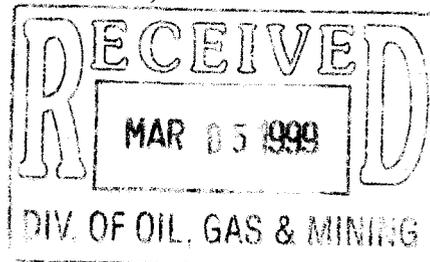
Manti- La Sal  
National Forest

Supervisor's Office  
599 West Price River Drive  
Price UT 84501  
Phone # (435) 637-2817  
Fax # (435) 637-4940

File Code: 2820-4

Date: March 2, 1999

Utah Division of Oil, Gas and Mining  
ATTN: Daron R. Haddock  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801



Re: 444 Acre Incidental Boundary Change, Genwal Resources Inc., Crandall Canyon Mine,  
ACT/015/032IB98-1, Folder #3, Emery County, Utah

Dear Daron:

#2

*Copy Daron*

We have reviewed the two packages of information on Genwal's request for an Incidental Boundary Change (IBC) dated August 3, 1998 and November 20, 1998. We have identified several items in the August 3, 1998 package which need correcting before we can consent to the packages:

Page 3-5, Section 3.21.2, Productivity of Lands Prior to Mining Activities

The first paragraph should be updated to describe the current surface disturbance.

Page 3-6, Section 3.22.1, Protection and Enhancement of Fish and Wildlife

The last paragraph, discussing the Colorado cutthroat trout population in Crandall Creek, should be updated. Fish habitat has been improved in Crandall Creek above the mine, DNA results are now available, and the "pure" fish have been transplanted back to Crandall Creek.

Page 5-20, Surface Features and Facilities Subject to Subsidence, first paragraph

Both forks of Crandall Creek are perennial at least up to the Federal lease boundary with State Lease ML-21568. The last sentence of this paragraph must be modified to show this.

Page 5-22, Section 5.25.13, Measures to Prevent Subsidence

Item 4. The copy of Plate 5-2 with the submittal did not show the buffer zones where no subsidence would be allowed, however, Genwal provided the Forest Service with an updated map showing the buffer zones. The updated map should be supplied with all copies of the revision to this submittal. The last paragraph on page 5-22 also refers to Plate 7-16. This plate needs to be updated to show the sections of Crandall Creek which are now considered to be perennial. The 1991 and 1992 data are not complete.



The last sentence of the fourth paragraph (top of page 5-35) states that "Scrap metal and used equipment will be stored underground or on the surface next to the solid waste container until the material is sold to a scrap metal or used equipment dealer". Genwal should state a time limit for storage underground, such as 90 days, so that solid wastes are not inadvertently left permanently.

Page 5-35, Sediment Pond Waste

The first sentence states "Sediment removed from the pond during the cleaning process will be either 1) returned to the mine workings and disposed of in compliance with MSHA regulations, or 2) hauled to a DOGM approved coal waste disposal facility". The Forest Service has not consented to placing the sediment pond sediments in the mine workings. Genwal has been transferring the sediment to a landfill near Huntington. Therefore, the reference to placing the sediment in the mine workings should be eliminated.

Page 5-43, Section 5.42.60, Roads

The third paragraph, concerning reclamation of the road from Huntington Creek to the Forest Service turn-around, must be updated. Section 14.g. of the current Road Use Permit (copy enclosed) specifically states that the asphalt pavement will be removed and disposed. Removing the asphalt is not contrary to the current Road Use Permit.

Page 5-44, Section 5.42.71, Closure and Management of Mine Openings

This section contains the statement that the bathhouse and other noncombustible underground structures will be left underground. This is not acceptable as written. As noted above, all solid wastes must be removed from the National Forest System lands, including the underground structures and materials, equipment, and supplies in the structures.

Please contact Carter Reed or Dale Harber at the above address or phone number if you need any additional information.

Sincerely,



for

JANETTE S. KAISER  
Forest Supervisor

Enclosure

13. Termination. This permit shall terminate on January 30, 1998. It may be terminated upon breach of any of the conditions herein. This permit shall be reviewed annually and is subject to revision at such time as conditions of use change.

14. Reclamation Requirements. At the conclusion of his use the permittee shall reclaim the roadway by:

- a. Reducing the 27 foot subgrade with 22 foot running surface of 8 inch depth to a 20 foot subgrade with a 14 foot running surface of 12 inch depth.
- b. Scarification and ripping of outside 7.3 foot of subgrade in preparation of seeding.
- c. Feathering of the existing outside slope at a maximum slope of 1-1/2:1 and minimum of 4:1.
- d. Replacing of topsoil on reclaimed slopes outside the traveled way and shoulders prior to seeding.
- e. Seeding of reclaimed area with an approved seed mix with mulches and fertilizers.
- f. Adjustments of the drainage structures to fit the reduce roadway section.
- g. Remove asphalt pavement and recycle or dispose of, in accordance with Hazardous Materials Laws in the State of Utah.

15. Reclamation Bond. In the event the permittee is to perform reclamation of the roadway at the conclusion of his use, the Forest Service may required as a further guarantee of the faithful performance of such work that the permittee furnish and maintain a surety bond satisfactory to the Forest Service in the sum of eighty-six thousand and five hundred dollars (\$86,500), or in lieu of a surety bond, deposit into a Federal depository, as directed by the Forest Service, and maintain therein cash in the sum of eighty-six thousand and five hundred dollars (\$86,500), or negotiable securities of the United States having a market value at time of deposit of not less than eighty-six thousand and five hundred dollarrs (\$86,500). As soon as security for the performance of road reclamation requirements or the settlement of claims thereto is completed, unencumbered cash guarantees or negotiable securities deposited in lieu of surety bond will be returned to the permittee.

This permit is accepted subject to all of its terms and conditions.

ACCEPTED

Permittee (Name and Signature)

Date

*Allen Clark*

*3/20/95*

APPROVED

Issuing Officer (Name and Signature)

Title

Date

*Brent B Barney*

*Acting Forest Supervisor 3/*