

APPENDIX III

Operator Committed Measures & Mitigation

Monitoring Plan

Wyo-Ben, Inc. will comply with the requirements listed in Noncoal rules, Chapter 13, Section 3 (a) (vi) regarding the timeliness of reclamation. Wyo-Ben, Inc. will consider alternative innovative techniques for reclamation in order to achieve bond release. Some of these innovative techniques may include pitting, broadcasting, drilling, or hydro-seeding, the crimping of straw, candy-stripping of soil where there is little to spread, seed coating, additives to the soil (including but not limited to mycorrhizae, boron, gypsum, limestone, fertilizers, mulch, grass clippings, wood chippings, weed free manure, polymers, sugar), sagebrush seedlings, fencing, spraying of invasive species before and/or after mining, alternative irrigation techniques, alternative seed mixtures which may include approved non-native species, or other methods that will require BLM and DEQ approval prior to the application.

Interim Management Plan

In the event Wyo-Ben temporarily closes a pit, interim management procedures will be implemented as follows: A berm will be placed in all areas around the pit phase where a highwall occurs. A berm will also be installed at the ramps of the pit to prevent entrance. Temporary water diversions will be made around the pit to prevent water from entering that particular pit phase. Bentonite stockpiles and stockpiles with potential deleterious material (spoil piles, etc.) will be bermed to prevent off-site sedimentation. Ephemeral drainages that have the potential to receive deleterious material will have check dams installed. If soil piles are expected to be in place for an extended period due to the temporary closure of the pit, they will be seeded to prevent erosion and loss of soil. All equipment and supplies will be kept within the disturbance area. Any fuel storage tanks will either have a perimeter berm or placed within an excavated containment pit to control any potential spills. The pit area will be monitored on a regular basis to determine if problems are occurring that need to be addressed.

Spill Management Plan

The operator would immediately notify both the Wyoming Water Quality Division (WQD) of the Department of Environmental Quality and the Worland Field Office of the BLM for any accidental spills of petroleum products involving more than twenty-five gallons. Soils contaminated by smaller petroleum spills would be removed to the operator's Lucerne mill site for natural weathering treatment. Additionally, spills of antifreeze or battery acid products would also be reported to BLM/WQD, and soils treated as explained below. Natural weathering treatment would be conducted by spreading the contaminated soils relatively thin over a designated area at the Lucerne mill, where natural decomposition and bacterial consumption of the contaminant can occur.

No solid wastes, either hazardous or non-hazardous, would be disposed of at these sites. All bulk fuel storage tanks would be bermed for spill containment.

Hydrology

The operator has committed to the practice of using sediment control fabric fences.

Vegetation

Impacts of the Proposed Action to vegetation would require mitigation (required by both BLM and LQD), as per the terms of any approved mining and reclamation plan(s) and as presented in the Plan application and any accompanying mitigation measures. According to Wyo-Ben, Inc.'s proposed Reclamation Plan, a vegetative community dominated by native shrubs and grasses would be reestablished over time.