



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

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

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TO: **Internal File**

THRU: Paul B. Baker, Project Team Lead *MRB*

FROM: Wayne H. Western, Senior Reclamation Specialist *W+H*

RE: Permittee's Response to TA Deficiencies, Received March 22, 2001, PacifiCorp, Deer Creek Mine, ~~C/015/018-AM99C-3~~

SUMMARY:

On March 22, 2001, the Division received, from PacifiCorp, a response to the technical deficiencies that they received on September 21, 2000. An amendment to the Deer Creek MRP was submitted on January 29, 2001 (Amendment to Revise Deer Creek Mine, Rilda Canyon Permit Drawings, PacifiCorp, Deer Creek Mine C/015/018, Emery County, Utah.) This amendment was submitted separately from the Deer Creek Revise Reclamation deficiencies so that the changes could be immediately incorporated into the Deer Creek MRP. Energy West is currently awaiting a response to the submitted amendment.

TECHNICAL ANALYSIS:

RECLAMATION PLAN

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-270, -301-271, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

Analysis:

The requirements for restoring a site to the approximate original contour (AOC) are couched in the backfilling and grading regulations. The only regulation that specially mentions AOC requirements is R645-301-553.110 that states the following:

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Achieve the approximate original contour (AOC), except as provided in R645-301-553.500 through R645-301-553.540 (previously mined areas (PMA's), continuously mined areas (CMA's) and areas subject to the AOC provisions), R645-301-553.600 through R645-301-553.612 (PMA's and CMA's), R645-302-270 (non-mountaintop removal on steep slopes), R645-302-220 (mountaintop removal mining), R645-301-553.700 (thin overburden) and R645-301-553.800 (thick overburden);

Since some of the highwalls at the Deer Creek site are CMA's the permittee can leave highwall remnants when allowed under R645-301-553.600 through R645-301-553.612. Thus the permittee can leave some highwalls remnants and still meet the AOC requirements at the Deer Creek Mine site.

The Division's technical memo Tech-002 gives additional AOC guidelines. Those guidelines were also used to evaluate the Deer Creek Mine for AOC compliance.

Except as specifically exempted, all disturbed areas shall be returned to the approximate original contour. The final surface configuration shall closely resemble the general surface configuration of the land prior to mining. To evaluate compliance with this requirement, the term "surface configuration" must be clarified. Surface configuration refers to the premining and postmining topography of the mine site and surrounding area.

The term AOC does not mean that the land is restored to the original contours. Elevation of the premining and postmining site plays a minor role if any in evaluating AOC.

The main question that the Division answers when evaluating AOC is "Does the postmining topography, excluding elevation, closely resemble the premining configuration? The Division evaluates premining and postmining topography on slope length and angle, and whether restoring the site to the original contours would violate other rules.

In some cases the permittee cannot restore the site to the premining contours without violating other regulations, such as slope stability and erosion. Many of the natural slopes in the area are at the angle-of-repose. When a slope is at its angle-of-repose the safety factor is 1.0 or slightly greater. The minimum safety factor for reclaimed slopes is 1.3. If all slopes were returned to the premining conditions, the safety factor requirement could not be met.

When the natural slope has a safety factor less than 1.3, the permittee usual opts to reduce the slope angle by either extending the toe or decreasing the height. Extending the slope's toe may block the drainage which violates other regulations. If the permittee decreases the slope height then a cut slope will be left.

The Deer Creek mine consists of 4 separate surface facilities. This TA will address how each of those facilities will be reclaimed.

Deer Creek

The final contour map for the main Deer Creek site is Drawing DS1782D, Deer Creek Mine Disturbed Area Final Reclamation Contour Map, and the reclamation cross sections are on Drawing DS1783D and DS1784D. The reclamation contour maps shows the locations of the highwall remnants, the location of the cross sections, the refuse piles, drainage systems and the cut and fill quantities. The cross section maps show the locations of the Blind Canyon coal seam and the concrete and asphalt disposal areas.

The cross sections are not always perpendicular to the contours. Thus the cross sections show slopes that are less steep than the maximum slope angle. This is important to remember when evaluating highwall reclamation.

