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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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May 5, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor *DH*

FROM: Wayne Western, Senior Reclamation Specialist *WHW*

RE: Deficiencies in the MRP, Canyon Fuel Company, LLC, SUFCO Mine, ACT/041/002-98-1, File #2, Sevier County, Utah

**Summary:**

While I was verifying the permit boundaries for the SUFCO Mine, I found deficiencies in the MRP related to the right-of-entry areas, the permit and disturbed area boundaries, and the reclamation plan.

**Analysis:**

The Division recently found some problems with the descriptions of the permit and disturbed areas, and the reclamation contour map for the SUFCO Mine. The problems are as follows:

**Right-of Entry**

The United States Forest Service Use (USFS) special use permit areas shown on Plate 5-2B are not listed in Section 1.1.4 of the MRP, Right-of-Entry Information. The Permittee is required by R645-301-114 to describe the lands that they have the legal right to enter and begin coal mining. Those areas include the coal leases described in Section 1.1.4 of the MRP and the United State Forest Service special use permit areas where coal mining activities occur. The USFS special use permit areas that must be included in Section 1.1.4 of the MRP are:

- USFS special use permit containing 9.20 acres that contains the access road to the sediment pond
- USFS special use permit for the spring collection field containing .039 acres
- USFS special use permit for the pump house and 10,000 gallon storage tank containing 0.075 acres
- USFS special use permit for the leach field containing 0.28 acres

### **Permit Boundaries Main Mine Facility**

R645-301- 521.132 requires that boundaries for the land that the permittee has the legal right to enter and begin mining operations be shown on the landowner ship and right of entry and public interest maps. Plate 5-6 is the land ownership map and does not show the United States Forest Service special use permit areas for:

- USFS special use permit containing 9.20 acres that contains the access road to the sediment pond
- USFS special use permit for the spring collection field containing .039 acres
- USFS special use permit for the pump house and 10,000 gallon storage tank containing 0.075 acres
- USFS special use permit for the leach field containing 0.28 acres

Plate 5-6, Land Ownership, has a scale of 1 inch equal 1,000 feet. The special use permit areas have areas ranging form 9.2 acres to 0.075 acres. Plotting small acres on a 1 to 1,000 scale maps may not be practical. The Permittee may refer to the small special use permit areas on Plate 5-6 and then show the detailed boundaries on a larger scale map.

The disturbed area boundaries for the USFS special use permit areas are shown on Plate 5-2B. Since the disturbed area boundaries are not always the same as the permit boundaries, the Division requires the Permittee to show both the disturbed and permit boundaries even if both boundaries are the same.

### **Permit Boundaries Waste Rock Disposal Site**

R645-301- 521.132 requires that boundaries for the land that the permittee has the legal right to enter and begin mining operations be shown on the land ownership and right of entry and public interest maps. Neither Plate 5-6, Land Ownership, nor any map in Volume 3, Waste Rock Disposal Site, shows the permit boundaries for the waste rock disposal site. The Permittee does show the property boundaries for the waste rock on Map 2 in Volume 3 of the MRP. Since property boundaries are not always the same as the permit boundaries, the Division will require the Permittee to identify the permit boundaries at the waste rock disposal site.

The Permittee does not show the location of the permit or disturbed area boundaries for the waste rock site. R645-301- 521.132 requires that boundaries for the land that the permittee has the legal right to enter and begin mining operations be shown on the land ownership and right of entry and public interest maps.

The waste rock disposal site is 3.5 miles west of the main mine permit area. Plotting the waste rock disposal site on Plate 5-6, Land Ownership, may not be practical. The Permittee may choose to mention

the waste rock disposal site on Plate 5-6 and then show the permit boundaries on another map.

### **Disturbed Area Boundaries at the Waste Rock Disposal Site**

R645-301-521.163 requires the Permittee to show the location of the disturbed area boundaries on the mine and permit area maps. The disturbed area boundaries for the waste rock disposal site are not shown on any maps. The Permittee must show the disturbed area boundaries at the waste rock disposal site.

