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

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mine file
Enforce
Permit

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MAY 24 1995
DIVISION OF OIL
GAS & MINING PRICE UTAH

April 11, 1995

TO: Daron Haddock, Permit Supervisor

FROM: Susan M. White, Senior Reclamation Biologist SMW

RE: Amendment 94A Received 3/2/95, Hidden Valley Coal Company, Hidden Valley Mine, ACT/015/007, Folder #2, Emery County, Utah

SYNOPSIS

Amendment 94A, Received by the Division on March 2, 1995 was reviewed in a Technical Analysis type format. The amendment may not be approved for reasons discussed below.

RECLAMATION PLAN

TOPSOIL AND SUBSOIL

Regulatory Reference: R645-301-232, -301-234, -301-242, -301-243

Analysis:

The proposed amendment (page 56-B) states that "portions of the slopes do not have adequate growth medium or water retention to produce vegetation". No plans for amending, locating or importing adequate growth medium is discussed in the amendment. Regulations R645-301-232.720 and R645-301-233.100 outline the requirements of using substitute material in order to fulfill the revegetation requirements of R645-301-356, when no available material can be located on site.

Finding

The permittee must provide the following, prior to approval, in accordance with the requirements of:

R645-301-232.200, the amendment must demonstrate how an adequate growth medium will be obtained on the road fill slopes and pad outslopes in order to achieve the revegetation standards of R645-301-356.

REVEGETATION

Regulatory Reference: R645-301-244,-301-353, -301-354, -301-355, -301-356

Revegetation: Timing.

Analysis:

The permittee states in the amendment that "seed was apparently applied to the road fill slopes during original reclamation in 1986". Testimony given by Frank Jensen (an employee of JBR Environmental Consultants, Inc.) under oath and whom was present at the time of reclamation, is contrary to this statement. This statement must be verified or otherwise removed from the amendment.

The pad outslopes near Ivie Creek and the road fill slopes were not seeded. The amendment states that the revegetation method used on the road fill slopes and the pad outslopes is natural regeneration. No site specific data is presented to verify that natural regeneration is a viable revegetation method for this mine site. The outslopes and fill slopes have been in the current condition for at least nine years. If regeneration is occurring at a reasonable rate for bond release then the data should be provided to the Division in support of this method.

Finding:

The permittee must provide the following, prior to approval in accordance with the requirements of:

R645-301-354, all disturbed areas must be planted during the first normal period for favorable planting conditions. The amendment must discuss when the road fill slopes and the pad outslopes will be seeded. An alternative may be to provide statistical data which will verify that the natural regeneration method of revegetation will achieve the success standard of R645-301-356. The statement that the road fill slopes were seed must be deleted.

Revegetation: Mulching and other soil stabilizing practices.

Analysis:

The amendment states that "redisturbance of these areas - either by simply accessing them, or by mechanically disturbing the soil crusts - will likely result in destabilization, increased erosion, and loss of the existing vegetation". No discussion is provided as to how the permittee will stabilize the slopes after seeding.

Finding:

The permittee must provide the following, prior to approval, in accordance with the requirements of:

R645-301-355, the amendment must address how a suitable mulch and other soil stabilizing practices will be used on all areas that have been regraded.

Revegetation: Standards for success.

Analysis:

The amendment states that natural regeneration will be used to revegetate, however the success standard for the road fill slopes and the pad outslopes near Ivie Creek may not be met. The permit describes the reference area (page 60) as steep rocky slopes. This reference site appears to favorably compare to the outslopes of the road and pad. No site specific site data is presented in the amendment that would indicate otherwise.

R645-301-353 only exempts the surface areas of roads and water areas from the establishment of a vegetative cover that is in accordance with the approved permit. Therefore, no exemption may be approved and the permittee must delete the reference to not meeting the vegetation standard.

Findings:

The permittee must provide the following, prior to approval, in accordance with the requirements of:

R645-301-356, success of the revegetation must be compared to the approved success standard, a variance to this performance standard is not allowed. Therefore, the reference to not meeting the standard must be deleted from the amendment.

RECOMMENDATION

The permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

R645-301-232.200, the amendment must demonstrate how an adequate growth medium will be obtained on the road fill slopes and pad outslopes in order to achieve the revegetation standards of R645-301-356.

R645-301-354, all disturbed areas must be planted during the first normal period for favorable planting conditions. The amendment must discuss when the road fill slopes and the pad outslopes will be seeded. An alternative may be to provide statistical data which will verify that the natural regeneration method of revegetation will achieve the success standard of R645-301-356. The statement that the road fill slopes were seeded must be deleted.

R645-301-355, the amendment must address how a suitable mulch and other soil stabilizing practices will be used on all areas that have been regraded.

R645-301-356, success of the revegetation must be compared to the approved success standard, a variance to this performance standard is not allowed. Therefore, the reference to not meeting the standard must be deleted.

cc: **Bill Malencik**
hidden.apr