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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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June 27, 1995

ACT/041/002
#2

TO: Daron Haddock, Permit Supervisor

FROM: Wayne H. Western, Reclamation Engineer *wfw*

RE: Bond Amount Adjustment and Highwall Retention, Southern Utah Fuel Company, Convulsion Canyon Mine, ACT/041/002, Folder #2, Sevier County, Utah

I have determined that the bond amount for the SUFCo mine should be \$3,988,000. Wess Sorensen and myself reviewed the bond calculations on June 13, 1995. Wess calculated the bond amount to be \$3,917,000, but has agreed to accept the Division's findings of \$3,988,000. SUFCo will make the bond adjustment once they have received formal notification from the Division.

SUFCo wants to retain some of the highwall based on R645-301-553.520 that states:

The requirements of R645-301-553.110 and R645-301-553.120 requiring that elimination of highwalls will not apply to remaining operations where the volume of all reasonably available spoil is demonstrated in writing to the Division to be insufficient to completely backfill the reaffected or enlarged highwall. The highwall will be eliminated to the maximum extent technically practical in accordance with the following criteria:

They claim that pre-SMCRA disturbance removed the spoil that is needed to cover the highwalls. I told them that they would have to demonstrate that the use of all reasonably available spoil would be insufficient to eliminate the highwalls.

The Operator did not document the amount of reasonably available spoil prior to setting up their operation. It will be difficult for the Division to make a finding for highwall retention since there is no documentation about the amount of reasonably available spoil.

Wess is trying to locate aerial photographs of the site taken prior to SUFCo beginning mining. Those photographs will help the Division make a determination about whether the highwalls should be retained. I will keep you informed.

SUFHI.WHW