The main Deer Creek facilities area is considered a pre law site, because it was constructed before May 3, 1978. Because the site is pre law, the permittee only has to eliminate highwalls to the extent practical. On page 5-12 the permittee explains why highwall remnants will remain as follows:

1. Highwall remnants are proposed at the Deer Creek Mine since sufficient fill material does not exist to completely eliminate these areas. The areas are outlined on maps DS-1782-D, 1 of 1 and DS-1783-D 1 of 2, 2 of 2. The Deer Creek Mine is considered a continuously mine area (CMA). Development of the portals began before the passage of SMCRA and therefore, no spoil material was ever salvaged. Since it is impossible to completely eliminate the highwall areas, the idea is to blend these areas into the natural surroundings of the canyon to become compatible with the approved post mining land use.
2. The portion of the highwalls remaining consist of near vertical fluvial channel sand escarpments associated with the Blackhawk formation (refer to Volume 8, Geologic Section). The fill material below these areas is combination of crushed concrete and underground development wastes. Stability of these areas are presented below. A conceptual highwall elimination plan for the Deer Creek is presented in Appendix R645-301-500-D. Cut and fill estimates agree with the highwall elimination plan.

The main reasons why the Division allows highwall remnants to remain are (1) slope stability problems and (2) lack of fill material. Many highwalls in Utah are locate in steep canyon. If the permittees were to completely backfill the highwalls in some steep canyon the results would be either the slope is to steep to achieve the 1.3 safety factor or the backfill would interfere with the drainage plans. The Division reviewed the cross section and found that the permittee could eliminate the highwall remnants by placing more fill. The addition fill could be placed without decreasing the safety factor below 1.3 or interfering with the drainage plan. See

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Appendix R645-301-500-E for the slope stability study. Therefore, slope stability concerns are not the reason that the Division would allow highwall remnants to remain.

The Division reviewed the cut and fill calculations. The permittee does not have enough fill material on the site to totally eliminate the highwalls and have the reclaimed topographies blend into the surrounding topography. The permittee could place more fill against the highwall to reduce or eliminate the highwall remnants. If the permittee did eliminate the highwalls then they would not have enough fill to grade the rest the site so that it blended into the surrounding topography. If the permittee placed most of the fill along the highwalls then the valley floor would have to be flat. The surrounding topography is V-shaped valleys not valleys with steep slopes and a flat bottom.

The valley walls consist mostly on soil overlying bedrock. If the permittee were to get more fill on site their only option would be to use bedrock.

The highwalls are usually at the base of natural cliffs. If the permittee placed more fill along the highwalls they would not eliminate the safety hazards associated with cliffs or restore the area to the natural topography.

The surrounding area contains natural cliffs. The highwall remnants at the cliff bases will blend into the surrounding topography.

The Division has determined the permittee has met the minimum requirements of R645-301-553.600. The permittee cannot reclaim all the highwalls because they do not have access to enough reasonably available fill material.

On Drawing DS1784D the permittee shows the cross sections for Section A-A' and Section B-B' and the location of the sections is shown on Drawing DS1782D. Section A-A' and Section B-B' are for the spoil storage area.

The cross section for Section B-B' shows that two terraces will be left after reclamation. The terrace at elevation 7415 feet is 20 feet wide and the terrace at elevation 7375 feet is 40 feet wide. However, the contour lines on drawing DS1782 are no further apart than 10 feet. According to drawing DS1782D the terraces could be no wider than 10 feet. Similar terraces are also shown on Section A-A'. The permittee must clarify the inconsistency between the cross sections and the topographic maps regarding the terraces on the spoil storage area after reclamation.

The cross sections show that the slopes flattens out at an elevation of 7370' however the contour map shows that the slopes flatten out at an elevation of 7350'.

Terraces do not blend into the surrounding topography. Therefore, the Division will not allow terraces to be part of the postmining topography unless the permittee can show that the terraces are needed.

