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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

June 20, 2012

TO: Internal File

THRU: James Owen, Lead *JO*

FROM: Joe Helfrich, Biology *JUH 12/1 505*

RE: Phase III Bond Release for Ditch D-31, UtahAmerican Energy Inc., Horse Canyon Mine, C/007/0013, Task ID #4090

SUMMARY:

On April 30, 2012 the Division received an application for phase III bond release for ditch D-31.

Mining at the Geneva Mine ceased in 1982 and the mine is undergoing final reclamation. The Permit for the Geneva Mine (Horse Canyon Mine, MRP-A) was most recently re-issued on May 18, 2007. UEI received Phase III bond release at the Geneva Mine Permit on November 30, 2009 for all but 0.49 acres of disturbed area associated with Ditch 31. Bonding was retained on Ditch 31 due to reconstruction requirements, and the work was completed in September 2006.

Approval of this bond release is recommended.

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TECHNICAL ANALYSIS:

RECLAMATION PLAN

PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES

Regulatory Reference: 30 CFR Sec. 817.97; R645-301-333, -301-342, -301-358.

Analysis:

The .49 acres of ditch 31 have been reclaimed and have now gone through the liability period. With the area being stabilized and the vegetation established, the post-mining land use of wildlife habitat has been achieved at this site. This was evidenced during the bond release inspection when a 3 foot long rattle snake was encountered.

Findings:

The information meets the requirements for bond release on 0.49 acres on the Ditch #31 area.

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:

The ditch #31 area was granted phase II bond release on April 11, 2002 along with the rest of the Horse Canyon mine site. Vegetation surveys for the Horse Canyon mine area were completed in 2003 and 2004 by Dr. Mike King. Results of the surveys showed that the vegetation in the area was adequate to grant phase III bond release. In 2009 phase III bond release was granted on 91.97 acres leaving only .49 acres remaining, which was the ditch #31 area. This area had received repair work (from high intensity storm events) and needed additional time to achieve stability, and the vegetation was not at issue. In a letter signed by Pam Grubaugh-Littig dated August 23, 2006, the Division clarifies that the liability period for the establishment of vegetation in the channel would be ten years and would extend to 2012 even though supplemental seeding occurred in 2006. The vegetation in the ditch #31 area is comparable to that in the surrounding area and meets the success standards for vegetation.

Findings:

The vegetation meets the requirements for bond release on the .49 acres on the Ditch #31 area.

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