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DATE: 2/9/93

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TO: Daron Haddock, Permit Supervisor

FROM: *PB* Priscilla Burton, Senior Soils Reclamation Specialist

RE: Summary of Meeting between U.S. Fuel Co. and D.O.G.M. on 2/9/93. U.S. Fuel Co. Hiawatha Mine. ACT/007/011. Carbon Co. Utah. Folder #2.

SUMMARY:

Present at the meeting were Bob Eccli, Mike Baum, and Mike Watson of U.S. Fuel Co. and Randy Harden, Jim Smith, Paul Baker, Wayne Western and myself of the Division. R. Harden was Acting Permit Supervisor. Four major points of contention were discussed:

1. post-mining land use and retention of the asphalt road
2. existance of previously mined areas subject to the criteria of R645-301-356.250 for success determinations
3. the condition and adquacy of the present sagebrush reference area for success determinations at the preparation plant
4. the reduction in borrow area size, while retaining the 16" of required cover.

TECHNICAL ANALYSIS:

Item 1.

The previous plan detailed a downgrading of the road to a jeep trail. The renewal included an amendment to retain the asphalt road. U.S. Fuel made clear that this was not a substantive revision to the plan requiring additional public notice and comment period, that in fact, the entire permit renewal underwent a public notice and comment period. U.S. Fuel indicated that the County was in favor of retaining the road. Div. of Wildlife Resources did not favor retention of the road, however. (U.S. Fuel will discuss mitigation aspects in a bargaining arrangement with DWR.)

The Division articulated that the liability associated with retaining the road must be assumed by some party, including maintenance of the road. The Division determined that the plan could be approved with the condition that retention of the roads to South Fork and Middle Fork are further justified. The Division reserved the right to continue to review and comment upon the regulatory feasibility of retention of the roads.

Item 2

U.S. Fuel Co. maintains that the processing plant and slurry pond areas are in previously

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mined areas and fall under the regulation R645-301-356.250. The Division maintained that this was probably so and that there would follow a programmatic discussion of the use of this regulation to ensure consistency between mines. Paul Baker will follow this issue with further comment.

Item 3

The Division maintained that the present sagebrush reference area was not adequate since it did not appear to be in fair or better range condition. The Division suggested choosing an adjacent reference area, still within the previously disturbed site of West Hiawatha.

Item 4.

U.S. Fuel is interested in pursuing alternative plans for borrow sources, but does not want to delay approval of the present permit. The Division stated that the borrow areas were previously approved in the former plan and that these areas would remain approved. However, every effort to cooperatively develop a smaller borrow area should be pursued.

The Division encouraged U.S. Fuel to utilize materials in the presently disturbed areas of the storage and railroad yards for the major portion of the cover requirements.

The Division agreed that up to 6" of sludge could be substituted for an equal amount of soil in the final grading plan to reduce the total requirement for substitute topsoil from 16" (as previously approved by OSM in 1985) to 10 inches. Yet, the total cover would remain at 16 inches. U.S. Fuel requested this agreement in writing with the approval document. Furthermore, U.S. Fuel requested that the Division relieve them of liability if the sludge treatment did not succeed. The Division could not provide this relief and suggested that they discuss the successes and failures of sludge application with publically owned treatment works managers and their clients who have used the material in land application.

cc: R.Harden