

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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April 27, 2004

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TO: Internal File

FROM: Wayne H. Western, Environmental Scientist, Engineering/Lead *W H W*

RE: Phase I Bond Release 93.5 Acers, Plateau Mining Corporation, Star Point Mine, C/007/0006, Task ID #1910

## TECHNICAL ANALYSIS:

## RECLAMATION PLAN

### GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

### Analysis:

The public notice included as Exhibit 117.200a stated the surety amount was \$7,643,000 for which PMC requested that the Division release \$4,585,800.00 or 60% of the total bond when they approve Phase I bond release. The Division revised the bond amount from \$7,796,000 to \$7,643,000 when they approved Amendment AM0D-1. The posted bond of \$7,796,000 will remain in effect until the Division receives a rider.

PMC requested 95.3 acres receive Phase I bond release. The areas for Phase I bond release include:

- Lion Deck, main mine facilities, unit train loadout, associated roads, ponds and facilities and the reconstructed channel of Serviceberry Creek, together all those areas comprise 93.77 acres.
- Mud Water Canyon site consists of 1.10 acres.
- Corner Canyon consists of 0.44 acres.

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The reclaimed land belongs to either Plateau Mining Corp. or the State of Utah (Surface Ownership Map 112.500a).

PMC included a notarized statement that they accomplished all reclamation activities in accordance with the coal mining and reclamation regulations and with the approved reclamation plan. PMC showed the reclamation activities on Map 542.200a - Map 542.200a3 and Map 542.200b, Map 542.200c and Map 542.200d1 and Map 542.200d2. On those maps PMC states the following reclamation activities occurred:

- Backfilling, grading and placing growth media/topsoil for Mine #1 and Mine #2 began in August 2001 and were completed in December 2001. PMC had growth media/topsoil paced concurrently with backfilling and grading.
- Backfilling, grading and placing growth media/topsoil for the Lion deck, ponds #1 and #2, and the lower facilities areas began in April 2002 and were completed in November 2002. PMC had growth media/topsoil paced concurrently with backfilling and grading.
- PMC showed the areas where they buried coal refuse with a minimum of four feet of cover material.

**Findings:**

The Permittee has met the minimum reclamation requirements for Phase I bond release.

**RECOMMENDATIONS:**

The Division should approve the amendment but wait until after a bond release inspection before making a finding about bond release.