



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangert
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

November 30, 1988

TO: Susan Linner, Permit Supervisor

FROM: Randy Harden, Reclamation Engineer *JRH*

RE: Status of Permit Stipulations, Blazon #1 Mine, North American Equities, INA/007/021, Folder 2, Carbon County, Utah

SUMMARY:

This memo indicates the current status of stipulations issued with the Conditional Approval for amendments to the Reclamation Plan for the Blazon Mine. Conditional Approval was issued to NAE on August 29, 1988 with the stipulations listed below. Additional comments may also be found after the stipulation comments with regard to field or other conditions which are apparent on the site.

On September 2, 1988, NAE hand delivered a written stipulation response to the conditional approval letter from the Division dated August 29, 1988. The operator's comments to the stipulations follow the stipulations as they were written. The comments following the stipulations are in consideration of any outstanding deficiencies within the reclamation plan:

Stipulation UMC 783.25 - (1) - MMD/RPS

1. The applicant must submit certified drawings and maps for the proposal. These drawings must be certified by a registered professional engineer prior to September 15, 1988.

OPERATOR'S RESPONSE:

NAE will provide certified drawings.

DETERMINATION OF ADEQUACY:

Subsequent maps and drawings have been certified by the operator in accordance with the requirements of this stipulation. The operator has complied with the conditions of this stipulation.

Stipulation UMC 817.24 - (1) - JSL

1. All existing stockpiled topsoil at the Blazon #1 Mine must be topdressed over the soil material that will cover the underground development waste.

OPERATOR'S RESPONSE:

NAE will spread existing topsoil over the portal pad area. The optimum distribution of this material will be worked out with DOGM personnel in the field. No additional material will be imported to the site and only existing site material will be placed on the portal bench.

DETERMINATION OF ADEQUACY:

The operator's response to this stipulation is considered satisfactory.

Due to intermixing of the cover material with waste material during the course of construction, samples were taken by the operator to determine toxicity of the cover material and adequacy of the waste material. To date, the final analysis of the samples have not been submitted to the Division. The operator shall be required to submit these sample results in conjunction with the as-built drawings and design information required. Additionally, justification should be presented in the as-builts for the placement of cover material, depth, suitability for growth material, and a plan for sampling for soil amendments required in the spring.

Stipulation UMC 817.45 - (1) - MMD/RPS

1. The applicant must submit a commitment, prior to September 25, 1988, to retain (for duration of the bond period) the straw bales as a sediment control measure in the access road ditch. These shall be located above the entrances of the culverts and above the entrance of the swale and shall be included on an appropriate map. The applicant must also commit to retaining the straw bale dike shown on maps A1 and A3, extending from culvert A to ditch B, during the duration of the bond period.

OPERATOR'S RESPONSE:

NAE will install straw bales above the access road culverts and swale. Location of these features will be shown on the as-built maps following construction. NAE will maintain these features plus other required straw bale dikes during bond release. NAE notes, however, that the straw bale dikes and sediment fences are high maintenance items and that NAE does not and will not maintain field personnel on site.

DETERMINATION OF ADEQUACY:

The operator's response to this stipulation is considered satisfactory. The Division recognizes that the operator does not have to maintain personnel on the site throughout the bond liability period. However, maintenance of these structures will be the responsibility of the operator throughout the liability period.

Stipulation UMC 817.46 - (1) - MMD/RPS

1. The applicant must commit to installing two sediment level markers in the sediment pond. These markers must clearly depict the maximum sediment storage elevation and the 60% cleanout elevation. They must be located near the inlet to the pond and near the pond center. The applicant must commit to removal of the sediment in the pond when the storage reaches the 60% elevation. The applicant must submit a plan for removal and disposal of the sediments from the pond. This information must be submitted prior to October 15, 1988.

OPERATOR'S RESPONSE:

Sediment markers will be installed in the ponds.

DETERMINATION OF ADEQUACY:

Although the operator provided the committment to install sediment markers in the pond, these markers were not installed as of the last visit to the site by the Division. The requirements of this stipulation are still considered to be outstanding.

