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DEPARTMENT OF NATURAL RESOURCES

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September 18, 2015

Kenneth S. Fleck, Manager of Geology and Environmental Affairs
Interwest Mining Company
P.O. Box 310
Huntington, Utah 8528

Subject: Revise Final Reclamation Plan, Task ID #4960, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019

Dear Mr. Fleck:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

We appreciate your effort to improve reclamation design by updating the plan to utilize best technology currently available. However, the Division does not consider deep gouging as a prudent alternative to sedimentation ponds. The coal rules specifically state, "in no case will the siltation structures be removed sooner than two years after the last augmented seeding." As defined by regulation, Siltation Structure means, for the purposes of R645-301-356.200, R645-301-742.200 through R645-301-742.240, and R645-301-763, a sedimentation pond, a series of sedimentation ponds or other treatment facilities." The deep gouging and pocking is not considered "other treatment facilities".

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application with a modified reclamation plan that meets regulations by no later than October 23, 2015. Please call me at (801) 538-5325 if you have any questions.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/LR
Enclosure
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Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0150019
TaskID: 4960
Mine Name: COTTONWOOD/ WILBERG
Title: REVISE FINAL RECLAMATION PLAN

Reclamation Plan

General Requirements

Deficiencies Details:

The minimum requirements of R645-301-540 are not met within the application due to changes proposed within the MRP that conflict with R645-301-356.300 and R645-301-763.100 rules that state in no case will the siltation structures be removed sooner than two years after the last augmented seeding.

cparker

Backfill and Grading General

Deficiencies Details:

R645-301-356.300 and -763.100 are not met within the application as the rules require siltation structures to remain in place for two years after the last augmented seeding.

â€¢ The Permittee will amend the MRP to the original text or describe an alternative scenario staging the reclamation of the ponds two years after the last seeding. All applicable time table schedules should also be update throughout the MRP per R645-301-542.100 and 542.200.

R645-301-550, -553, and 830.140 are not met within the application as the Permittee will include site specific plans that follow R645 rules design criteria for reclamation activities including backfilling and grading disturbance areas. Detail cost estimates with supporting calculations such as grading cut/fill volumes will be supplied to the Division.

â€¢ The Permitteeâ€™s application changed the total cut/fill grading volumes from the original MRP to complete reclamation activities that do not meet all R645 Rules with the removal the sediment ponds prior to two years of seeding. The Permittee will update the grading volumes and relevant cost estimates within the MRP with a reclamation plan that meets the R645 rules, specifically R645-301-356.300 and R645-301-763.100.

cparker

Topsoil and Subsoil

Deficiencies Details:

R645-301-243, The plan indicates 20-50 lbs/ac fertilizer will be applied at final reclamation, but the type of fertilizer to be applied should also be stated. The plan should include a nitrogen fixing species in the seed mix to promote long-term soil

Hydrological Information Reclamation Plan

Deficiencies Details:

The application's proposed project work timeline is deficient per the reclamation rule R645-301-763.100. This rule states, "In no case will the (siltation) structure be removed sooner than two years after the last augmented seeding".

kstorrrar

Revegetation General Requirements

Deficiencies Details:

The plan fails to address timing of vegetation pursuant to R645-301-354. Seeding must occur during the first normal period for favorable planting conditions after replacement of plant-growth medium.

The vegetation plan regarding interim stabilization and vegetation on pages 16-21 has been removed. This information is now obsolete because the mining phase is complete, all structures have been removed, and final reclamation is occurring at this time. The final revegetation plan and seed mix have been tweaked to incorporate new best management practices based on more recent reclamation success in the area. Planting of live shrubs and trees have been removed since live plantings have not been successful in the arid environment.

Deep gouging (pocking) techniques have been incorporated to facilitate reclamation success. Once pocking is complete, the area will be seeded and sprayed with a wood-fiber mulch and tackifier to stabilize surface erosion. The seed mix includes species to establish a diverse, effective and permanent cover capable of achieving the postmining land use. USFS was consulted on the new seed mix and removal of tree and shrub plantings.

lreinhart

Revegetation Standards for Success

Deficiencies Details:

The sedimentation control plan proposes to use the deep gouging as an alternative to keeping the sedimentation ponds for the required 2 years after the last augmented seeding.

Information provided in the application is not considered adequate to meet the minimum requires of R645-301-356.300. In no case will the siltation structures (Sedimentation Ponds) be removed sooner than two years after the last augmented seeding. Prior to approval the permittee must modify the reclamation plan to adhere to the regulations cited.

lreinhart

Maps Reclamation Surface and Subsurface Man Made

Deficiencies Details:

The minimum requirements of R645-301-542.620 are not met within the application as the application contemplates reclaiming the ponds and associated culverts that were utilized for mining operations two years prior the last augmented seeding, which are reclamation activities that violate R645-301-356.300 and R645-301-763.100.

The Permit will follow the existing MRP reclamation time table or supply an alternative reclamation scenario that meets the R645-301-542.600 rules for removing surface manmade features, such as ponds and culverts.

cparker

Maps Reclamation Certification Requirments

Deficiencies Details:

R645-3010-512 minimum requirements are not met due to an electronic stamp used on all mine drawings and plates. The electronic stamp is by a Utah certified professional engineer with experience in underground mining operations, Mark Reynolds.

â€¢ The Division at this time does not accept electronic stamps. Permittee will submit copies of all drawings to the Division with a physical PE stamp upon approval of the application.

cparker

Bonding and Insurance General

Deficiencies Details:

The application does not meet the minimum requirements of R645-301-800 as the application did not include updated costs for the additional earthwork volumes. The applicant is current on the bond and insurance standings. See Determination of Bond Amount section for more details regarding specific deficiencies.

cparker

Bonding Determination of Amount

Deficiencies Details:

The application does not meet the minimum requirements of R645-301-830.140 as the Permittee submitted detailed bond information in regards to the application. The original MRP was edited to match the update June 2012 line item demolition cost located in Appendix C of Volume 2. All demolition costs, such as asphalt removal, there were previously located in Items beyond 2-A of the demolition costs within Appendix C have been moved to items 1-A through 2-A. Minor text edits throughout the application include updating such line item references.

The current application does not include an updated bond reclamation cost estimate, Appendix C within the Cottonwood/Wilberg MRP. The current Appendix C was updated in June 2012 for a total earthwork cost of \$674,00 in 2012 Dollars for moving approximate 267,400 cubic yards of material. The updated information details a larger volume than currently outlined within the cost estimate. The Permittee will provide updated earthwork costs for the any new reclamation plans with the application.

cparker