



State of Utah
DEPARTMENT OF NATURAL RESOURCES
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Technical Analysis and Findings

Utah Coal Regulatory Program

August 5, 2016

PID: C0070042
TaskID: 5204
Mine Name: STAR POINT REFUSE
Title: MIDTERM COMPLETION RESPONSE

Environmental Resource Information

Fish and Wildlife Resource Information

Analysis:

The amendment meets the State of Utah R645-301-322 requirements for providing fish and wildlife resource information.

Fish and wildlife information for the star point refuse can be found in book 2 of 5 of the M&RP. As part of the mid-term review, the Permittee updated the Threatened, Endangered, Candidate, and State Sensitive Species resource information in the M&RP. Section 322.200 was updated to include a narrative Greater Sage-grouse habitat. Section 322.200 was updated to include resource information for high-interest birds (starting on page 300-22) Western Yellow-Billed Cuckoo and Ferruginous Hawk. Section 322.200, Aquatic Resources includes a narrative on annual depletion rates and in compliance with the Colorado Fish Recover Program. Depletion rates do not exceed 100 AF. Section 728.100 contains additional information on depletion rates.

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Operation Plan

Hydrologic Sediment Control Measures

Analysis:

The amendment meets the State of Utah R645 requirements for Hydrologic Sediment Control Measures.

The amendment made revisions to Tables 742a and 742c of the MRP. The changes to these tables adds ditches that changes the stormwater runoff flow to a new inlet on pond 5. These ditches are designed with the same standards held to other runoff ditches at the site. The ditches and new lined inlet of Pond 5 have been added to Plate 731.720a, 731.720b and 733.120a.

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Reclamation Plan

Bonding Determination of Amount

Analysis:

The midterm review of the MRP does not meet the State of Utah R645 requirements for Determination of Bond Amount.

The midterm review of the MRP does not meet the minimum requirements of R645-301-830.140 as the Permittee has not submitted enough detailed bond information in regards to ditches and culverts for the midterm review of the MRP.

The Division requires an evaluation of the reclamation cost estimate during each midterm permit review. This cost estimate is then escalated for five years or until the next midterm review. In accordance with the requirements of R645-301-830, and -301-830.140, it is the Permittee's responsibility to provide detailed estimated cost sheets to support the reclamation cost estimate.

The Permittee updated the unit cost data used in the 2011 Midterm Permit Review reclamation cost estimate to 2015 unit costs using the 2015 R.S. Means Heavy Construction Cost Data manual. All computation sheets for demolition, earthwork and re-vegetation were updated however the Permittee did not provide enough detailed information for the culverts and ditch calculations.

The Permittee submitted only a total of 1100 linear feet of culvert removal, however adding the culvert lengths on Table 742d result in a cumulate length of 2264 ft. The Permittee will break out the lengths for each culvert.

The Permittee submitted an additional lined drainage reclamation detail which shows overly generalized or conflicting information with Plate 731.720a and Table 742c. Channels 6B, 7E, 7H, 15A, 15B, and 74A are ditches called out within Table 742c as being riprapped channels, however, none of the above channels are shown as lined on Plate 731.720a. Channels 7K, 80A, 80B, 16A, 16B, 16C, 16D, 16E, and 16F are shown lined on Plate 731.720a but are not designed or labeled as such in Table 742c. The Permittee shall amend conflicting information on Plate 731.720a, Table 742c, and the bond table to clearly show what channels are rip rapped or lined. The information will be detailed enough to cross check between all said sources of information.

Deficiencies Details:

R645-301-830.140, R645-301-121.200: The Permittee shall amend conflicting information on Plate 731.720a, Table 742c, and the bond table to clearly show what channels are rip rapped or lined. The Line drainage reclamation details in the bond shall call out the channels as labeled on Plate 731.720a and table 742c.

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Bonding Determination of Amount

Analysis:

The midterm review of the MRP does not meet the minimum requirements of R645.

R645-301-830.140 The Permittee must provide updated information for estimated bonding costs with supporting calculations for the estimates. This includes updated unit costs (to be used to update bond calculation spreadsheets) and updated escalation factors. Updates should be provided using the 2016 data from R.S. Means Heavy Construction Cost data manual and the Caterpillar Handbook or other appropriate resources. The bond summary and corresponding bond calculation sheet in the MRP need to be updated and appropriately escalated to 2021 dollars using Division's approved 0.7% and 5 year escalation.

1) The demo sheet is missing the line item cost of lined ditches that currently exist at the site. The Permittee needs to add an additional sheet showing line item reclamation cost of all ditches, including in the table information such as length, cross section, lined/unlined, lining material, and calculations for demolition and reclamation.

2) The Bids were given for the year 2015. To use the escalation factor for 5 years the bids need to be for 2016 or the permittee will need to change all other documentation to match 2015 so 6 years of escalation can be used.

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