



OGMCOAL DNR <ogmcoal@utah.gov>

Fwd: Sufco Subsidence Issue

Steve Christensen <stevechristensen@utah.gov>

Wed, Sep 21, 2016 at 1:02 PM

To: Howard Strand <hstrand@osmre.gov>, Christine Belka <cbelka@osmre.gov>, "Matt, Duane" <dmatt@osmre.gov>, Daron Haddock <daronhaddock@utah.gov>, Amanda Daniels <amandadaniels@utah.gov>, OGMCOAL DNR <ogmcoal@utah.gov>, Dana Dean <danadean@utah.gov>, Cheryl Parker <cherylparker@utah.gov>

Good afternoon,

Thanks again for making yourselves available on such short notice to discuss the Sufco sinkhole issue. The following is a summary of the points that DOGM and OSMRE agreed upon:

- 1) The subsidence caused sinkhole on top of the Sufco Mine presents a potentially hazardous condition that compels the company to immediately begin mitigation work.
- 2) Site specific permitting can/will occur either simultaneously with the mitigation work or after it's completion.
- 3) Prior to initiating the work the Permittee will provide DOGM the following:
 - As detailed a mitigation plan as possible. The plan will be of sufficient detail so as to allow DOGM staff to verify that prudent engineering practices/designs have been utilized.
 - The Permittee will provide the Division with a written copy of the USDA Forest Service (the Forest) consent/concurrence of the aforementioned mitigation plan.
 - The Permittee will consult with the Forest archaeologist in order to determine, as best they can, any cultural sites that could potentially be impacted in the area of the mitigation work and endeavor to avoid those sites.
 - The Permittee will review the NEPA work that has been done heretofore in an attempt to further identify any potentially affected cultural resource sites that could be impacted by the mitigation work.
- 4) The Permittee will be required to, at a minimum, provide additional bond coverage sufficient to re-establish vegetation on the mitigation site. The mitigation work may proceed prior to the additional bond coverage being secured.
- 5) The Permittee will be informed that additional bond coverage (beyond the re-establishment of vegetation) may be required depending on the extent of disturbance produced by the mitigation work (e.g. the construction of an access road if needed, will require additional bond coverage).
- 6) Additional research examination will be conducted by DOGM and OSMRE as to the degree of application and/or relevance of R645-301-525.500 and CFR 817.121c5 as it pertains to the amount of additional bond coverage required for material damage mitigation work as a result of subsidence.
- 7) DOGM will review the Sufco MRP subsidence control plan section and determine if revisions are necessary.

I'm hoping that's most of it. Please provide any additional comments so as to ensure that we're on the same page here.

I've contacted the company and notified them that they have been given the green light to contact a contractor and schedule the work. They were extremely grateful for this development.

Thanks again for the prompt response and willingness to work with us on this issue. I very much appreciate it.

Regards,
Steve

On Wed, Sep 21, 2016 at 8:05 AM, Steve Christensen <stevechristensen@utah.gov> wrote:

Good morning Howard,

In April of this year, Sufco alerted us to a sinkhole that had opened up on top of the mountain below which longwall mining had occurred (See pictures). Since that time, the company has been working with the Forest to determine an

acceptable mitigation plan. On Monday, the company notified us that the Forest had agreed with a proposed plan of action.

The Forest is treating this as an "emergency" (i.e. not as a categorical exclusion or special use permit situation but rather an "emergency"). Reason being, the area is a popular snowmobiling area and they're concerned about someone inadvertently driving in there and getting hurt or killed. As the hole is approximately 35' deep, it's reasonable to assume that if someone drove in there, injury and/or death could result. The Forest is not requiring any kind of NEPA or permitting because of this concern.

The company would like to do the work tomorrow. Problem is, they haven't permitted the mitigation work through us yet (i.e. had the consultants go out and do the requisite cultural, biological, veg., soils work etc.). As the site sits at approximately 9,000+ feet, they could be snowed out next month. Snow is actually in the forecast this week for elevations above 8,000'. Winter is coming! So at this point, I just wanted to talk to you folks and see what if anything could be done to accommodate an expedited completion of the work sans complete permitting. Even if the company paid for expedited work from their consultants and if we dropped everything once the permit amendment came in, we're looking at 2 months easy, which puts us into November/early December.

In our memory at the Division, the only time something like that has happened before was the Crandall Canyon disaster where all of the agencies collectively said "do what you gotta do and we'll do the paper work later". Obviously, this isn't a mine rescue situation, but I thought I'd at least talk to you guys. If the mine must wait until the permitting is done and the work begins in the spring of 2017, they'd have to maintain a fence line around the hole throughout the winter and keep their fingers crossed. Given the elevation and the amount of snow that area receives, it would be a challenge to say the least.

When discussing this with the company yesterday, I basically told them that there isn't a clear path for doing what they want to do, which is start the work tomorrow. We're essentially looking at whether this hole and where it is relative to snowmobiling activity constitutes an "imminent harm" situation.

That's all I got at this point. The company has been pushing the Forest for a resolution of what they'd accept in terms of mitigation, but it's taken this long for them to sign off. The fire season has precluded the thin Forest staff from working on these types of projects this summer.

Let me know when you might be available to talk. It is what it is. If they have to wait until the spring, then they'll need to be diligent in maintaining a fence line through the winter. After each snowfall, someone will need to snowmobile up there and make sure the fence is adequate.

Steve

On Wed, Sep 21, 2016 at 6:32 AM, Strand, Howard <hstrand@osmre.gov> wrote:

Good Morning Steve,

As a follow-up to our conversation yesterday, can you send me a brief explanation of the facts related to the Sufco subsidence situation? I want to be clear on the issue and the nature of DOGM's question to OSMRE (SMCRA considerations) before I speak to Christine and Duane and set up our call this morning. Thanks in advance.

Howard

—
Steve Christensen
Utah Division of Oil, Gas and Mining
1594 W North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5350
stevechristensen@utah.gov

—
Steve Christensen
Utah Division of Oil, Gas and Mining

1594 W North Temple, Suite 1210
Salt Lake City, Utah 84116
[\(801\) 538-5350](tel:(801)538-5350)
stevechristensen@utah.gov

—

Steve Christensen
Utah Division of Oil, Gas and Mining
1594 W North Temple, Suite 1210
Salt Lake City, Utah 84116
[\(801\) 538-5350](tel:(801)538-5350)
stevechristensen@utah.gov