



State of Utah  
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 DIVISION OF OIL, GAS AND MINING

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June 16, 1999

TO: File

THRU: Pam Grubaugh-Littig, Permit *pgl*

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

RE: Phase II and III Bond Release, Western States Minerals, J.B. King Mine, ACT/015/002-BR99B, File #2, Emery County, Utah

**SYNOPSIS**

Western States Minerals submitted an application request for Phase II and III Bond Release at its J.B. King Reclaimed Minesite. The application was received June 11, 1999. The application does not meet the minimum regulatory requirement for completion of Phase III as required by R645-301-880.330 and must be denied.

**ANALYSIS**

The J.B. King Mine site is not eligible for Phase III bond release. R645-301-880.330 requires a minimum time period for successful vegetation establishment prior to Phase III bond release. The time period identified in R645-301-357 is 10 years after the last year of augmented seeding or other work, excluding approved husbandry practices. The mine site was initially seeded in 1985. Additional augmentive work including seeding was done on the site in 1994. The beginning of the period for successful vegetation establishment is December 1994.

**Drawing JBK-3 As Built** located in permit volume titled **Permit Amendment, Reclamation Plan Revision, J.B. King Mine, July 1995** shows the area which was reseeded in 1994. This area consists of approximately 8 acres. The total disturbed area is 30 acres. The repair work in 1994 can not be considered husbandry practices because the area of repair is approximately 25 percent of the disturbance. Approved husbandry practices may not exceed 15 percent of the total area of disturbance.

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**FINDINGS**

In accordance with R645-301-880.330 the Bond Release application must be denied.

**RECOMMENDATION**

Deny and return the bond release application. The Operator may be eligible for Phase II Bond Release and should resubmit the application with Phase III request removed. The vegetation at the J.B. King Mine should be sampled in 2003 and 2004 to demonstrated that the vegetation has met approved success standards for the last two years of the responsibility period in accordance with R645-301-357.200.

cc: Robert Davidson  
Sharon Falvey  
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