Stipulation UMC 817.46 - (2) - MMD/RPS

2. The applicant must submit certified "as-built" drawings and a certification statement of the sedimentation pond as per UMC 817.49 (h) and 817.46 (r) prior to September 25, 1988. The applicant must submit a commitment to conduct the pond inspections required by UMC 817.46(t) prior to the above date.

OPERATOR'S RESPONSE:

The ponds will be certified as-built following construction.

DETERMINATION OF ADEQUACY:

This stipulation is still considered to be outstanding. Certifications and pond inspections have not been submitted to the Division.

Stipulation UMC 817.53 - (1) - MMD/RPS

1. The applicant must submit the information required by UMC 817.53 completely and accurately relative to transfer of the well prior to September 25, 1988.

OPERATOR'S RESPONSE:

NAE will submit to Mr. Otani prior to September 25, 1988, all documentation necessary for the transfer of the well. NAE will not assume the responsibility for any delays to or changes in the manner of the transfer caused by Mr. Otani.

DETERMINATION OF ADEQUACY:

No documentation regarding the transfer of the well has been submitted to the Division. Conversations with NAE representatives have indicated that the well is to be reclaimed rather than transferred to Mr. Otani. If the well is to be reclaimed, NAE must abandon the well in accordance with the requirements of the State of Utah, Administrative Rules for Water Well Drillers, Division of Water Rights. Additionally the completion report for the reclamation of the well must be submitted to the Division. This stipulation is considered to be outstanding.

Stipulation UMC 817.101 - (1) - JRH

1. Certified as-built drawings of embankments and slopes constructed during reclamation will be required upon the completion of the reclamation earthwork on the site. The operator shall include with this certification, stability analysis for the portal bench area and other slopes and embankments constructed during the reclamation. Design criteria for the embankment shall be a 1.5 long term static factor of safety, and for seismic and saturated conditions, the factor of safety shall be not less than 1.3. Soil analysis, cross sections, and supporting calculations shall be provided with the certification report and as-built drawings. This information shall be required within 60 days from the date of completion of the earthwork accomplished on the site during reclamation.

OPERATOR'S RESPONSE:

NAE will submit justification for reclamation earthwork on the site. It is our understanding that a rigorous geotechnical analysis is not required to complete this stipulation. Rather a "common sense," logical and workable field solution will be developed and implemented to satisfy this stipulation. NAE will provide this information within 60 days of the completion of the site reclamation.

DETERMINATION OF ADEQUACY:

Certification and design analysis have not yet been submitted to the Division for approval. In consideration of the final slopes obtained on site, the operator's comments regarding the technical analysis are not valid. Slopes in the reclaimed portions of the portal pad approach 1:1 and will require sampling and analysis in order to determine that the slopes are stable. Further, stability design and assumptions in the design and construction of the embankments for Little Snyder Drainage have yet to be provided. This work was submitted in draft form by LGS Associates in November, 1987. Modifications to the design and slope of Little Snyder Drainage should be taken into consideration when submitting this information. Stability analysis must be provided to the Division for both areas which confirm the factors of safety as outlined in the stipulation.

Additionally, in consideration of comments made by the operator in response to Stipulation UMC 817.24 - (1) - JSL, that no additional material will be imported to the site and only existing site material will be placed on the portal bench, a response by the operator addressing Approximate Original Contour will be required. The access road to the portal bench area was not backfilled sufficiently to consider the earthwork in this area as approaching approximate original countour. Insufficient material was available on the site in order to backfill the cut left by the road. A determination was made in the field by NAE that no material would be imported to complete the backfilling and grading of the road to meet AOC requirements. The operator shall be required to provide justification for leaving the access road in its current condition and address suitability for post mining land use in that area.

Stipulation UMC 817.101 - (2) - JRH

2. No backfilling or grading operations shall occur during adverse conditions where saturated or frozen ground exists. The operator shall cease reclamation activities and ensure that adequate sediment control facilities are in place in the event that weather conditions prevent completion of reclamation activities this fall.

OPERATOR'S RESPONSE:

NAE will not conduct backfilling and grading operations under adverse weather conditions.