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

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August 22, 1994

Thomas E. Ehmett, Acting Director
Office of Surface Mining
Reclamation and Enforcement
505 Marquette N.W., Ste. 1200
Albuquerque, NM 87102

Re: Comments/Concurrence Requested on Division Evaluation of Phase II Bond Release Information, Gordon Creek #3 and #6, ACT/007/017-93B, Huntington #4 Mine, ACT/015/004-93D, Folder #2, Carbon and Emery Counties, Utah

Dear Mr. ^{Tom}Ehmett:

The Division conducted the Phase II Bond Release inspections with inspectors from the Albuquerque Field Office (AFO) for Gordon Creek #3 and #6 and Huntington #4 Mines on May 18, 1994. Pursuant to the requirements of R645-301-880.320:

"At the completion of Phase II, after revegetation has been established on the regraded mined lands in accordance with the approved reclamation plan, an additional amount of bond (may be released). When determining the amount of bond to be released after successful revegetation has been established, the Division will retain that amount of bond for the revegetated area which would be sufficient to cover the cost of reestablishing revegetation if completed by a third party and for the period specified for operator responsibility in UCA 40-10-17 (t) of the Act for reestablishing revegetation.

No part of the bond or deposit will be released under this paragraph so long as the lands to which the release would be applicable are contributing suspended solids to streamflow or runoff outside the permit area in excess of the requirements set by UCA 40-10-17 (j) of the Act and by R645-301-751 or until soil productivity for prime farmlands has returned to the equivalent levels of yields as nonmined land of the same soil type in the surrounding area under equivalent management practices as determined from the soil survey performed pursuant to UCA 40-10-11 (4) of the Act and R645-301-200. Where a silt dam is to be retained as a permanent impoundment pursuant to R645-301-700, the Phase II portion of the bond may be released under this paragraph so long as provisions for sound future maintenance by the operator or the landowner have been made with the Division."



OSM Comments/Concurrence
Phase II Bond Release
Gordon Creek #3 and #6 Mines
ACT/007/017
Huntington #4 Mine
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As part of the Phase II Bond Release inspection for these mines, the Division gave OSM the Division's evaluation of the revegetation during the inspection on May 18, 1994. Additionally, as part of the Phase II Bond Release applications (transmitted to AFO on May 3, 1994), Sed-Cad was used to demonstrate erosional stability associated with additional contributions of sediment. The Division has determined this demonstration to be adequate in conjunction with its field assessment of this issue.

Both of these mines have received Phase I Bond Releases. Pending resolution of the current Ten-Day-Notices, that belatedly address Phase I issues, the Division will consider approving Phase II Bond Release for these mines. In order to proceed in a timely manner, the Division requests your comments and/or concurrence on any other issues outstanding at these mines.

If you have any questions, please call me or Pamela Grubaugh-Littig.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

cc: Pamela Grubaugh-Littig
Susan White
Tom Munson