

# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

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August 10, 2004

TO: Internal File

THRU:  Dana Dean, P.E., Environmental Scientist III, Team Lead

FROM: Jerriann Ernstsens, Ph.D., Environmental Scientist II, Biology. 

RE: Postmine land use change, Canyon Fuel Company, Banning Loadout, C007/0034, Task ID #1936

### SUMMARY:

The Division received an amendment to address a post-mine land use change for 0.83 acres at the Banning Loadout. The Permittee sold the 0.83 acres, including a substation, to East Carbonics. The sell agreement includes that the Permittee will conduct final reclamation on the 0.83 acres (excluding the substation pad area) at the same time as the final reclamation project for the remaining permit area.

The Permittee will maintain the site during the extended responsibility period. The Division considers that the postmine land use change does not affect plans, obligations, or agreements in the biology section of the MRP. The Division, however, would like the Permittee to update the seed mixture and possibly other related reclamation plans sometime in the future.

### RECOMMENDATIONS:

Approve the postmining land use change for the Banning Loadout.