

OGMCOAL - Task ID# 3668 Sunnyside Phase 3 Bond Release

From: Steve Christensen
To: S Scott Carlson
Date: 11/9/2010 4:41 PM
Subject: Task ID# 3668 Sunnyside Phase 3 Bond Release
CC: 'Rusty Netz'; Daron Haddock; OGMCOAL

Scott,

I apologize for not getting back to you sooner. My day was hijacked by unexpected meetings/conference calls.

At any rate, I did look over the public notice and I have a couple of comments. R645-301-880.120 is the regulation that lists all of the information that needs to go into the public notice. After reviewing the public notice in the application, there are a couple items that need to be included.

The type of bond needs to be in the public notice (i.e. surety, cash, collateral etc.). In addition, the exact amount of bond filed with the Division should be included. The last item that should be expanded on in the public notice is the "*description of the results achieved as they relate to the operator's approved reclamation plan*". Admittedly, I scratched my head on this one a bit, but after some clarification from management, what's needed is a brief discussion as to whether the reclamation work performed (i.e. the "*grading, soil cover placement and revegetation*") has achieved the approved post-mining land-use identified in the MRP. I don't know what the approved post-mining land-use is for that area off the top of my head, but a brief discussion along those lines should be included per R645-301-880.120.

Off the subject of the public notice, the application itself did not have a notarized statement which certifies that all applicable reclamation activities have been done according to the reg.'s and the plan (See R645-301-880.130).

As a result, the application is not complete as submitted. I've placed a call to Rusty Netz to discuss the timing issues associated with the bond release process. Essentially the issue is that the public comment period takes 60 days to complete (30 days of publishing the notice in the Sun Advocate and then 30 days after that for public comment). The rub is that regulation R645-301-880.220 says that the Division will make an up or down decision on releasing bond money within 60 days of receipt of the application. That said, the public notice needs to be done prior to submitting the bond release application to the Division in order to avoid timing issues.

I'll be discussing this with Rusty in coming days and we'll figure something out. However, at this point, you could make the revisions to the public notice and e-mail them to me. We can work that out via e-mail and get that squared away.

Give me a call if you have any questions.

Thanks,
Steve

Steve Christensen
Environmental Scientist III
Utah Division of Oil, Gas and Mining
(801) 538-5350

>>> "S Scott Carlson" <scarlson@twinpeakseng.com> 11/9/2010 9:40 AM >>>

Steve,

Any thoughts on the public notice for the Old Coarse Refuse Road Bond Release?

S Scott Carlson, PE, PLS

Twin Peaks PC

2264 North 1450 East

Lehi UT 84043

(801) 450-3511

From: Kevin Lundmark [mailto:kevinlundmark@utah.gov]
Sent: Tuesday, November 09, 2010 8:56 AM
To: S Scott Carlson
Cc: Steve Christensen
Subject: RE: Approval Letter Roads D, F & L

Please coordinate with Steve Christensen. Thanks.

>>> "S Scott Carlson" <scarlson@twinpeakseng.com> 11/9/2010 8:49 AM >>>

Thanks

Who should I coordinate with regarding approval to publish in the newspaper?

S Scott Carlson, PE, PLS

Twin Peaks PC

2264 North 1450 East

Lehi UT 84043

(801) 450-3511

From: Kevin Lundmark [mailto:kevinlundmark@utah.gov]
Sent: Tuesday, November 09, 2010 8:44 AM
To: S Scott Carlson
Subject: RE: Approval Letter Roads D, F & L

The Phase 3 Bond Release package came in yesterday and has been assigned Task ID# 3668 in the CTS.

Kevin

>>> "S Scott Carlson" <scarlson@twinpeakseng.com> 11/9/2010 8:39 AM >>>

Kevin,

Thanks for your effort to get this finished up.

Did you see the submittal come in for the phase 3 bond release at Sunnyside?

S Scott Carlson, PE, PLS

Twin Peaks PC

2264 North 1450 East

Lehi UT 84043

(801) 450-3511

From: Kevin Lundmark [mailto:kevinlundmark@utah.gov]
Sent: Tuesday, November 09, 2010 7:03 AM
To: Rusty Netz
Cc: Scott Carlson
Subject: Approval Letter Roads D, F & L

Rusty:

FYI - attached please find a scanned copy of the approval letter which went out yesterday for Roads D, F & L at Star Point Waste Fuel.

Regards,
Kevin

Kevin Lundmark
Environmental Scientist II
Division of Oil, Gas & Mining
kevinlundmark@utah.gov
(801)538-5352