

Proposed External Meeting

WHO TO ATTEND: DOGM - Director and one staff member.
Permittee

PROPOSED DATE: May 1994

MEETING PLACE: Phoenix, Arizona

PURPOSE: Discuss pending matter, i.e., explore different points of view relating to current problems, conflict resolution as necessary, and action plan.

PROPOSED AGENDA:

- Objectives: Long Range - Permittee & DOGM
Short Range - Permittee & DOGM
- Review Reclamation Results - Permittee & DOGM
- Review Utah Coal Mining Requirements, i.e., Objectives:
 - 1) Phase II Bond Release Requirements
 - 2) Phase III Bond Release Requirements
 - 3) Issues interwoven in 1) & 2) above
 - 4) Status of court decision and items related thereto
 - 5) Other
COMPLIANCE
- Conclusion
 - 1) Areas of Agreement -- Action Plan
 - 2) Areas Where Consensus is Wanting - (Tech Resolution 1)
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HIDDEN VALLEY BRIEFING

I. WHY

*AS OF APRIL AGAIN ASSIGNED HIDDEN VALLEY MINE/LAST 1991 - *Bye Stamba*

*CONCERNED ABOUT WHAT THE PERMITTEE/CONSULTANT HAS AND HAS NOT DONE.

*CONCERNED ABOUT WHAT THE DIVISION HAS AND HAS NOT DONE, *ESP SINCE 1991*

*CONCERNED ABOUT POSSIBLE MISCONCEPTION ON THE PART OF BOTH PARTIES/
including the court case outcome HOW TO GROUND TRUTH THESE FOR RESOLUTION BEFORE THEY

BECOME CONFLICTS OR DELAYED WHERE BOTH PARTIES REALIZE SOME

BETTER PREPARATION AND MEETING OF THE MINDS COULD HAVE AVOIDED

some of not all SUCH PROBLEMS. **COULD** GO ON BUT - NUFF SAID.

KEY QUESTION

*SHOULD DIVISION CONTINUE BUSINESS AS USUAL OR CONSIDER SOME NEW INITIATIVES? IMPLEMENTED NEW INITIATIVE? WHICH ONES MAY BE IDENTIFIED BY A TWO-FOLD PROCESS --- *Problem Identification*

(1) INTERNAL MEETING TODAY AND

(2) MEETING WITH PERMITTEE (*STRUCTURING MEETING*)

*MANAGEMENT -- FRAMEWORK

*STAFF ASSIGNMENTS -- (1) *Permittee* JBR - (2) DIVISION

II. BACKGROUND

*MINE STARTED. PLAN SUBMITTED 9/79. APPROVED 2/80. SITE PREPARATION 4/80. SHUT DOWN 8/80.

2

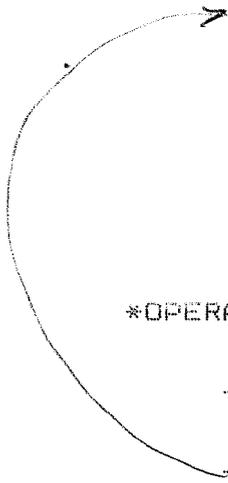
MINE DEVELOPMENT

*WORK ACCOMPLISHED

- A & B SEAM EXPOSED
- TWO PADS CONSTRUCTED
- TWO COAL SEAMS EXPOSED
- 1/2 MILE ROAD/CULVERTS
- SEVEN WELLS DRILLED
- SEDIMENT POND
- NO COAL PRODUCTION

