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OK

From: Jim Smith
To: Gregg Galecki; OGMCOAL
Date: 5/17/2010 9:43 AM
Subject: RE: WQVF reclamation question

Good morning Gregg,

>>> "Galecki, Gregg" <GGalecki@archcoal.com> 5/13/2010 2:14 PM >>>

Jim,

One comment on interpretation of R645-301-356.300 and -763.100; both refer to "Siltation Structures", which I assume includes any sediment control such as silt fences, straw bales, and pocking (extreme surface roughening) in addition to sediment ponds.

In R645-100.200, Definitions:

"Siltation Structure" means, for the purposes of R645-301-356.300, R645-301-356.400, R645-301-513.200, R645-301-742.200 through R645-301-742.240, and R645-301-763, a sedimentation pond, a series of sedimentation ponds or other treatment facilities.

"Other Treatment Facilities" means, for the purposes of R645-301-356.300, R645-301-356.400, R645-301-513.200, R645-301-742.200 through R645-301-742.240, and R645-301-763, any chemical treatments, such as flocculation or neutralization, or mechanical structures, such as clarifiers or precipitators, that have a point source discharge and that are utilized to prevent additional contribution of dissolved or suspended solids to stream flow or runoff outside the permit area or to comply with all applicable State and Federal water quality laws and regulations.

...in other words, when "siltation structure" is used in the Rules it has a specific meaning as defined and does not include silt fence, straw bales, pocking, etc

No 'demonstration' has been provided, however Section 4.1.1 identifies "extreme surface roughening (pocking)" as the primary sediment control." And the same section also indicates, "In the event the extreme surface roughening shows signs of failure, additional work will be conducted to insure sediment is controlled on site." Similar qualifiers are also made in Section 4.4 - Backfill, Soil Stabilization, Compaction, Contouring, Grading; and Section 4.6 Topsoil/Subsoil Handling Plan.

By moving reclamation of the pond to Phase II (p. 4-78a), this is now mostly moot because vegetation sufficient to prevent contributions of additional suspended solids to the stream will be reestablished before the pond is removed. Sediment control methods such as pocking, silt fence, and vegetation are mentioned in several places in the current MRP and submittal, and RUSLE is used in EarthFax's report to predict sediment load to the pond and silt fencing during operations. I didn't find a demonstration or substantiated conclusion using RUSLE or another method that pocking, fencing, etc. will be effective in controlling sedimentation and erosion during reclamation at the WQVF; however, other than a sedimentation pond these are the Best Technology Currently Available (BTCA) for preventing, to the extent possible, additional contributions of suspended solids to streamflow.

Also remember, the 20-foot buffer zone will also still be in place for sediment control.

I can see this applying to the outflows from the riprap pads at the outfalls from the sedimentation pond, top soil pile sediment trap, and upper road culvert, which will be near or within the 2-stream width buffer zone you refer to, **IF** there is vegetation in the buffer zone that is adequate to prevent additional contributions of suspended solids to the stream. At this time, the Division can only assume that the vegetation is adequate.

As for the outflow off the riprap pad at the end of the culvert from ASCA 39, it is well outside this buffer zone, so further measures are needed to control sedimentation and erosion between the riprap pad and the stream.

JIM

-----Original Message-----

From: Jim Smith [<mailto:jimdsmith@utah.gov>]

Sent: Tuesday, May 11, 2010 2:30 PM

To: Galecki, Gregg

Subject: WQVF reclamation question

Gregg,

Coal Mining Rules R645-301-356.300 and -763.100 specify that sedimentation ponds can be removed no sooner than 2 years after the last augmented seeding, which would not allow removal as part of Phase I reclamation; however, R645-301-742.240 provides exemptions to the requirements of R645-301-763 if the disturbed drainage area within the total disturbed area is small and the operator demonstrates that siltation structures and alternate sediment control measures are not necessary for drainage from the disturbed areas to meet the effluent limitations under applicable Utah and federal water quality standards.

As only a small area immediately upgradient of the pond will have the potential to report to the pond after Phase I reclamation (Drawing 4.4.2-3A), I think the first criterion is met. For the second criterion, does the MRP contain a demonstration that sediment control will be provided during reclamation without sedimentation ponds or ASCs, e.g., a RUSLE calculation?

JIM

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