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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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TO: Internal File

THRU: Dave Darby 

FROM: Wayne H. Western, Reclamation Specialist III *WHW*

RE: Pines Tract Lease, Canyon Fuel Company, LLC, SUFCO Mine, ACT/041/002-SR99D

SUMMARY:

I completed the first review of the Pines Tract amendment. The amendment has several deficiencies that must be addressed, before the amendment can be approved.

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR Sec. 783., et. al.

PERMIT AREA

Regulatory Requirements: 30 CFR Sec. 783.12; R645-301-521.

Analysis:

The permit boundaries are shown on Plate 5-6, Land Ownership and Permit Area Map. The plate has a scale of 1" = 2000'. It shows the existing permit boundaries and the proposed Pines Tract expansion.

On Page 1-34 and 1-35 the Permittee lists the legal descriptions for the Pines Tract. Since the permit area and lease area are not always equal, the Permittee needs to give the Division a legal

description of the permit area. The description of the permit area must include the number of federal, State and fee acreage.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-521.190, The Permittee must give the Division a legal description of the permit area and the number of federal, State and fee acreage.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Affected Area Boundary Maps

Plate 5-5 shows the affected area boundary.

Existing Structures and Facilities Maps

Plate 5-5 shows the existing structures and facilities for the permit area. Plate 5-2A is a detailed map of the surface facilities.

Existing Surface Configuration Maps

Plate 5-5 shows the existing surface configuration for the Pines tract. The Permittee proposes to construct a breakout in the Pines tract as shown on Plate 5-2C. The drawing does not contain contours or other information about the existing surface configuration. The Permittee must give the Division contour maps of the predisturbed area as outline in R645-301-521.150.

Mine Workings Maps

Plate 5-1 shows the previous mine workings.

Permit Area Boundary Maps

Several maps show the current and proposed permit boundary maps.

Surface and Subsurface Ownership Maps

Plate 5-6 shows the surface and subsurface ownership.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-521.150, The Permittee must give the Division a detailed contour map or equivalent of the proposed Pines tract breakout.

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR Sec. 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

Type and Method of Mining Operations

The Permittee will use longwall mining methods whenever possible to mine coal. In areas where longwall cannot be done room-and-pillar mining methods will be used.

Facilities and Structures

The only new surface facility for the Pines Tract is the breakout portal.

Findings:

The Permittee met the minimum requirements of this section.

EXISTING STRUCTURES

Regulatory Reference: 30 CFR Sec. 784.12; R645-301-526.

Analysis:

The existing structures listed on Plate 5-5 are a stock watering pond, several runoff ponds, a fence and dirt roads.

Findings:

The Permittee met the minimum requirements of this section.

RELOCATION OR USE OF PUBLIC ROADS

Regulatory Reference: 30 CFR Sec. 784.18; R645-301-521, -301-526.

Analysis:

The Permittee does not propose to relocate or use a public road in connection with the Pines Tract lease.

Findings:

The Permittee met the minimum requirements of this section.

COAL RECOVERY

Regulatory Reference: 30 CFR Sec. 817.59; R645-301-522.

Analysis:

The Permittee did not include a detailed coal recovery plan in the amendment.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-522, The Permittee needs to give the Division a detailed coal recovery plan. The plan should contain the same information that is the R2P2 (Resource Recovery Protection Plan). The Division relies heavily on the recommendations of the BLM. Therefore, a letter from the BLM stating that they approved the R2P2 would be viewed by the Division as indication that the coal recovery plan is adequate.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR Sec. 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724

Analysis:

Renewable resources survey.

The Permittee identified the renewable resources on Plate 4-1. That plate has a scale of 1" = 2,000' (1 to 24,000). R645-301-525.110 requires the map of the renewable resources be at a scale of 1 to 12,000 or larger (1" = 1,000').

Subsidence control plan

1. The Permittee proposes to use longwall and room-and-pillar mining methods to extract the coal. The Permittee shows the mine layout on Plate 5-2C.
2. Plate 5-2C shows the underground working. The Permittee does not specifically state on that plate what methods will be used to prevent subsidence. The Permittee needs to show the subsidence control methods on the plate, for example the area where first mining will only occur.
3. The description of the physical condition that could affect subsidence will be reviewed by the Division's geologist.

