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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 8, 1996

TO: File

THRU: Daron Haddock, Permit Supervisor
Pamela Grubaugh-Littig, Permit Coordinator

FROM: Jess Kelley, Reclamation Engineer JK

RE: Phase III Bond Release, Huntington #4 Mine, Mountain Coal Company, ACT/015/004, Folder #2, Emery County, Utah

SYNOPSIS

The permittee recently applied to the Division for Phase III Bond Release on this site. On June 27, 1996, Division representatives, representatives of the permittee, and Mike Rosenthall of OSM, visited the site to evaluate it for compliance with the regulatory requirements of Phase III Bond Release. This memorandum constitutes this writer's findings, based on both the June 27 site visit and on an examination of the approved plan.

ANALYSIS

From this writer's standpoint, two issues are pertinent to Phase III Bond Release at this site: 1) whether or not all highwalls have been eliminated, and 2) whether or not there is any unmitigated subsidence damage within or adjacent to the permit area.

As for highwall elimination, the Division has found that, in accordance with R645-301-553.520, all highwalls have been eliminated "to the maximum extent technically practical" using all "reasonably available spoil." There is a small highwall remnant above the upper portal area. Since this site was originally mined in the 1940s and no fill material was salvaged or stockpiled for the reclamation of the highwall, it cannot be completely eliminated. This was the subject of Ten-Day Notice (TDN) X94-020-179-003 TV1, which the Office of Surface Mining (OSM) issued in June of 1994. The Division's response to the TDN, which OSM accepted, included a written demonstration from the permittee that there is insufficient reasonably available spoil to completely eliminate the highwall.

As for unmitigated subsidence damage, this writer finds none. Subsidence surveys done every year and submitted to the Division with the annual report show no detectable subsidence for the past several years. Furthermore, the 1995 annual report, which was submitted to the Division in March of this year, included a letter stating that, during an on-the-ground subsidence reconnaissance, the permittee was unable to find any sign of subsidence or subsidence damage in the permit area or the adjacent area. This writer's observations of this site and its environs are in accordance with this assessment.

FINDINGS/RECOMMENDATIONS

This site is in compliance with the regulatory and permit requirements for Phase III Bond Release. It is recommended that the remaining portion of the bond be released.

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