Rilda Canyon

The reclamation plans for Rilda Canyon are shown on drawing CE-10884-EM. Rilda Canyon Final Reclamation of Surface Facilities and Access Road and the cross sections on drawing CE-10891-EM (sheet 1 and sheet 2) Rilda Canyon Access Road/Facilities Cross Sections. The cross sections show that the area will be restored to a configuration similar to the original topography. The main difference is some slopes will be less steep because the permittee needs to place excess material along the slopes.

The permittee shows the location of the highwalls both the topographic map and cross sections. The cross sections show that the highwalls (portal face up) boundaries. During reclamation the highwalls will be completely covered.

The slope angles are no steeper than 2H:1V, which the Division considers stable under most circumstances. The permittee did not address slope stability at the Rilda Canyon site.

9th East Grimes Wash Portals

The Grimes Wash portal area has been reclaimed. The as built drawings were approved on February 14, 2001 and are located in Appendix 14 of Volume 3 of the MRP. The plans show that the highwalls have been reclaimed. Most of the highwalls were constructed in vertical out crops. Therefore, the extent of the highwall was limited to the approximate portal dimensions.

9th East North Meetinghouse Portals

The permittee did not include a reclamation plan for the 9th East North Meetinghouse Portals. The permittee stated in Appendix R645-301-500-B that the plan would be added when it became available. Before the Division can approve the reclamation plan the permittee must submit a detailed reclamation plan for the 9th East North Meetinghouse Portals area. The plan must contain enough information for the Division to determine that the site will be restored to the approximate original contours, adequate highwall elimination and slope stability.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-553.100 and R645-301-121.200, The cross sections for Section A-A' and Section B-B' on drawing DS1784D do not match the contour lines on drawing DS1782D. The permittee must determine which drawing is correct and make the necessary correction. See the *Deer Creek* subsection in this analysis for more details.

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R645-301-542.200, The permittee must give the Division detailed topographic maps and cross sections for the 9th East North Meetinghouse Portals. The drawings must show the location of the highwalls and other features that show that the site meets the AOC requirements.

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General requirements

Deer Creek Site

The general backfilling and grading requirements are that the site be restored to the approximate original contours; the elimination of all highwalls, spoil piles and depressions; have stable slopes; minimize erosion and water pollution both on and off the site; and support the approved postmining land use.

The Deer Creek site meets the general requirements for being reclaimed to the approximate original contour requirements. The general requirements are that the site blend into the surrounding area, the reclaimed drainages complement the natural drainages and highwalls are eliminated. Because the Deer Creek site is pre law, the Division will allow some highwall remnants to remain.

The main facilities are in steep canyons and were constructed before the enactment of SMCRA. The steep slopes and pre law development combine to prevent the permittee to restoring the site to the original configuration. However, the reclamation plan shows that the site will have a topography similar to the surrounding areas. See the final reclamation contour map and cross sections drawings (see drawings DS1782D, DS1783D and DS1784D for details). The restored channels will be in the bottom of the canyons and will complement the existing drainages.

The portals in the main Deer Creek facilities area were constructed before the enactment of SMCRA, May 3, 1978. Because the portals are pre SMCRA, the permittee does not have to completely eliminate the highwalls to comply with the AOC requirements.

The main problem that the permittee has with highwall elimination is lack of fill material. On drawing DS1782D, Deer Creek Mine Disturbed Area Final Reclamation Contour Map, the permittee shows the cut and fill quantities. The permittee shows that 175,918 cubic yards of cut

material are available and 156,279 cubic yards of fill material are needed. The permittee is faced with a shortage of fill material.

The cross sections that show the cut slopes are shown on drawings DS1883D and DS1784D. The highwall at station 18+00 is at the base of a cliff. The permittee could place more fill against the highwall to eliminate it but would gain almost nothing. The steep cliff above the highwall is more of a safety hazard than the highwall itself. During reclamation the contractor could feather the restored slope with the natural slope so that the transition zone would appear almost natural.

The highwall located along stations 21+00 to 23+00 are also at the base of a steep natural cliff. The permittee could place more fill at the top of the highwall to eliminate it. However, the permittee would gain little because the natural cliff is more of a safety hazard than the highwall.

