

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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December 30, 2008

TO: Internal File

FROM: David Darby, Environmental Scientist III, Lead 

SUBJECT: MidTerm Review, UtahAmerican Energy, Inc., Horse Canyon Mine, C/007/0013, Task ID #3042

**SUMMARY:**

Notice of Midterm Review was sent on September 8, 2008. The Division conducted a site visit for Phase III bond release at the Geneva Mine on December 17, 2008. The Horse Canyon Phase III inspection is accepted as part of the Midterm site visit. The Phase III bond release inspection is reported in Inspection Report 1872. The Division received Phase III Bond Release application on November 10, 2008.

A midterm field review was conducted at the Lila Canyon Mine was February 11, 2009. David Darby was the only DOGM representative on site although other DOGM personnel had visited the site previously. Pete Hess conducted inspections on and Joe Helfrich has also been to the minesite recently to evaluate raptor activity. April Abate and Jim Smith visited the construction site on February 3, 2009. There is an exclusionary period starting February 1, 2009 that requires the Permittee to stop mining activities during the nesting period. The surface facilities are currently under construction.

UtahAmerican received permit approval for the Lila Canyon mine on April 18, 2007.

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**ENVIRONMENTAL RESOURCE INFORMATION**

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

**PERMIT AREA**

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

**Analysis:**

The UEI Horse Canyon Mine MRP Part A was reclaimed. A Phase III bond release application is currently under review (Task 3080). The lease area for Part A is 1,327.75 acres. The permit area for Part A is 74.26 acres.

The permit issued on May 18, 2007 was for a total permit area of 5,992.07 acres with a total surface disturbed area of 99.56 acres. The new permit includes the Lila Canyon Extension facilities (described in Part B of the MRP) to be constructed to mine coal from six federal leases totaling 4,664.32 acres in within the "North Block Logical Mining Unit" as approved by the BLM, January 1, 1994 and upheld by United States District Judge Kimball (Memorandum of Decision and Order, Case 2:07CV678 DAK, United States District Court for the District of Utah, Central Division, dated November 13, 2008).

The total bonded area for Horse Canyon Parts A and B is 6032.07 acres (Ex. A Reclamation Agreement). A 42.6 acre bonded disturbed area for Part B is outlined on Plate 5-2 (Section 521.163).

Only minor surface disturbance occurred at the Lila Canyon site in 2007 and 2008, due to wildlife exclusionary periods, pending litigation, and limited funding for the Emery County access road. As of this date, the Emery County road has been graded to the mine site and the U.S. District Court decided in favor of mine development.

**Findings:**

The Horse Canyon Mine is operating in compliance with the Utah Coal Rules.

## RECLAMATION PLAN

### RECOMMENDATIONS:

Further information is requested of the Permittee for a complete Mining and Reclamation Plan.

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