

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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September 14, 2009

TO: Internal File

THRU: Dave Darby, Lead 

FROM: Ingrid Wieser, Environmental Scientist II 

RE: Change in Permit Boundary, Sunnyside Cogen Associates, Star Point Waste Fuel Refuse, C/007/0042, Task ID #3363

## SUMMARY:

On August 11, 2009, the Division received an application from Sunnyside Cogen to change the permit boundary of the Star Point Waste Fuel Refuse site. This application was submitted with an additional application to change the post mining land use of a portion of the permit area. (see task #3361). The applicant submitted this boundary change in anticipation of the Division approval of the postmining land use change amendment and the subsequent bond release of that area. \*This amendment cannot receive final approval until all coal materials have been moved from the site and it is prepared for phase III bond release.

This amendment is recommended for approval pending phase III bond release of the relinquished area.

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**TECHNICAL ANALYSIS:**

**ENVIRONMENTAL RESOURCE INFORMATION**

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

**PERMIT AREA**

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

**Analysis:**

The applicant submitted a series of maps that depict a modified permit area which omits the proposed industrial PMLU area and undisturbed areas from the permit area. The applicant intends to apply for bond release on the industrial PMLU area once the land use change is approved by the Division. The following maps in the 300 and 400 sections have been updated to show the modified permit area:

- 321.100a: Permit area vegetation overview
- 321.100b: Disturbed area vegetation map

**Findings:**

The information provided is adequate to meet the minimum regulatory requirements for this section.

**VEGETATION RESOURCE INFORMATION**

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

**Analysis:**

Vegetation information is listed on pages 300-6 through 300-14 and map 321.100a in the official M&RP. Page 300-7 &8 include tables 321.100a and 321.100b which list the Permit Area Pre-disturbance Vegetation Type Acreages and the Disturbed Acreage by Vegetation Type respectively.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

**MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

**Analysis:**

**Permit Area Boundary Maps**

The applicant submitted a series of maps that depict a modified permit area which omits the proposed industrial PMLU area and undisturbed areas from the permit area. The applicant intends to apply for bond release on the industrial PMLU area once the land use change is approved by the Division. The following maps in the 300 and 400 sections have been updated to show the modified permit area:

- 321.100a: Permit area vegetation overview
- 321.100b: Disturbed area vegetation map
- 321.100c: Vegetation reference area Map
- 322.220a: Wildlife habitat type
- 341.210a: Bonding scenario revegetation plan
- 341.210b: Final Reclamation revegetation Plan
- 411.100: Cultural Resource Locations

There were deficiencies identified with the updates to these maps.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

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## RECLAMATION PLAN

### POSTMINING LAND USES

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133; R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

#### **Analysis:**

The postmining land use was changed from wildlife to Industrial in task # 3361. The area will be used by Conoco-Phillips, and BLM has already issued a gas lease on the area.

#### **Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

### 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:**

##### **Revegetation: General Requirements**

The postmining land use of this area is industrial. The area will be used as oil drill pad. There is no requirement for revegetation because it is not consistent with the postmining land use. All reclamation efforts will be regulated under the Oil and Gas permit.

#### **Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

### **RECOMMENDATIONS:**

The amendment is recommended for approval.