*MINE RECLAIMED FALL 1986 - HIGHLIGHT

- ROAD-PULLED CULVERTS, LEFT ROAD BED (50' WIDE; 1 1/2:1 SLOPE) *- Just as future mine road / livestock / grazing capacity*
- 13 WATER BARS
- NOT AOC
 - UNDISTURBED - 78% of drainage area
- POOR WATER CONTROL - EXPOSED CUTSLOPE
- NO HYRO-RUNOFF CALCULATIONS - DIVERSIONS
- A & B SEAM - COVERED MOST HIGHWALL AND ALL EXPOSED COAL SEAM
- SEEDED & MULCHED MOST OF THE AREAS
- SEDIMENT POND REMOVED IN INITIAL WORK AS OPPOSED TO DOING AT PHASE II BOND RELEASE
- RIPPED & WATER BARRED ROAD
- MOST AREAS TREATED WITH SILT FENCE EXCEPTION UPPER PAD ROAD OUTSLOPE
- PROTECTION FENCE INSTALLED ON PART OF SEEDED AREA
- INSTALLED SILT FENCE FOR SEDIMENT CONTROL



*OPERATOR HAS BEEN VERY COOPERATIVE UNTIL NOVEMBER 1991 NOV

-GOING TO PERFORM WORK/CROSS THREADED WITH BOND CLOCK LETTER

-PREVIOUSLY DID A MAJOR REDO

*MAIN DIVERSION MAJOR DAMAGE CORRECTED

*SITE PREPARATION, RESEEDED AND MATTED THE A & B SLOPE

*DIVERSION ABOVE A SEAM/CONTOUR FURROWS - ENHANCE WATER AND SEDIMENT CONTROL AND VEGETATION ESTABLISHMENT-CONTROL RUNOFF OVER A SEAM.

*RE-RIPPED ROAD AND RESEEDED ROAD REINSTALL ~~4~~ MORE

WATER BARS +4 more

*DONE ADDITIONAL WORK SINCE 1991

◀FENCE POSTS ROAD BARRIER

◀ROCK CHECK DAM

◀SILT FENCE REPAIR

III. ISSUES

1. WATER CONTROL OFF THE UNDISTURBED AREA THAT INTERFACES DISTURBED ROAD BED/EROSION ON ROAD OUTSLOPE - NOVEMBER 1991

2. ROAD BED ^{+WATER BARS} COMPLICATED WATER CONTROL/AOC--INITIAL ROAD FOR MINING AND LIVESTOCK TRAIL

3. NOT ALL AREAS SEEDED AND MULCHED AS REQUIRED IN THE MRP AND

CURRENTLY OUTSTANDING ALTHOUGH NOT UPHOLD BY APPELLANT COURT/PHASE II BOND ISSUE IF VEG IS WANTING

4. VEGETATION AND LACK OF VEGETATION--SPECIES COMPOSITION;

PRODUCTIVITY ON MAJORITY OF DISTURBED AREA

- 5. HOW KEY RECLAMATION ~~COMPONENTS~~ ^{Results} WILL BE STATISTICAL MEASURED, QUANTIFIED, AND RECORDED AND COMMUNICATED AND COMPARED. ^{To Reference Area or Other Standards.}
- 6. HALOGETON--POISONOUS PLANT INVADED DISTURBED AREA
- 7. VEHICLE ENCROACHMENT ON THE DISTURBED AREA
- 8. NOT PROPERLY SIGNING DISTURBED AND BUFFER ZONE DISTURBED AREAS
- 9. THREE WELLS RECLAIMED. FOUR REMAIN OUTSTANDING
- 10. WILL HIGHWALLS AND AOC COME UP AGAIN IN CLASS II BOND RELEASE/i.e. SIMILAR TO 3 & 6?
- 11. ROADS TO WELLS--MRP ^{salient} ~~SALIENT~~ NEED SOME DISCUSSION IN MRP AS TO PERMITTEES RESPONSIBILITIES IF ANY. BLM, POWER COMPANY, RANCHER WAYS OR PERMITTEE EXPLORATORY ROADS
- 12. BOND CLOCK
- 13. BACKFILLING AND GRADING - ROAD CUTSLOPE, AOC A & B PORTALS/HIGHWALL WAS APPROVED IN PHASE I BOND RELEASE AND WHAT WAS THE SITUATION THERE IS THE SITUATION NOW ASSUME RISK WITH OPERATOR UNDERSTANDING. DO NOTHING/CROSS THAT BRIDGE IF NECESSARY AGAIN IN CLASS II BOND RELEASE (NO SLIDES, SETTLEMENT) STABILITY PROBLEMS
- 14. VEGETATION SEEDING--
 - DIFFERENT THAN GRADING
 - AREAS SEEDED OR NOT SEEDED