The highwalls will be reclaimed with 2H:1V slopes as shown in Appendix R645-301-500D. The cross sections for the reclaimed highwall on drawings DS1883D and DS1784D have slopes less than 20°. The reason for the gentler slope is that the cross sections are not perpendicular to the strike (maximum steepness) of the slope.

The safety factors for the reclaimed highwall slopes are greater than 1.3. The permittee could increase the slope angle and eliminate more highwall remnants. If the permittee were to increase the fill used to eliminate the highwalls then they would have to decrease the fill in other areas. A lack of fill in other areas could prevent the site from blending into the surrounding areas. R645-301-553.600 allows the permittee to leave pre SMCRA highwall remnants if they do not have enough fill material. The Division has reviewed the backfilling and grading plan and determined that the permittee does not have enough material on the site to eliminate the per SMCRA highwalls.

On drawing DS1783D, Deer Creek Mine Deer Creek Canyon Final Reclamation Cross Sections, the permittee shows the location of the concrete storage areas. Concrete will be used a fill material because of a lack of on site material.

Rilda Canyon

The breakouts at Rilda Canyon are post SMCRA. The reclamation contour map for Rilda Canyon is Map 4-1A Deer Creek Mine - Rilda Canyon Final Reclamation of Surface Facilities and Access Road (Drawing # CE-10884-EM) and the cross sections are shown on Map 4-4A Deer Creek Mine Rilda Canyon Access Road/Facilities Cross Sections (Drawing # CE-10891-EM). The reclamation plan calls for the complete elimination of all highwall in Rilda Canyon. The highwall remnants are shown on the cross section.

The permittee did not address slope stability at Rilda Canyon. The reclaimed slopes will have slope of 3H to 1V. In other areas slopes with angles of 2H to 1V have safety factors greater

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than 2. Based on other safety factor studies in the area the Division considers the slopes to be stable.

9th East Grimes Wash Portals

The portal site was originally disturbed by coal mining activities dating back prior to 1920. Evidence of the early mining activities can be seen by the remnants of 2 partially open portals, a coal handling area south of the portals and evidence of a wooden coal chute above the Wilberg Mine fan. The permittee reclaimed the area and the Division approved the as-built drawings on February 14, 2001. See Appendix XIV of Volume 3 of the MRP for more details.

9th East North Meetinghouse Portals

The permittee did not include a reclamation plan for the 9th East North Meetinghouse Portals. The permittee stated in Appendix R645-301-500-B that the plan would be added when it became available. Before the Division approves the reclamation plan, the permittee must submit a detailed reclamation plan for the 9th East North Meetinghouse Portals area. The plan must contain enough information for the Division to determine that the site will be restored to the approximate original contours, adequate highwall elimination and slope stability.

Variance From the Approximate Original Contour Requirements

The permittee did not request a variance from the approximate original contour requirements for any disturbed areas at the Deer Creek Mine.

Spoil and Underground Development Waste

The permittee conducted slope stability studies for the two refuse piles. The study for the refuse pile in Elk Canyon shows the reclaimed site will have a safety factor of 1.58. The study in Deer Creek shows the refuse pile will have a safety factor of 2.3. The Division reviewed the slope stability studies done by RB&C Engineering and considered them adequate to show that the reclaimed refuse piles will meet the minimum safety factor requirements.

R645-301-553.252 requires the permittee to cover all refuse piles with 4 feet of material unless the Division approve a lesser amount. On page 5-13 the permittee states that the results from chemical and physical analysis for the refuse are in given in Appendix R645-301-200A. However, Appendix R645-301-200A was not included in the submittal. The permittee committed to include the information when it became available.

On page 5-9 the permittee explains the reclamation of the refuse pile in Deer Creek as follows:

1. Suitable substitute soil as determined by the soil sampling/exploration

program or barrow pit will be separated and stored in the area of the dismantled truck loadout and storage area (Area #2, see DS-1796-D in Appendix R645-301-500A). This soil will be used in areas where lesser quality soils exist and/or used as cover over the slope of the refuse pile in Deer Creek Canyon.

