

**FEDERAL REGISTER: 44 FR 51711 (September 4, 1979)**

DEPARTMENT OF THE INTERIOR

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM)

Consolidation Coal Co ("Compasso Project") - Burnham Mine, San Juan County, N. Mex., Navajo Tribal Coal Lease No. N00-C-14-20-2190; Pending Decision to Approve Surface Mining and Reclamation Plan With Stipulations

ACTION: Notice of Pending Decision to Approve Proposed Surface Coal Mining and Reclamation Plan With Stipulations.

**SUMMARY:** Pursuant to Section 1506.6 of Title 40, Code of Federal Regulations, notice is hereby given that the Office of Surface Mining Reclamation and Enforcement (OSM) has completed an environmental review of the proposed mining and reclamation plan and has recommended approval of the plan with stipulations according to the Indian Coal Mining Regulations (25 CFR 177) and Section 710(c) of the Surface Mining Control and Reclamation Act of 1977. The Office has prepared a technical analysis (TA) and an environmental assessment (EA) and from these studies has determined that significant impacts that could ensue from the proposed operation have been addressed in the following impact statements (EIS's):

1. "Final Environmental Statement Navajo - El Paso/Consolidation Coal Lease and Mining Plan, Navajo Reservation, San Juan County, New Mexico (FES No. 77-13), May 11, 1977, Bureau of Indian Affairs."
2. "El Paso Coal Gasification Project, New Mexico Final Environmental Statement (FES No. 77-03), February 8, 1977, Bureau of Reclamation."

The proposed mine is located about 35 miles southwest of Farmington, New Mexico, and about 50 miles northeast of Gallup, New Mexico, within Navajo Reservation

Location of Lands to be Affected

Applicant: Consolidation Coal Company

Mine name: Burnham

State: New Mexico

County: San Juan

Township, Range, Section

T.25N., R.16W.: 25, 36,

T.24N., R.16W.: 1, 2, 3, 10, 11, 12

T.25N., R.15W.: 28, 29, 30, 31, 32, 33

T.24N., R.15W.: 4, 5, 6, 7, 8

Office of Surface Mining Reference No.: NM 0005

The Mining and Reclamation Plan was submitted to OSM in October of 1978, and proposed coal mining in the northern portion of the Navajo lease area, and area of about 6,831 acres to be mined over a 38-year period (the total mine plan area is approximately 9,000 acres). The Burnham mining and reclamation plan does not address the remaining area of 40,287-acre Navajo lease. However, the U.S. Bureau of Indian Affairs (BIA) Final Environmental Impact Statement (FES No. 77-13) analyzed mining of 29,095 acres of the 40,287-acre lease that was proposed in a plan submitted to the USGS in 1975. In addition, the U.S. Bureau of Reclamation Final Environmental Impact Statement analyzed the effects of the proposed coal gasification plant and of the associated coal mining on the Navajo lease area.

According to the Burnham mining plan, coal is to be extracted at a rate of approximately 300,000 tons the first year, increasing to 750,000 tons, 1,000,000 tons, and 4,350,000 tons the second, third, and fourth years, respectively. Production for the fifth through the thirty-eighth year is anticipated at 6,400,000 tons per year. Total coal extraction would be approximately 244,000,000 tons during the projected life of the mine. Coal from the seams greater than three feet in thickness in four primary zones would be mined by a multiple seam dragline operation. Coal will be exported off-site by trucks using existing roads. The transportation route discussed in the plan is under evaluation by OSM.

The purpose of this notice is to inform the public that based on OSM staff review and analysis of the mining and reclamation plan, the Regional Director, Region V, Office of Surface Mining, is recommending approval of the Burnham mining plan with stipulations.

DATES: A final decision to approve or disapprove the proposed plan will be made by the Assistant Secretary, Indian Affairs, following a recommendation from the Assistant Secretary, Energy and Minerals. The Secretary's decision will consider the

recommendations of OSM as well as the Navajo Tribal Council, the Bureau of Indian Affairs, the U.S. Geological Survey and any public comments received on or before September 24, 1979.

The technical analysis, environmental assessment, and proposed stipulations are available on request and for review in the Office of Surface Mining, Region V. Any comments on the proposed approval should be submitted to the Regional Director, Region V, Office of Surface Mining, Room 217, 1823 Stout Street, Denver, Colorado 80202 no later than 20 days from the date of this notice. A public meeting with the Regional Director may be requested no later than September 24, 1979, and must include the name and address of the requestor.

INFO: FOR FURTHER INFORMATION CONTACT: Bob Starr or Mark Humphrey, Office of Surface Mining, Region V, Room 207, 1823 Stout Street, Denver, Colorado 80202.

Walter N. Heine, *Director*.

{Filed} 8-31-79; 10:37 am]  
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