

0006



**Southern Utah  
Fuel Company**

P.O. Box P  
Salina, Utah 84654  
(801) 529-7428

Rock & Site in  
ACT/04/002

Xmp 3/27

3/27/79  
TJE

JWS

Division of  
Coastal States  
Energy Company

MAN  
R

March 23, 1979

#2

Thomas J. Suchoski  
Reclamation Hydrologist  
Division of Oil, Gas and Mining  
1588 West North Temple  
Salt Lake City, UT 84116

Dear Mr. Suchoski:

We are extremely concerned about your March 16, 1979, letter. Subsequent to your department's cursory review of our February 6, 1979, Waste Disposal and Drainage/Erosion Control Plan, you transmitted dissatisfaction and requested us to re-work the plan for a variety of reasons. It is obvious that we need to further communicate both the intent and design in the plan.

However, let us first assure you that it is our sincerest desire to maintain a candid and cooperative relationship with your department. The following comments are not in any way intended to provoke a "we'uns and them'uns" approach toward your department. Rather, they are intended to explain further the basis behind our plan, why it will work, and why it is the most acceptable from a practical and environmentally sound viewpoint.

A closer review of the maps and cross sections provided in the plan will show that the "French drain" being used as a conduit for by-pass water is isolated from the sedimentation pond/waste disposal area by the sedimentation pond dam. During periods of high flow, the excess by-pass water will merely rise to a level above the surface of the rocks in the French drain. Rip-rap along the outer dam face will prevent erosion of the dam structure. Because the preferential water flow will be diverted as such, we simply do not believe there will be any tendency for flow through the rock material beneath the pond/waste disposal area. If that area becomes saturated, the stable inter-locked rock base will prevent movement.

I would question your statement that the required storage volume of the sedimentation pond is defined as "0.1 acre foot sediment storage volume in addition to the run-off volume resulting from the 10-year 24-hour

rainfall event from the affected area and direct precipitation on the pond." Section 817.46(b) of the OSM regulations to enforce public law 95-87 requires a volume equal to "(1) the accumulated sediment volume from the drainage area to the pond for ... the life of the pond ...; or (2) 0.1 acre foot for each acre of disturbed area within the upstream drainage area or a greater amount if required by the regulatory authority ...; and (3) the accumulated sediment volume necessary to retain sediment for 1 year in any discharge from the underground mine passing through the pond". The 10-year 24-hour precipitation event (2" rainfall in our case) which you mentioned in your letter refers to the regulatory requirements in Section 817.46 (c) that run-off from such an event be detained within the pond for a 24 hour period. Our plan, with it's minimum 0.3 acre foot pond volume for the 1.0 acre disturbed area involved, more than adequately fulfills the requirements.

Any re-design of the location of the pond as submitted in the February 6, 1979 plan would be in direct conflict with Section 817.46 (a) (2) of the general requirements for sedimentation ponds which require that the pond "be located as near as possible to the disturbed area and out of perennial streams whenever possible."

In your letter, you listed six items which should accompany the re-submittal of our plan. Although we are not altering our submittal at the present time (pending your response to this letter), we feel some comments on the items are necessary.

Item 1 requires maps delineating the area affected and the relative location of the surface features to the rest of the mine. Maps showing the affected area (fill face, pond, and drain) were supplied with the plan. The location of the fill and fill face are clearly represented on surface maps in the mine plan. Are we misunderstanding your request or do you desire a map showing the watershed below the pond site?

Item 2 requires specifications on the pond design and the French drain's capacity. As stated in the plan and shown on the drawings, the pond foundation and dam will be constructed in 18" lifts of waste rock material. This material will most likely consist of sandstone (80%) and shale (20%). The French drain, as stated above, will not be covered. Therefore, by-pass water will not be prevented from rising above the drain during extreme flow events.

Item 3 asks what will be done with sediment cleaned from the pond. No sediment will be removed from the pond. As sediment (and disposed waste rock) decreases the pond volume, the pond volume will be increased again by raising the dam height.

Item 4 requires an NPDES discharge permit application for the sedimentation pond. No permit is necessary since there will be no discharge. Run-off from the one acre area of the fill face will be left in the pond to evaporate.

Item 5 requests a further commitment from SUFCo regarding details of vegetating the outer slope of the pond dam. As stated in the plan, SUFCo will use native vegetation. However, this letter further commits us to using any grass seed and at any mulch rate requested by the Forest Service at the time the sedimentation dam is constructed. We will also fertilize in accordance with Forest Service specifications.

Item 6 requests that we address alternative pond locations between the fill slope and the junction of East Spring Canyon and Convulsion Canyon. Any location further down East Spring Canyon would:

1. Ignore the standards in section 817.46 (a) (2) of the SMCRA regulations.
2. Disturb several times more area than proposed in the February 6, 1979 plan.
3. Cause surface disturbance to federal lands which are not on our lease.
4. Require a pond volume capacity many times larger than proposed. East Spring Canyon drains an area in excess of 5,500 acres. A dam downstream from the fill, which would not permit an up-stream run-off by-pass, would possibly require a volume capacity across the center of the canyon which would backup above the toe of our fill and therefore threaten it's stability.
5. Require a large dam which would have to be constructed of borrowed material, the mining of which would have it's own negative environmental impact.

Finally, I must take issue with your statement in Item 5 in which you state SUFCo has not conformed to the original mining plan and "has not shown good faith in stabilization of the existing cut slopes." It is true that the unusually wet winter last year caused slumping before we could stabilize a cut slope down our mine portals but we have spent in excess of \$100,000 to correct this problem through construction of retaining walls and benches. We have budgeted for a sprinkling system and seeding program for the site. This work will be undertaken this spring. Further, we have enlisted advice from the Dames and Moore Consulting Firm regarding slope stability at the mine and we intend to use a consulting engineering firm this summer to design additional control systems. The original mining plan committed SUFCo to revegetating the disturbed mine area at the conclusion of the operation and we fully intend to satisfy that commitment. Revegetating a disturbed area in continuous use is not the intent of either the plan or the law.

I ask your help in gaining approval for our mining plan. We would like to work with you to satisfy the regulations and to utilize socially responsible mining practices. To this end, I believe closer one on one

Thomas J. Suchoski  
March 23, 1979  
Page 4

communications would be fruitful. I am anxious to meet with you at your convenience to discuss the problems mentioned in your letter. Certainly, clarification of points in this manner with subsequent documentation after agreement should make both of our goals easier to achieve.

Sincerely yours,



Kerry A. Frame  
Chief Engineer

mll

xc: Murray Smith, Federal Lands Coordinator  
Donald Crane, Regional OSM Director  
Tom Gambill, Vice President Mining, Coastal States Energy  
Vernal J. Mortensen, Vice President, Southern Utah Fuel Company  
Richard Allred, District Ranger, Fishlake National Forest  
Ronald Daniels, Utah Division of Oil, Gas, and Mining