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

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April 11, 2000

TO: Internal File

THRU: Dave Darby, Team Lead

FROM: Wayne H. Western, Reclamation Specialist III WHW

RE: Pines Tract Lease, Canyon Fuel Company, LLC, SUFCO Mine, ACT/041/002-SR99D-2

SUMMARY:

I completed the second review of the Pines Tract amendment. The amendment still has 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 1-33 through 1-35 the Permittee lists the legal descriptions for the federal leases and fee ground. The Permittee also states that 13.03 acres under U.S. Forest Service special use permits are included in the permit and disturbed areas. The Division needs a copy of the legal description of the

special use permit areas if possible. Also the Division needs an AUTOCAD file that show the disturbed and proposed disturbed area boundaries and ties those areas into known locations such as section corner or UTM coordinates.

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 all disturbed areas, including the U.S. Forest Service special use permit areas and all breakouts if possible. Those disturbed areas must also be included in an AUTOCAD file that show the disturbed area boundaries. The boundaries must be tied into known locations such as section corner or UTM coordinates.

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 shows the Muddy Creek breakout on Page 5-12A of the amendment. The drawing does not show the disturbed area boundaries, or has a scale. The contour map of the Muddy Creek breakout has contour lines at 25 feet intervals. The drawings do not have enough details for the Division to evaluate the proposed breakout. The Permittee must give the Division a map at a scale of 1" = 100' or larger, and contour lines at 5 foot intervals or less. The cross sections must be at the same scales.

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 and R645-301-190, The Permittee must give the Division a detailed contour map or equivalent of the proposed Pines tract breakout. At a minimum the Permittee must give the Division a map at a scale of 1" = 100' or larger and contours must be 5 foot intervals or less. The cross sections must be at the same scales.

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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 information similar to that in the R2P2 (Resource Recovery Protection Plan). Note: the Division relies heavily on the recommendations of the BLM for determination of maximum coal recovery. **Therefore, a letter from the BLM stating that they approved the R2P2 would be viewed by the Division as information supporting the claim that the Permittee will maximize coal recovery.**

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 4-1A and Plate 4-1B. Those plates have scales of 1" = 1,000' (1 to 12,000).

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 5-10B shows the underground working. The Permittee states on that plate the methods will be used to prevent subsidence. First mining only and no extraction areas are the methods used to control subsidence.

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 5-10B. On that plate the Permittee shows the areas that will be protected from subsidence and the limits of surface disturbance. Table 5-2 has been updated to show the new subsidence monitoring stations.

5. In the MRP the Permittee states that perennial stream will be protected from subsidence by establishing stream buffer corridors. See Plate 5-10B for details.

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:

The Permittee met the minimum requirements of this section.

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.

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

Plate 5-10A and Plate 5-10B show the mine workings, including updates for the Pines Track lease.

Monitoring and sample location maps

Other member of the review team will address this section.

Findings:

The Permittee met the minimum requirements of this section.

RECLAMATION PLAN

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 stated that the information on AOC for the Muddy Creek breakout is on Figure 5-0. That figure is clearly labeled as a conceptual sketch and does not contain enough information for the Division to evaluate the reclamation of the breakout.

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 by:

R645-301-553, The Permittee must show how the breakout portal area will be restored to AOC requirements. A conceptual sketch is not adequate for the Division to make an AOC determination.

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 detailed backfilling and grading plans for the Muddy Creek breakout. Figure 5-0 is a conceptual sketch that does not contain enough information for the Division to evaluate the project.

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. A conceptual sketch is not adequate for the Division to make an determination about backfilling and grading.

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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.

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 give the Division 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

In Appendix 5-9 the Permittee states that the reclamation cost for the Muddy Creek portal is $9,367. However, the Permittee does not give a detailed cost estimate for the project. The Permittee also states:

> The contingency amount of the present bond estimate of $254,244 will be reduced t $244,877 to include the Muddy Canyon Reclamation in the SUFCo reclamation bond without increasing the total amount of the current reclamation bond at this time.

The contingency fund is not for future projects, rather for expenses that will occur but have not been identified. Since the cost to reclaim the Muddy Canyon portal has been identified, the reclamation cost should not be included in the contingency

The Division usually does not increase the bond by less than 5%. Since the reclamation cost of the Muddy Creek portal is likely to be less than $221,950, a bond increase is not likely.

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. The Division does not consider a limp sum reclamation cost adequate for the Muddy Creek breakout due to the complexity of reclaiming the site.

RECOMMENDATION:

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

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