

**ENVIRONMENTAL ASSESSMENT FOR MINOR REVISION
COAL AND URANIUM PROGRAM
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

COMPANY NAME: Western Energy Company

DATE: May 27, 2009

OPERATING PERMIT#: 86003D

MR#: 03-03-05d

LOCATION: Whole Area-D Permit and West Scoria Pit Reclamation

Type and Purpose of Action:

Western Energy proposed permit changes to allow steep slope reclamation (greater than 3h:1v) to replace steep topography that existed prior to mining. The steep features are proposed under the same conditions as those set forth in regulations for highwall reclamation alternatives: ARM 17.24.515(2). Included in the revision request is a proposal to reclaim to a 0.8 horizontal to 1 vertical slope within the Area-D West scoria pit.

The purpose of steep reclamation would be to better approximate pre-mining topography and the ecological functions created by such topography.

Potential Impacts and Mitigation Measures:

Potential impacts would be insignificant but would increase topographic diversity which could lead to increased ecological diversity.

Alternative Actions:

The Department would accept the minor revision to the permit as proposed or, as had happen numerous times in the last approximately five years of review of this application, deny an incomplete application or one that does not comply with the Act or Rules. The proponent could then re-submit a modified application.