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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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December 30, 1998

TO: File
THRU: Daron Haddock, Permit Supervisor *DH*
FROM: Sharon Falvey, Senior Reclamation Specialist *SF*
RE: Request for Bond Release, Nevada Electric Investment Company, Wellington Preparation Plant, ACT/007/012-BR97, File #2, Carbon County, Utah

Summary:

This amendment, received November 16, 1998 and information previously submitted, proposes to change the topsoil borrow area, hydrologic boundary and postmining land use for a portion of the site in order to obtain a partial bond release. This amendment is deficient in the several areas outlined in this document. Prior to Phase III bond release the Division must make a finding under R645-301-880.210 regarding occurrence and potential for water pollution. Information analyzing this data was not provided. The plan needs to incorporate changes to the reclamation drainage plan. Complete review regarding changes to sedimentation and drainage control will be ~~received~~ *conducted* when those changes are submitted in redline strikeout format.

Technical Analysis:

RECLAMATION PLAN

General

Analysis:

Information in section 1.00 on page 6 and, section 4.12 page 3, are no longer accurate and should be updated.

Map changes resulted in the following missing information. Map No. 412.01 may more appropriately be named Bond Release Map to describe it's content. A north arrow is needed on Map F9-177 1 of 2. The information on G9-3511 should show the difference between the disturbed permit area boundaries, proposed disturbed boundaries and permit boundary changes.

Changes to the text and drainage designs regarding sedimentation and drainage control structures was not submitted in the redline strike out format. Complete review of drainage

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information will be conducted when reclamation drainage is considered and the amendment is presented in redline strikeout format.

Findings:

The Permittee must provide the following in accordance with the requirements of:

R645-301-120, 1) Provide current information for paragraphs in section 1.00 on page 6 and, section 4.12 page 3. 2) Illustrate the disturbed permit area boundaries, proposed disturbed boundaries and permit boundary changes clearly on G9-3511. 3) Provide the amendment in redline strike out format. 4) Map No. 412.01 may more appropriately be named Bond Release Map to describe it's content. 5)A north arrow is needed on Map F9-177 1 of 2.

HYDROLOGY

Ground Water Information

The application for bond release needs to assess impacts to ground water in the permit and adjacent area based on performance standards. Demonstrate through water monitoring data analysis that the operations minimized disturbance to the hydrologic balance in the permit and adjacent areas. Show that seasonal water quality and quantity are suitable for the post mining land uses.

To demonstrate that operations minimized disturbance the following background information may be used to guide your data comparisons. Discussions considering site operation phases and climate should also be included.

- Information collected is operational because mining already occurred at this site prior to the enactment of the 1987 mining law.
- The preparation plant alluvial aquifer has two gradients. One, toward the Price River south east of the preparation plant and a second discharges toward the river near topsoil borrow area "A".
- The groundwater source predominately originates upstream where alluvial deposits provide a conduit for the Price River recharge to be conveyed toward the site. Other recharge may occur from subsurface flows in and adjacent to the preparation plant. Well GW-8 has the highest known surface water elevation in the permit area.
- Well GW-14 is considered mostly out of the range of influence of site operations and may be used as a "baseline" well. Seasonal and climatic changes may effect the direction of flow in localized areas.

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Surface Water Information

The application for bond release needs to assess impacts to surface water in the permit and adjacent area based on performance standards. Demonstrate through water monitoring data analysis that the operations minimized disturbance to the hydrologic balance in the permit and adjacent areas. Show that seasonal water quality and quantity are suitable for the post mining land use.

Acid and Toxic Materials

The Permittee needs to provide data to show whether the coal mine waste in the proposed train load out is acid and toxic forming. The fact that this site is to be turned into an impoundment that is created by the proposed site configuration has implications to ground water quality since the water table at the site is near the surface.

Water monitoring.

No changes to the reclamation water monitoring plan is presented. Sections 7.31.21 and 7.31.22 confirm the maintenance of all groundwater stations. Therefore, permanent casing and sealing of wells or, well transfer in the proposed bond release area remains associated with the bond release in the adjacent permit area. Permanent casing of these wells will occur when final bond release is occurs for the permitted area.

