



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

Michael O. Leavitt
 Governor
 Kathleen Clarke
 Executive Director
 Lowell P. Braxton
 Division Director

1594 West North Temple, Suite 1210
 PO Box 145801
 Salt Lake City, Utah 84114-5801
 801-538-5340
 801-359-3940 (Fax)
 801-538-7223 (TDD)

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TO: Internal Files

FROM: Stephen J. Demczak, Sr. Reclamation Specialist/Engineering, Team Lead

RE: Future Reclamation, NEICO, Wellington Prep. Plant, C/007012-02A

SJD
 Jay
 JM

SUMMARY:

The permittee (NEICO) would like to continue to reclaim a portion of property at the Wellington Prep. Plant. The permittee has submitted an amendment to remove the remaining support structures that elevate the slurry pipeline across the railroad tracks, the bottomlands of the property, and the Price River (see Figures 5.40-1 and 5.40.2).

The reclamation project would involve one crew removing the nuts, bolts, and other items that secure the vertical and horizontal support structures. Once this work is accomplished, pick-up trucks, dump trucks, a Case 580 Backhoe, a 65-ton Crane, and a Tractor-trailer will be used to remove the structure.

The permittee would like to act on this project as soon as possible, since this project is near the riparian area near the Price River. The ground is currently frozen and the vegetation is dormant causing fewer disturbances to the area.

Once the project has been completed the permittee could request a reduction in the bonding amount.

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

TECHNICAL MEMO

VEGETATION RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.19; R645-301-320.

Analysis:

The riparian vegetation near the Price River where the reclamation activities will occur is dominated by two non-native plant species: tamarisk (*Tamarisk chinensis*) and common reed (*Phragmites communis*). Little or no work is expected to be necessary to the riparian area. The permittee will remove some tamarisk in this area. This plant is aggressive in reestablishing itself, no major impact to this area will occur. This plant is considered non-desirable.

Findings:

The permittee has met the minimum requirements of this section.

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 784.21; R645-301-322.

Analysis:

The permittee and the inspector have walked the project area (twice) in search of birds' nests. There were no signs of any bird's nests around or on the bridge structure that would be affected by this reclamation project.

Findings:

The permittee has made a visual inspection trying to locate birds' nests in the area. No nests were found around or on the structure. Therefore, the permittee has met the minimum requirements of this section.

SOILS RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.21; 30 CFR 817.22; 30 CFR 817.200(c); 30 CFR 823; R645-301-220; R645-301-411.

Analysis:

The bridge was constructed 20-30 years prior to SMCRA. The topsoil in this area was most likely never removed. The permittee and the inspector have made an inspection of this area. Some of the soils in this area have been covered with coal fines, in some places six inches or more. Plants are growing through and on the coal fines in some of these areas.

The permittee will use the road next to the bridge to remove the structure whenever possible. In some cases, a powerline is overhead of the road and the crane would not be able to access the slurry bridge in a safe manner. Therefore, the permittee will move off the road and gain access to the bridge on the other side. An impervious barrier will be placed underneath the working equipment once in place. This impervious barrier (e.g. brattice material) will prevent oil or other fluid leaks from dropping to the soils in the area. Also on hand will be absorbent pillows to absorb and remove any fluids from the brattice material if leaks do occur.

Findings:

The permittee has met the minimum requirements of this section.

OPERATION PLAN

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-230.

Analysis:

Removal and Storage

There will be no removal of topsoil for this reclamation project. Some of the area around the bridge is covered with coal fines. This area was disturbed when the bridge was built in the 50's. This construction was prior to SMCRA regulations.

The method of leaving the topsoil in place and covering the soil under mobile equipment will cause less environmental damage than removing all of the topsoil prior to reclaiming the bridge. The US Forest Service, BLM and DOGM on several exploration drill holes sites have approved this method.

Findings:

The permittee has met the minimum requirements of this section.

VEGETATION

Regulatory Reference: R645-301-330, -301-331, -301-332.

TECHNICAL MEMO

Analysis:

The vegetation at the present time is dormant. The reclamation project will cause very little damage to the plants. The two main plants in this area are tamarisk (*Tamarisk chinensis*) and common reed (*Phragmites communis*) both are non-native plants. The vegetation will not be removed except for a few tamarisk. This plant is considered a non-desirable plant. The ground will be covered with brattice cloth to protect the soil and plants from equipment fluid leaks. The US Forest Service, BLM and DOGM have approved this method on exploration drilling projects.

Findings:

The permittee has met the minimum requirements of this section.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Stream buffer zones

There should be little or no disturbance to the soils since grading of the earth is not necessary. However, the permittee will be within 100 ft of the Price River. The affected area around the Price River is relativity level. The permittee will place straw bales between the Price River and the work area to ensure no sediment could enter the river. This will be done in areas where equipment is close to the river. This will protect the river. Therefore, a finding has been made that the permittee can reclaim the bridge within 100 ft of the stream buffer zone.

Sediment control measures

The permittee will install straw bales along the Price River when the reclamation activities are close to the banks of the river. This area is generally flat and the vegetation will not be removed except for a few tamarisk.

Findings:

The permittee has met the minimum requirements of this section.

RECLAMATION PLAN

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General

No grading of the area will be done.

Findings:

The permittee has met the minimum requirements of this section.

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-240.

Analysis:

Redistribution

No soil will be removed; therefore, there will be no redistribution of topsoil.

Findings:

The permittee has met the minimum requirements of this section.

REVEGETATION

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

Analysis:

General requirements

If the soil becomes disturbed during the removal of the slurry bridge, the permittee will seed the area using the seed mixture from Table 5.40-1 that is located in the MRP.

TECHNICAL MEMO

Findings:

The permittee has met the minimum requirements of this section.

STABILIZATION OF SURFACE AREAS

Regulatory Reference: 30 CFR Sec. 817.95; R645-301-244.

Analysis:

Permittee has no plans to disturb the vegetation or topsoil in removing the slurry bridge. If the area becomes affected, the permittee will re-seed the area using the approved seed mix in Table 5.40-1.

Findings:

The permittee has met the minimum requirements of this section.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount

The permittee may request a bond reduction after the slurry bridge has been removed.

Findings:

The permittee has met the minimum requirements of this section.

RECOMMENDATIONS:

The permittee has met the minimum requirements of the R645 Coal Rules. Therefore, this amendment is recommended for approval.