•DIVISION - NOTHING TO DATE - *sarah* Took some measurements

-AREAS NOT SEEDED - COMMITMENT - SEED/EXISTING PLAN/OTHER

~~15. HALOBETON~~

16. EROSION CONTROL--WATER BARS/ROAD--DO NOTHING

~~17. VEHICLE ENCROACHMENT ON DISTURBED AREA. DO SOMETHING MORE IF NECESSARY~~

18. WHAT'S IN RECORD?

March
~~1992~~ INSPECTION REPORT CITES VEGETATION PROBLEMS (NOT QUANTIFIED) BUT REQUESTED ^{AREA} NEEDS TO BE SEEDED IN FALL 1994

-OSM INSPECTION, FEDERAL OVERSIGHT, STATES SOMETHING HAS TO BE DONE TO ESTABLISH VEGETATION BEFORE NEXT OVERSIGHT OR ENFORCEMENT ACTION WILL BE FORTH COMING

•1992 VEGETATIVE STUDY/REFERENCE AREA - MINE SITE

CONFUSION

•STATISTICAL/HALOBETON-LACK OF VEGETATION

IV. GOALS AND OBJECTIVES

A. PERMITTEES (ASSUMED)

-SELL COAL MINE AND OBLIGATIONS

-GET BY WITH MINIMAL INVESTMENTS/IF NECESSARY CHALLENGE DOGM DECISION (WON ONE COURT CASE)

-AVOID ENFORCEMENT ACTION

-PAVE WAY FOR PHASE II BOND RELEASE

6

-PAVE WAY FOR PHASE III BOND RELEASE

B. DIVISION

1. SUCCESSFUL RECLAMATION/DEMONSTRATION AREA +/-
2. PHASE II BOND RELEASE
3. PHASE III BOND RELEASE
4. TO ASSIST OPERATOR IN IDENTIFYING AND QUANTIFYING PROBLEMS WHERE SUFFICIENT LEADTIME EXISTS FOR DEVELOPING SOLUTIONS BASED ON VALIDATED ON SITE FACTUAL INFORMATION POINTING THE WAY TOWARD ~~VALIDATING~~ AND SOLVING ON SITE ALLEGED PROBLEMS.
5. COMPLIANCE PROGRAM AND ENFORCEMENT ACTION, ^{ON GOING} AS PROVIDED BY RULES
6. WANT TO POSTURE CURRENT SITUATION SO PROSPECTIVE BUYER IF THEY CONTACT THE DIVISION CAN BE GIVEN FACTUAL INFORMATION AND CONCERNS, IF ANY.

V. PHASE II BOND RELEASE (APPLICATION 800.40)

- DOG/M/OSM DIVISION BOND RELEASE INSPECTION PHASE I COMPLETED /LATER.
 - APPLICATION PHASE II BOND RELEASE
 - FIELD MEASUREMENTS AND ANALYSIS ON PHASE II BOND RELEASE
 - INDICES WHICH CENTER ON METHODS TO INCREMENTALLY GATHER DATA/FACTS. INSPECTION/T.S./PERMITTEE JOINT EFFORT/~~SEPARATE~~/COMBINATION
- KEY PARTS
 *VEGETATION (8) (10) (11) (12)

• WATER QUALITY/CONTROL

• EROSION

• POST MINING LAND USE

• PUBLIC COMMENTS

VI. PLAYBACK ISSUES THAT IMPINGE ON GOALS AND OBJECTIVES AND PHASE II

BOND RELEASE

THOSE WE DO SOMETHING ABOUT

THOSE WE ASSUME RISK/REVIEW RECORD/TO ASSURE PROPER DOCUMENTATION

VII. PHASE III

- Some items can be carried over from phase II to phase III

- COMPLETE ALL STATUTORY REQUIREMENTS/LIABILITY PERIOD

-MRP COMMITMENTS MET