

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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October 6, 2011

TO: Internal File

THRU: Steve Christensen, Lead *SCC*

FROM: Joe Helfrich, Biologist *JCH*

RE: Excess Spoil Area #2, Sunnyside Cogeneration Associates, Sunnyside Refuse/Slurry, Permit # 007/0035, Project # WG3893

## SUMMARY:

On August 18, 2011 the Division received an amendment to begin the expansion of the excess spoils area #2 and prepare for the reclamation of the phase one portion. This memo will include a review of that information and the results of the site visit and conference call with Scott Carlson from Twin Peaks Engineering. On October 5<sup>th</sup> the team visited the site with Rusty Netz. Personnel in attendance included James Owen, Steve Christensen and Joe Helfrich from the Division and Makeda Trujillo, (impact analysis biologist), from DWR.

## SUMMARY of DEFICIENCIES

**R645-301-140**, *Based on the discussion during the conference call, (Makeda Trujillo, Joe Helfrich and Scott Carlson Oct 5<sup>th</sup>), Maps 8-5 and 10-7 need to show the location of the proposed reclamation. The legend needs to be revised, (delete Pinyon Juniper tublings and combine sagebrush grass with atriplex grass), and relevant text to show just one seed mix for the entire reclaimed area. [JCH]*

**R645-301-353**, *Based on the discussion during the conference call, (Makeda Trujillo, Joe Helfrich and Scott Carlson Oct 5<sup>th</sup>), the seed mixes listed in figures 10-2 and 10-3 should be revised, combined and evenly distributed at final reclamation. Appropriate map and text changes should be made in the MRP. [JCH]*

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**MAPS AND PLANS**

Regulatory Reference: 30 CFR 777.14; R645-301-140.

**Analysis:**

Based on the discussion during the conference call, (Makeda Trujillo, Joe Helfrich and Scott Carlson Oct 5<sup>th</sup>), Maps 8-5 and 10-7 need to identify where the proposed reclamation is to occur. The legends need to be revised, (delete Pinyon Juniper tublings and combine sagebrush grass with atriplex grass), and revise the maps and relevant text to show just one seed mix for the entire reclaimed area.

**Findings:**

The information in the amendment is not adequate to meet the requirements of this section of the regulations. Prior to approval the following must be provided in accordance with R645-301-140, *Based on the discussion during the conference call, (Makeda Trujillo, Joe Helfrich and Scott Carlson Oct 5<sup>th</sup>), Maps 8-5 and 10-7 need to identify where the proposed reclamation is to occur. The legends need to be revised, (delete Pinyon Juniper tublings and combine sagebrush grass with atriplex grass), and revise the maps and relevant text to show just one seed mix for the entire reclaimed area.*

**RECLAMATION PLAN**

**GENERAL REQUIREMENTS**

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

**Analysis:**

Based on the discussion during the conference call, (Makeda Trujillo, Joe Helfrich and Scott Carlson Oct 5<sup>th</sup>), the seed mixes listed in figures 10-2 and 10-3 should be revised, combined and evenly distributed at final reclamation. Appropriate map and text changes should be made in the MRP.

**Findings:**

The information in the amendment is not adequate to meet the requirements of this section of the regulations. Prior to approval the following must be provided in accordance with R645-301-353, *Based on the discussion during the conference call, (Makeda Trujillo, Joe Helfrich and Scott Carlson Oct 5<sup>th</sup>), The seed mixes listed in figures 10-2 and 10-3 should be revised, combined and evenly distributed at final and or interim reclamation. Appropriate map and text changes should be made in the MRP.*

**RECOMMENDATIONS:**

The application is not recommended for approval at this time.