

Section 17.24.315

PLAN FOR PONDS AND EMBANKMENTS

Appendix K contains design details and specifications for all ponds and water impoundments pursuant to this rule. Included in Appendix K are all previous pond design submittals and future ponds anticipated during the current term of permit. Appendix K-c contains design details and specifications for all ponds and water impoundments within the Pit 4 area, pursuant to this rule.

(l)(a)(i) Preparation and Certification by Registered Professional Engineer

All proposed sedimentation ponds or water impoundments within the mine permit area will be prepared by, or under the direction of, and certified by a qualified licensed professional engineer who is experienced in designing impoundments.

(l)(a)(ii) General Plan Description and Location

Each proposed sedimentation pond or water impoundment plan will contain a description map and cross section of the structure and its location.

(l)(a)(iii) Hydrologic and Geologic Information

Each proposed sedimentation pond or water impoundment plan will contain sufficient preliminary hydrologic and geologic information to assess the hydrologic impact of the structure.

(l)(a)(iv) Subsidence Potential from Underground Mining

Underground mining has not been conducted in the vicinity of the SCCC mine permit area, therefore, subsidence from such activity is not expected in connection with proposed sedimentation ponds or water impoundments.

(l)(a)(v) Certification Statement and Schedule

Each proposed sedimentation pond or water impoundment plan will contain a certification statement which will include a detailed design plan of the structure. No proposed sedimentation pond or water impoundment will be constructed prior to obtaining written approval from the MDEQ.

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#### (l)(b) Design Plan for Structures Meeting the Criteria of MSHA 30 CFR 77.216 (a) or Class B or Class C of USDA Soil Conservation Service TR-60

Each proposed sedimentation pond or water impoundment plan that meets or exceeds the size or other criteria of MSHA under 30 CFR 77.216 (a) or Class B or Class C of criteria for dams in USDA Soil Conservation Service Technical Release No. 60 (210-VI-TR60, October 1985, as revised through January 1991) "Earth Dams and Reservoirs", (TR-60) will be designed and constructed in accordance with the provisions of Section (1)(a) of this rule. Designs will also include a stability analysis and a foundation investigation to show that the design will meet the standards of Section 17.24.639(8).

#### (l)(d) Design Plan for Structures Not Meeting the Criteria of MSHA 30 CFR 77.216(a) or the criteria for Class B or C dams in TR-60

Each proposed sedimentation pond or water impoundment plan that does not meet or exceed the size or other criteria of MSHA under 30 CFR 77.216(a) or the criteria for Class B or C dams in TR-60 will be designed and constructed in accordance with the provisions of Section (1)(a) of this rule. Designs will also include a foundation investigation to show that the design will meet the standards of Section 17.24.639(8).

#### (2) Sediment Pond Design Compliance With Section and MSHA 30 CFR 77.216-1 and 77.216-2

Sedimentation ponds, whether temporary or permanent, will be designed in compliance with the requirements of Section 17.24.639. Impoundments meeting the criteria of 30 CFR 77.216(a) will comply with the requirements of 30 CFR 77.216-1 and 77.212-2, and the design plans will be submitted to MSHA. Two impoundments are regulated by 30 CFR 77.216 at SCCC. Details regarding the construction, operation, maintenance and compliance with applicable MSHA regulations are found in Appendix K.

#### (3) Compliance for Permanent Structures

Permanent impoundment ponds will be designed in compliance with Section 17.24.642 and MSHA requirements under 30 CFR 77.216-1 and 77.216-2.

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##### (4) Compliance with DNRC's Dam Safety Act

SCM will contact the Department of Natural Resources and Conservation (DNRC) to determine any applicable requirements for dams and reservoirs impounding 50 acre feet or more, either singly or in series within the same watershed.

SCM will submit appropriate documentation indicating that the Department of Natural Resources and Conservation (DNRC) has classified the South Fork Flood Control Reservoir as being non-hazardous and that there is no need for filing a separate application. The Emergency Spillway of the South Fork Flood Control Reservoir will be vegetated with the temporary seed mix (Seed Mix #14).

The flood control impoundment planned for the South Fork of Spring Creek has been reviewed by the DNRC and has been found to be a non-hazardous structure and therefore not subject to regulation under the Montana Dam Safety Act. The decision document is found with associated design materials in Appendix K.