### **Reclamation Contour Map**

- Plate 5-3, Post-Reclamation Surface Configuration, does not show the reclaimed surface for some USFS special use permit areas. R645-301-542.300 requires that the Permittee give the Division final contour maps for the affected areas. Those areas are:
- USFS special use permit containing 0.193 acres that contains the water tanks
- USFS special use permit for the spring collection field containing .039 acres
- USFS special use permit for the pump house and 10,000 gallon storage tank containing 0.075 acres
- USFS special use permit for the leach field containing 0.28 acres

The Permittee must update the Plate 5-3 to show the reclamation contours for these areas.

- Plate 5-2B shows a dirt road at the southeast boundary of the main mine facilities. The road continues from the disturbed area boundary to the base of the main substation. Plate 5-3 shows that road remaining after reclamation.

Plate 5-2B shows a dirt road at the water tanks northeast of the main mine facilities that continues to the northeast boundary of the main mine facilities and then on to top of the main substation. Plate 5-3 shows that road will remain after reclamation.

Plate 5-3 shows that the two above-mentioned roads will not be connected during reclamation. The Division does not know why those roads are either reclaimed with the disturbed area boundaries or connected. Reclamation of those roads is not addressed in Section 5.4.2.6, Road Reclamation, of the MRP.

In Section 5.2.7.2, Description of Transportation Facilities - Road Specifications, the Permittee does not mention the dirt roads in the main mine facilities area. The Permittee does state:

The remaining roads used by SUFCO are public roads that are owned and maintained by the U.S. Forest Service. These roads are generally unimproved dirt roads and are used for access to mine utilities

as well as access to the lease area surfaces for the collection of monitoring data (environmental and subsidence data).

R645-301-521.123 requires that the Permittee identify all public roads that are located in or within 100 feet of the permit area. If the roads are public roads then they must be identified as public roads on the mine facilities map (Plate 5-2B) and in the text of the MRP.

R645-301-527.100 requires that the Permittee classify each road as either primary or ancillary. If the roads are ancillary then they must be reclaimed when no longer needed. See R645-542.600. If the roads are to remain as part of the post mining land use then the Permittee must show that the road meets the requirements of R645-301-527.123

**Findings:**

The Division has identified the following deficiencies in the SUFCO MRP.

- The Permittee did not meet the requirements of R645-301-114 by not correctly describing all the lands that they have the legal right to enter and begin coal mining. The areas that are not mention in Section 1.1.4 of the MRP, Right-of-Entry Information, are some USFS special use permit areas that are shown on Plate 5-2B.
- The Permittee did not meet the requirements of R645-301- 521.132 by not correctly identifying the permit area boundaries on the landuse map. The area not shown on Plate 5-6, Land Ownership, are the mine waste rock disposal area and some of the USFS special use permit areas.
- The Permittee did not meet the requirements of R645-301-521.163 by not showing the disturbed area boundaries for the waste rock disposal area.
- The Permittee did not meet the requirements of R645-301-542.300 of showing the final contour maps for all the affected areas. Those areas for which final contours as not shown are some of the USFS special use permit areas that are shown on Plate 5-2B.
- The Permittee did not address how some dirt roads in the main mine facilities area will be reclaimed or left as part of the post mining land use. Since the ownership of the roads is not known the possible violations are
  - The Permittee may have failed to met the requirements of R645-301-521.123 by not identifying all public roads in or within 100 feet of the permit area.
  - The Permittee may have failed to met the requirements of R645-301-527.100 by not classifying all roads in the main mine facilities area as either primary of ancillary.
  - The Permittee may have failed to met the requirements of R645-301-542.600 by not

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providing a detailed reclamation plan for all roads within the main mine facilities area.

- The Permittee may have failed to meet the requirements of R645-301-527.130 by failing to show that some of the roads in the main mine facilities area have been approved to be retained as part of the postmining landuse.

**RECOMMENDATION:**

Require the Permittee to correct the deficiencies in the MRP within 30 days.

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