4. The general subsidence control plan in the MRP was determined adequate for the existing permit. The proposed changes to the plan are shown on Plate 5-10. On that plate the Permittee shows the areas that will be protected from subsidence and the limits of surface disturbance.

Table 5-2 lists the subsidence control points. The Permittee needs to list the location of the new subsidence control points that will be used to monitor the Pines Tract.

5. In the MRP the Permittee states that perennial stream will be protected from subsidence by establishing stream buffer corridors. The Division assumes that the Permittee will do the same in the Pines Tract and that the protection plan will be incorporated into Plate 5-2C.
6. The Permittee states in the MRP that no subsidence damage should occur. If damage occurred, they would mitigate. The Permittee has caused some damage to stock watering ponds and has repaired the damage. The Division anticipates that subsidence damage would be limited to surface cracks.
7. The Permittee committed to repair any subsidence damage that should occur.
8. No significant surface resources are in the area that needs protection.

Performance standards for subsidence control

The Permittee committed to meet all subsidence performance standards.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-525.110, The Permittee must give the Division a map of the permit and adjacent areas at a scale of 1:12,000, (1" = 1,000') or larger, showing the location and type of structures and renewable resource lands that subsidence may materially damage or for which the value or foreseeable use may be diminished by subsidence, and showing the location and type of State-appropriated water that could be contaminated, diminished, or

interrupted by subsidence. The maps in the amendment are at a scale or 1:24,000 or 1" = 2,000'.

R645-301-525.410, The Permittee must show the timing and sequence of mining operations for the Pines Tract on Plate 5-2C or an equivalent mine map.

R645-301-525.420, The Permittee must show on Plate 5-2C or an equivalent map the methods that will be used to prevent subsidence (first mining or access only for example).

R645-301-525.440, the Permittee must list the location of the new monitoring points that will be associated with the Pines Tract on Table 5-2.

SLIDES AND OTHER DAMAGE

Regulatory Reference: 30 CFR Sec. 817.99; R645-301-515.

Analysis:

The existing plan is considered adequate.

Findings:

The Permittee met the minimum requirements of this section.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

Analysis:

Road Systems

The Permittee does not propose any changes to the road systems

Other Transportation Facilities

The Permittee does not propose any changes to the other transportation facilities.

Findings:

The Permittee met the minimum requirements of this section.

SPOIL AND WASTE MATERIALS

Regulatory Reference: 30 CFR Sec. 701.5, 784.19, 784.25, 817.71, 817.72, 817.73, 817.74, 817.81, 817.83, 817.84, 817.87, 817.89; R645-100-200, -301-210, -301-211, -301-212, -301-412, -301-512, -301-513, -301-514, -301-521, -301-526, -301-528, -301-535, -301-536, -301-542, -301-553, -301-745, -301-746, -301-747.

Analysis:

Disposal of noncoal waste

The Permittee does not propose any changes to the approved plan.

Coal mine waste

The Permittee does not propose any changes to the approved plan.

Refuse piles

The Permittee does not propose any changes to the approved plan.

Impounding structures

The Permittee does not propose any changes to the approved plan.

Burning and burned waste utilization.

The Permittee does not propose any changes to the approved plan.

Return of coal processing waste to abandoned underground workings.

The Permittee does not propose any changes to the approved plan.

Excess spoil

The Permittee does not propose any changes to the approved plan.

Findings:

The Permittee met the minimum requirements of this section.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Discharges into an underground mine

The Division's hydrologist will address this section.

Gravity discharges.

The Division's hydrologist will address this section.

Sedimentation ponds.

The Permittee does not propose any changes to the existing sediment pond or the construction of a new one.

Discharge structures

The Division's hydrologist will address this section.

Impoundments

The Permittee does not propose any changes to the existing impoundments or construction of a new one.

Casing and sealing of wells

The Permittee does not propose any changes in way wells are sealed.

Findings:

The Permittee met the minimum requirements of this section.

SUPPORT FACILITIES AND UTILITY INSTALLATIONS

Regulatory Reference: 30 CFR Sec. 784.30, 817.180, 817.181; R645-301-526.

Analysis:

The Permittee does not propose any changes.

Findings:

The Permittee met the minimum requirements of this section.

SIGNS AND MARKERS

Regulatory Reference: 30 CFR Sec. 817.11; R645-301-521.