2. The material storage yard will be excavated and used as fill along the parameter of the material storage yard and portal area. The outslope of the refuse will also be excavated and used as fill in these areas. This will create a slope of less than 2:1.

The other sites were brake out portals and there was no refuse associated with those site.

Exposed Coal Seams

The permittee shows the location of the Blind Canyon coal seam in drawings DS1783D and DS1784D. Rider seams may occur in the area. However, the Division will only require the permittee to backfill coal seams that were uncovered due to mining activities. The lack of available fill material is the major reason that the Division will not require that all rider seams be backfilled.

Cut-and-Fill Terrances

The permittee does not plan to use any cut-and-fill terraces.

Previously Mined Areas

The Division made the finding that the permittee cannot eliminate all the highwall remnants at the Deer Creek mine due to lack of fill material. See the approximate original contour section of this TA for details.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirement of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-542.200 and R645-301-521.110, The permittee must give the Division a reclamation plan for the 9th East North Meetinghouse Portals. The reclamation plan must also include the location of all pre law sites surrounding the 9th East North Meetinghouse Portals.

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MINE OPENINGS

Regulatory Reference: 30 CFR Sec. 817.13, 817.14, 817.15; R645-301-513, -301-529, -301-551, -301-631, -301-748, -301-765, -301-748.

Analysis:

The Deer Creek Mine has a total of 16 portals and 1 exhaust shaft. The permittee backfilled and sealed 7 portals, 4 of the sealed portals are in Deer Creek Canyon the other 3 are in Grimes Wash.

The general portal closure plan is shown on Figure 5-1. A block seal will be placed in the portal 25 feet from the entrance and then backfilled. The general portal sealing and backfilling plan is adequate for all portals in the Deer Creek site except the intake portal.

Deer Creek Intake Portals and Belt Portal

All portals except for the Deer Creek Canyon intake and belt portals are located up dip from the mined out entries. Because the portals are located up dip the permittee believes that hydraulic seals are not needed.

The Deer Creek intake and belt are located down dip from the coal seams. The Permittee does not want to place a hydrologic seal in the portal because the surrounding rock is fractured and water would seep around the seal. The Permittee will place pipes behind the seal and let the water flow through the pipe into the stream channel.

Rilda Canyon

The permittee states that the concrete portal liners with the two portals will be demolished and removed from the permit area for disposal at the Deer Creek Waste Rock Site. The portals will be sealed and backfilled as depicted in Figure 1, page 4-3. Backfill material will be obtained from the facility pad. The permittee's propose is consistent with the standard portal sealing procedures.

9th East Breakouts Grimes Wash Canyon

The 9th East Grimes Wash portals were developed in June 1977. The portals were used for intake ventilation from 1977 until 1990 when they were permanently sealed.

The portal site was originally disturbed by coal mining activities dating back prior to 1920. Evidence of the early mining activities can be seen by the remnants of 2 partially open portals, a coal handling area south of the portals and evidence of a wooden coal chute above the Wilberg Mine fan. On February 14, 2001 the Division approved the as-built drawings for the reclamation work at the 9th East Grimes Wash portals. At that time the Division found the

reclamation work met the minimum backfilling and grading requirements.

9th East North Meetinghouse Portals

The permittee states that they will amend Appendix R645-301-500-B, which contains information about the portal closure plan, when the information becomes available.

On February 14, 2001 the Division approved the as-built drawings for the reclamation work at the 9th East Grimes Wash portals. At that time the Division found the reclamation work met the minimum backfilling and grading requirements.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-551, The Permittee must give the Division portal closure plans for North Fork Meetinghouse Canyon

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

Analysis:

The Permittee plans to reclaim all roads at the Deer Creek mine site. They also plan to reclaim the access road for the C1 and C2 belt line. The road reclamation plan is as follows:

The remainder of the Deer Creek mine road to the Emery County road (asphalt and base) will be excavated and transported to the waste rock site for disposal. Excavation will extend approximately 410 feet past station 0+00, to the point where the county road terminates. Approximately 25,042 cubic yards of material will be cut and 21,301 cubic yards of fill will be moved in this area. A 100 foot diameter turnaround (unpaved) will be constructed at the end of the Emery County road so that vehicular traffic can exit the area properly.

