

OGMCOAL - proposed reclamation language

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Subject: proposed reclamation language
Attachments: Scan001 (2).PDF

Hi Ingrid....Attached is my proposed language change for the "interim" reclamation of the catchment sites, as we discussed. The change from what you've seen earlier is shown in green. Thanks

2009 cleanup, using the same foreman and crew, and familiar with the protocol, will perform the cleanup.

4a) Reclamation:

The catchments will remain as permitted structures until the Division determines they are no longer required. The catchments have been constructed and are being utilized during the violation 10063 cleanup operations during August through November, 2010. The C Canyon drainage in the area of catchments C and E is subject to violent flash-flooding, especially during late-summer thunderstorm conditions. Therefore, any structures left in the channel for any length of time would be quickly destroyed. Therefore, there is a high probability that the catchments will be reduced to a state of non-functionality at some time after the 2010 cleanup is completed.

However, they can easily be re-stored to functionality in a matter of three or four days in the future if the need arises. Under the current mine-plan (July, 2010) the down-dip longwall panels area within the mine are scheduled to be completed by May, 2012. After that time the mine water can be allowed to impound in the lower area of the mine and there will no longer be any need to pump any water out to the surface. In other words, in less than two years there may no longer be any future need for possible use of the cleanup catchments. As a result, the interim “non-functional” period should be relatively short. Therefore, after the 2010 stream cleanup has been successfully completed, the catchments will be reclaimed. This reclamation will be considered as “interim” reclamation. If the catchments are ever needed in the future they could then be returned to functionality by reconstructing them once again according to the approved plan. The interim reclamation would be done in an identical manner as described for final reclamation. However, if the catchments do not need to be re-constructed in the future, the interim reclamation would then constitute final reclamation. Reclamation bonding will remain in place for as long as mine-water continues to be discharged .

Reclamation will proceed as described in the narrative above, Item 4. It should be noted that, after the initial cleanup, catchments C and E were fully reclaimed in the fall of 2009, including re-seeding in November, 2009. In July, 2010, officials from BLM inspected the sites and were satisfied that all components of reclamation had been adequately met according to the terms of the right-of-way grant, including channel restoration, stabilization, and re-vegetation. Based on the success of the previous reclamation of these sites, the company would propose to reclaim the sites in a similar manner, under the terms outlined above, upon final reclamation. The same seed mix would be used (see Attachment 8). Photos of the sites during operation and after reclamation are included as part of this attachment. It should be noted that during final reclamation of these sites, large boulders will be placed in the bottom of basin areas during backfilling operations. This will be done to insure long-term stability of the reclaimed channel against potential erosional effects of normal flash-flooding events in the future.

Since the time of the first construction/reclamation additional information has been obtained regarding the soils of the sites. A sampling program was agreed upon in consultation with Division specialist. Composite samples (taken from six individual locations, and then mixed together) were taken from the bottom of the excavated settling basins to approximate the soil

characteristic of the disturbed areas. Also, soil samples were taken in undisturbed areas at the perimeter of the sites to better approximate the undisturbed soil characteristics at the site. The undisturbed samples were taken from 0"-7" depth, and from 7"-24" depth. Locations of the sample test pits and lab analysis results are presented in Attachment 13. This soils information will help provide additional guidance for future reclamation efforts if needed.

5a) Bonding:

As detailed in the above narrative, the bonding costs for the catchments is determined to be \$31,628 for each site, which includes demolition, earthwork, re-vegetation and indirect costs. This bonding cost has been approved previously by the Division. Therefore, the additional bonding cost associated with reclaiming Catchments C and E would be \$63,256. The present West Ridge Mine reclamation cost is \$1,998,000 (as of July 27, 2010) and the bond is posted in the amount of \$2,184,000. In other words, there is presently \$218,000 excess bonding currently in place. Therefore the existing bond should be adequate to include the reclamation of Catchment sites C and E.

6a) Mapping Designations:

The location of Catchment Structures C and E are shown on Map 1-0/1-1. These catchments are located beyond the general area of resource mapping used for the permitting of the primary mining operation. Therefore, pertinent resource mapping information for the catchments is given on the As-Constructed drawings appearing in Attachment 11, and provided herein as well. This information corresponds to the mapping designations for the primary permitting area, as follows:

<u>Map Number</u>	<u>Resource</u>	<u>Designation</u>
Map 2-1	Soils	Catchment C: Soil Unit 36 Catchment E: Soil Unit 47
Map 3-4B	Wildlife-Deer	Catchment C: Winter Range Catchment E: Unclassified
Map 3-4C	Wildlife-Elk	Catchment C: Winter Range Catchment E: Winter Range