Analysis:

The Permittee does not propose any changes.

Findings:

The Permittee met the minimum requirements of this section.

USE OF EXPLOSIVES

Regulatory Reference: 30 CFR Sec. 817.61, 817.62, 817.64, 817.66, 817.67, 817.68; R645-301-524.

Analysis:

The Permittee does not propose any changes.

Findings:

The Permittee met the minimum requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Affected area maps

The Permittee did not give the Division an affected area map. However, the mine map shows the extent of mining operations and the permit boundaries. The Division considers that map sufficient.

Mining facilities maps

The Permittee did not give the Division detailed maps and cross sections of the portal breakout area. The Permittee must give the Division detailed topographic maps and cross sections that show the operational phase of that area.

Mine workings maps

The Permittee must show the timing and sequence of the mining operations for the Pines Tract on Plate 5-2C. The Permittee must show on Plate 5-2C what methods will be used to prevent subsidence. See the subsidence section for more details.

Monitoring and sample location maps

Other member of the review team will address this section.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-525.410, The Permittee must show the timing and sequence of mining operations for the Pines Tract on Plate 5-2C or an equivalent mine map.

R645-301-525.420, The Permittee must show on Plate 5-2C or an equivalent map the methods that will be used to prevent subsidence (first mining or access only for example).

RECLAMATION PLAN

GENERAL REQUIREMENTS

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-270, -301-271, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

Analysis:

The Permittee did not address the AOC requirements for the breakout portal in the amendment.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-553, The Permittee must show how the breakout portal area will be restored to AOC requirements.

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

The Permittee did not include backfilling and grading plans for the portal breakout area.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-552 and R645-301-553, The Permittee must give the Division detailed reclamation plans for the breakout portal area.

MINE OPENINGS

Regulatory Reference: 30 CFR Sec. 817.13, 817.14, 817.15; R645-301-513, -301-529, -301-551, -301-631, -301-748, -301-765, -301-748.

Analysis:

The plan is the MRP is adequate for the closure of the breakout portal.

Findings:

The Permittee met the minimum requirements of this section.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

Analysis:

There are no roads associated with the Pines Tract.

Findings:

The Permittee met the minimum requirements of this section.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 784.14, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-301-512, -301-513, -301-514, -301-515, -301-532, -301-533, -301-542, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-733, -301-742, -301-743, -301-750, -301-751, -301-760, -301-761.

Analysis:

Discharges into an underground mine

The Division's hydrologiest will address this issue.

Gravity discharges

The Division's hydrologist will address this issue.

Sedimentation ponds

There are no sediment ponds associated with the Pines Tract.

Impoundments

There are no impoundments associated with the Pines Tract.

Findings:

The Permittee met the minimum requirements of this section.

CONTEMPORANEOUS RECLAMATION

Regulatory Reference: 30 CFR Sec. 785.18, 817.100; R645-301-352, -301-553, -302-280, -302-281, -302-282, -302-283, -302-284.

Analysis:

No contemporaneous reclamation is scheduled to take place on the Pines Tract. The breakout portal will be recovered after the mine shuts down.

Findings:

The Permittee met the minimum requirements of this section.

CESSATION OF OPERATIONS

Regulatory Reference: 30 CFR Sec. 817.131, 817.132; R645-301-515, -301-541.

Analysis:

The Permittee addressed this in the MRP.

Findings:

The Permittee met the minimum requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis

Affected area boundary maps

The permit area maps and the mine maps show the affected area boundaries.

Bonded area map

The bonded area is the permit area and is shown on several maps.

Reclamation backfilling and grading maps

The Permittee did not provide the Division with backfilling and grading maps for the portal breakout areas.

Reclamation facilities maps

The Permittee does not propose to leave any facilities associated with the Pines Tract.

Final surface configuration maps.

The Permittee did not give the Division the final surface configuration maps for the breakout portal area.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-542.200, The Permittee must give the Division detailed maps and cross sections that show how the breakout portal will be reclaimed. Those maps must show the final surface configuration.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount

The Permittee did not provide detailed information for the reclamation costs of the breakout portal.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-542.800, The Permittee must give the Division detailed reclamation cost data for the breakout portal.

RECOMMENDATION:

The amendment should be denied until the deficiencies have been satisfied.