The plan meets the minimum requirements of R645-301-542.600 because (1) the road will be removed because it is not needed for the postmining land use, (2) the road bed will be reseeded according to the approved reclamation plan and (3) the asphalt rubble will be disposed at the waste rock site.

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Findings:

The Permittee met the minimum requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis:

Reclamation backfilling and grading maps

Deer Creek Canyon

The main facilities for the mine are located in Deer Creek Drainage, Deer Drainage and Elk Canyon Drainage. Drawing DS1782D, Deer Creek Mine Disturbed Area Final Reclamation Contour Map show the reclamation contours for those areas. The map scale is 1" = 100', which is adequate for the Division to verify mass balance calculations. The map has been certified by a professional engineer and shows the highwall remnants. The map does not have the disturbed area boundaries labeled.

The cross sections are shown on Drawing DS1783D and DS1784D, Deer Creek Mine, Deer Creek Canyon Final Reclamation Cross Sections. The cross section are at a scale of 1" = 80', which is different than the base map. The permittee does not want to change the scale of the map for fear of losing details. While the Division recommends that the scales of the base maps and cross sections be the same no action will be taken at this time.

Rilda Canyon

The backfilling map for Rilda Canyon is drawing CE-10884-EM. The map shows the reclaimed contours for the site and the riprap. The map scale is 1" = 100'.

The cross sections are on drawing CE-10891-EM and do not show the location of the portals, highwalls or disturbed area boundaries. The cross section scale is 1" = 20' which is not equal to the base map scale. The Division's staff prefers to have the scales of the maps and cross sections the same when practical.

9th East Grimes Wash Portals

The permittee did not include backfilling and grading maps for the 9th East North Meetinghouse Portals. The permittee needs to include as-built drawing for the area.

9th East North Meetinghouse Portals

The permittee did not include backfilling and grading maps for the 9th East North Meetinghouse Portals. The permittee did state in Appendix R645-301-301-500-B that the reclamation plan for the area would be updated when it became available. The backfilling and grading plans must be approved by the Division before the reclamation plan can be approved.

Reclamation facilities maps

Deer Creek Canyon

The main facilities for the mine are located in Deer Creek Drainage, Deer Drainage and Elk Canyon Drainage. Drawing DS1782D, Deer Creek Mine Disturbed Area Final Reclamation Contour Map show the reclamation contours for those areas. The cross sections are shown on Drawing DS1783D and DS1784D, Deer Creek Mine, Deer Creek Canyon Final Reclamation Cross Sections. The maps and cross sections show the rip rapped drainages and energy dissipaters. No other reclamation facilities are shown.

Rilda Canyon

Drawing CE-10884-EM shows the location of the reclamation facilities for Rilda Canyon. Those facilities consist of riprapped channels.

9th East Grimes Wash Portals

The permittee gave the Division as-built drawings for the 9th East Grimes Wash Portal area in a separate amendment that was approved on February 12, 2001.

9th East North Meetinghouse Portals

The permittee needs to give the Division drawings for the 9th East North Meetinghouse Portal area. The drawings must show any facilities that will be left after reclamation.

Final surface configuration maps

The backfilling and grading maps show the final surface configuration.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

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R645-301-542.00, The permittee must submit backfilling and grading maps for the 9th East North Meetinghouse Portals areas before the Division can approve the reclamation plan.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount

The Permittee did not include a revised reclamation cost estimate in the amendment. The Division was informed by the Permittee that a cost estimate would not be included until the reclamation plan was approved. The Division agreed with the concept since the reclamation bond estimate must be based on the approved plan.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-830.130, The Permittee did not include a detailed reclamation cost estimate in the amendment. The Permittee informed the Division that the reclamation cost estimate would not be submitted until the reclamation plan was approved. The Division agreed to that procedure. Prior to final approval the Permittee must submit a detailed reclamation cost estimate.

RECOMMENDATIONS:

The Division should deny the application until the permittee corrects the deficiencies.