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September 24, 2001

TO: Internal File

THRU: Peter H. Hess, Reclamation Specialist, Team Lead

FROM: Susan M. White, Senior Reclamation Biologist *SMW*

RE: Response to Division Order DO00A, West Ridge Resources, Inc., West Ridge Mine, C/007/041-DO00A-4

SUMMARY:

The permittee enlarged the highwall area of the portal face-up because burnt coal was encountered during portal construction. Subsequently, the Division issued a Division Order (DO) because the Permittee's Mining and Reclamation Plan (MRP) and the Division's Technical Analysis (TA) did not consider a highwall of this extent. DO00A (issued April 6, 2000) requires the permittee to submit "as-built" designs for the surface facilities area, a slope stability analysis and a detailed reclamation plan for the highwall area.

The Division received round 3 of the Division Order on July 2, 2001. The response includes a highwall reclamation plan including detailed slope stability. This memo reviews the July 2, 2001 response. The highwall reclamation plan fails to demonstrate that the vegetative cover will be comparable to the natural vegetation of the area.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

VEGETATION RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.19; R645-301-320.

Analysis:

The MRP describes four vegetative communities that existed within the disturbed area prior to disturbance. These are:

- Douglas fir/maple,
- Rocky Mountain juniper/Douglas fir,
- sage/grass,
- and pinyon/juniper.

No description of a talus slope vegetative community was found within the disturbed area or permit area. Maps of the vegetative communities, Map 3-1 and Map 3-2, do not designate a talus slope community or area. The plan provides for no revegetation on the talus slope. Many talus slopes do have vegetation. Reclaiming the highwall to a talus slope can only be considered when resource information is provided.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the permittee must provide the following in accordance with:

R645-301-321.100, the plan must describe the existing talus slopes within the permit area. The description will include information adequate to predict the potential for reestablishing vegetation and productivity.

RECLAMATION PLAN

REVEGETATION

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

Analysis:

General requirements

The permittees proposes to reclaim the highwall area to a talus slope. Revegetation standards cannot be determined until the information required in the Vegetation Resource Information section of this TA are provided.

Standards for success

The permittee will establish on all disturbed areas, except water areas and surface areas of roads, a vegetative cover that is at least equal in extent of cover to the natural vegetation of the area. No plan has been provided that will reestablish the premining 66% vegetative cover on the highwall talus slope as required.

If the reclaimed highwall slope was reduced topsoil could be applied and the approved vegetative cover standard could be used. Reducing the slope gradient may affect the experimental practice. If the experimental practice is affected then those parts of the MRP will need modification.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the permittee must provide the following in accordance with:

R645-301-341, the plan must contain a revegetation plan for the talus slope. The revegetation plan must be adequate to establish vegetation at least equal in extent of cover to the natural vegetation in the area.

TECHNICAL MEMO

RECOMMENDATION:

The amendment may not be approved until the information required by **R645-301-321.100** and **R645-301-341** has been provided.

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