



Technical Analysis and Findings

Utah Coal Regulatory Program

February 25, 2016

PID: C0070016
TaskID: 5062
Mine Name: GORDON CREEK 2, 7 & 8 MINES
Title: AS-BUILTS

Reclamation Plan

General Requirements

Analysis:

The amendment meets the State of Utah R645 requirements for Reclamation Activities.

The minimum requirements of R645-301-540 are met within the amendment which included asbuilt for the repaired creek channel SD-6. The ditch repairs were completed on November 15th, 2015 but snow fell the night and days following the repair delaying the final survey until this point. Earthfax Engineering was hired for the repair design and final reclamation of the channel. The amendment includes the addition of the cover letter and asbuilt report into the back of Appendix 7-1.

cparker

Hydrological Information Reclamation Plan

Analysis:

The amendment meets the State of Utah R645 requirements for Reclamation: Hydrologic Information.

The Permittee has submitted as built designs of the repaired and re-worked SD-6 drainage channel. This includes a profile of the entire slope of the channel, as well as three cross sections of the channel. The profile, the cross sections, and the accompanying calculation results, based on the actual construction of the channel, demonstrate that the channel meets the design criteria initially provided and approved during the initial permitting of the repair work.

adaniels

Stabilization of Surface Areas

Analysis:

On October 9, 2015 the Division received an amendment to repair and revegetate areas that had been affected by late summer precipitation events. The text in section 3.0 of the Repair Plan that addressed the reclamation of channel SD-6 practices was at best ambiguous. Quote, gouged as necessary, seeding will be accomplished via hydroseeding or broadcast seeding or by hand, seeding will be completed prior to the onset of significant snowfall end quote. Therefore the following information is required in order to demonstrate that the permittee has met the reclamation requirements of the R 645 coal rules and the reclamation requirements of their approved MRP:

An accurate description of the reclamation practices that were employed to reclaim the affected areas including but not limited to:

the date(s) the area(s) was or were reclaimed;
the methods used to reclaim the site including equipment;
a demonstration of compliance with section 3.5.5.3 of the MRP;
the seed mix used in reclamation and ;
documentation of certified weed free materials used in reclamation of the site.

Deficiencies Details:

The as-built reclamation information is not adequate to meet this section of the regulations. Prior to approval the following information is required in accordance with R645-301-244;
An accurate description of the reclamation practices that were employed to reclaim the affected areas including but not limited to:
the date(s) the area(s) was or were reclaimed;
the methods used to reclaim the site including equipment;
a demonstration of compliance with section 3.5.5.3 of the MRP;
the seed mix used in reclamation and ;
documentation of certified weed free materials used in reclamation of the site.

jhelfric

Maps Bonded Area

Analysis:

The amendment meets the State of Utah R645 requirements for Bonded Area.

The minimum requirements of R645-301-800 are met within the amendment as the bonded area map was not expanded from the current disturbance area.

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Maps Reclamation Treatments

Analysis:

The as-built information does not include as part of the reclamation plan information, a revised reclamation treatment map for the area(s) that have been reclaimed in 2014 and 2015.

Deficiencies Details:

The information is not adequate to meet the requirements of this section of the regulations. Prior to approval the following information is required in accordance with R645-301-323;
The as-built information does not include as part of the reclamation plan information, a revised reclamation treatment map for the area(s) that have been reclaimed in 2014 and 2015.

jhelfric

Bonding and Insurance General

Analysis:

The amendment does not meet the State of Utah R645 requirements for Bonding and Insurance Requirements.

The amendment does not meet the minimum requirements of R645-301-357 and R645-301-820 as the applicant currently has Phase II bond release for the area but repairs included reseeding. R645-301-357.100, -357.300 and R645-301-820 regulations require the permittee to clarify the total acreage of disturbed and reseed for the Division to determine if the period of liability has needs to be reset due threshold defined in R645-301-357.324. The repair of the channel included tracking heavy earthwork equipment to the channel for regrading destroying the established vegetation in the area. The equipment destroyed vegetation around the work area as well as a two track from the access point. The permittee included reseeding material in the previous submission of Task #5016. Gordon Creek 2, 7, & 8 has applied for two series of bond release. Phase I bond release of 32.52 acres was approved by the Division in October 2003 and Phase II bond release of 32.52 acres was approved by the Division in March of 2007. The October 2003 application included the approved of Phase III bond release of 0.73 acres.

Deficiencies Details:

R645-301-357.100,R645-301-357.300, R645-301-357.357, and R645-301-820.330: Permittee will include a map detailing the location and acreage of all areas reseeded for the Division to be able to determine if the repaired area needs to be amended for the new period of liability.

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Bonding Form of Bond

Analysis:

The amendment meets the State of Utah R645 requirements for Form of Bond.

The amendment meets the minimum requirements of R645-301-860.100 as the applicant currently maintains a surety bond amount of \$171,000 which is held by Lexon Insurance Co with a rider held by Ironshore Indemnity Inc for a disturbance area of 34.15 acres.

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