Transfer of Water Rights and Related Permits

The existing track hopper will be used to supply industrial water for dust control and wash down at the facility. Water Right 91-254, water accessed through the track hopper sump, is to be transferred as part of the agreement with NIECO and Andalex (section 4.12, pg. 8). The water from this source needs to be shown to meet state regulatory requirements for the intended use and needs to meet any other applicable state water quality standards. Prior to bond release a full suite baseline parameter analyses and comparison to GW-14 (baseline) and operational information should be analyzed and presented. Although approval for bond release can be granted first, the transfer should occur prior to returning the bond.

In section 4.12 following the sale between Andalex and NIECO, Andalex will apply for applicable NPDES permits. Again approval for post-mining land use change and approval to release the bond can be granted but, the bond release will occur after permit exchange.

Drainage plan

The regraded site and drainage reconfiguration was conducted prior to amendment approval. Violation NOV 98-41-5-1 was issued as a result. Although the plan accurately states the reclamation activities will be completed before approval is sought (section 4.12), the activity

prior to approval is not in accordance with the R645 requirements.

Changes to the text and drainage designs regarding sedimentation and drainage control structures was not submitted in the redline strike out format. Therefore, review of this information will be delayed until an amendment that identifies the changes in redline strikeout is submitted. See R645-301-120 above.

The Preparation Plant area now contains a berm to insure watershed boundaries are separated between the area released for the post-mining land use. The permit area needs to include the berm for inspection purposes. The plan fails to consider the existing reclamation plan and interferes with the approved plan for the UD- 1 ditch and, the reclamation drainage plans for Watershed 5. The plan needs to consider regrading the berm and final bond release configuration.

The changes proposed to the permit area boundary are not consistent with constructing the reclamation drainage plan within the permit area. The plan does not clearly show the final reclamation configuration including those drainage structures (culverts) proposed for retention as part of the post mining land use.

Sedimentation Pond

The Permittee requests retaining the sedimentation pond. However the statement regarding creating an impoundment within the confines of this site at the location of the old plant area suggests the pond is not to be retained as part of the post mining land use (section 4.12 pg. 9). Demonstrate that retention of the pond is necessary for the intended postmining land use according to R645-301-733.200.

Findings:

The amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-880.330, The application for bond release needs to assess impacts to ground and surface water in the permit and adjacent area based on performance standards. Demonstrate through water monitoring data analysis that the operations minimized disturbance to the hydrologic balance in the permit and adjacent areas. Show that seasonal water quality and quantity are suitable for the post mining land uses. Include analyses that determines whether the coal mine waste in the proposed train load out is acid or toxic forming and provide a full water quality baseline suite at the trackhopper to show that water quality meets state water quality standards.

R645-301-740, 1) Clearly show the final reclamation configuration including those

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structures proposed for retention as part of the post mining land use. 2) Include the berm within the permit area to provide an inspectable unit. 3) Provide a plan for regrading the berm at final bond release and show how the existing reclamation for the UD- 1 ditch and Watershed 5 will be accomplished.

R645-301-733.200, Demonstrate there is reasonable likely hood for achievement of use for the sedimentation pond in light of the fact that the plan states an impoundment will be created within the confines of the site at the location of the old plant area (section 4.12 pg. 9)

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Analysis:

The submitted map E9-3341 omitted information provided on the previous version which delineates the Ridge road, N.W. tailings dike, Farnham County Road, Topsoil Stockpiles/test plot-east side. Although some of this information may be referenced elsewhere, it should be retained on the facilities map for clarity.

Map F9-177 1 of 2 was revised to show a berm placed along watershed 4 and 5. No other changes were made, however no north arrow is provided on the map.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-740. The Permittee must provide the final reclamation contours and drainage for the proposed bond release and adjacent permitted area.

R645-301-740 Information removed from Map E9-3341 should be retained for the Ridge road, N.W. tailings dike, Farnham County Road, Topsoil Stockpiles/test plot-east side.

Recommendation:

Information provided in the amendment is not considered adequate for approval. The Division should return the amendment and have the applicant resubmit the information with the requested information outlined in this document.