

FILED

NOV 04 2009

MEMORANDUM

Jim Ruby, Executive Secretary  
Environmental Quality Council

TO : John Corra, DEQ Director

THROUGH : Don McKenzie, LQD Administrator

FROM : John Erickson – LQD District II Assistant Supervisor

DATE : October 27, 2009

RE : Bond Forfeiture Recommendation for Bridger Valley Gravel,  
Limited Mining Operation Nos. 593ET, 626ET, 705ET, and  
870ET



On May 2, 2001, a Notice of Violation and Order, Docket No. 3264-01, was issued by the Department to Bridger Valley Gravel for failure to reclaim the above-referenced gravel pits in Uinta County.

On April 11, 2007, the Lander LQD office was informed that Mr. Charles Byrne, operator of Bridger Valley Gravel, died on March 19, 2007. Since the company is no longer able to reclaim the pits, I recommend forfeiture of the following reclamation performance bonds:

1. 593ET – C.D. No. 4919, issued 6/17/85 by Community 1<sup>st</sup> National Bank of Evanston in the amount of \$800.
2. 626ET- C.D. No. 1765, issued 3/5/86 by Community 1<sup>st</sup> National Bank of Evanston in the amount of \$1000.
3. 705ET – C.D. No. 1491, issued 2/1/88 by the 1<sup>st</sup> State Bank of Lyman for \$1500.
4. 870ET - \$3000 cash

On October 16, 2009, the Land Quality Division received a notarized statement from Mr. Byrne's widow, Mrs. Bonnie Byrne, consenting to the voluntary forfeiture of these bonds for use by the Department in reclaiming these sites. The forfeiture covers all of the pits formerly operated by Bridger Valley Gravel.

Reclamation Requirements

1. 593ET (Lupher Pit). The site is adjacent to a rural subdivision south of Mountain View. It has a highwall which is somewhat hazardous. Partial regrading of the highwall was initiated by Bridger Valley but the work was

never completed. The pit has also been the site of illegal dumping. The \$800 bond was posted at the statutory rate of \$200/ac. in 1985 to cover approximately 4 acres of disturbance and will be insufficient to complete reclamation.

2. 626ET (Hicks Pit). This pit is also located south of Mountain View, near the USFS boundary. Approximately 5 acres were affected, although most of the area only requires minor grading. The posted bond of \$1000 set at \$200/acre in 1986 should be sufficient for this site.
3. 705ET (Hickey Pit). This pit is in a remote location near Lonetree in southern Uinta County. The \$1500 bond was posted in 1988 to cover 5 acres of disturbance at \$300/acre. It will be insufficient to complete reclamation.
4. 870ET (BLM Pit). This pit is located on a split estate in a remote location near Lonetree. Approximately 5 acres have been disturbed, although 2 acres have been graded and should only require topsoil and seeding. The \$3000 bond will likely be insufficient for reclamation.

A draft memo to the EQC requesting bond forfeiture is attached for your signature. If you should require any additional information, please feel free to call.

Attachment

xc: Mark Moxley – Lander DEQ/LQD  
Chron