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**CASTLE
GATE**
COAL COMPANY

File Act/007/004
F. #2
RECEIVED
JAN 14 1988

DIVISION OF
OIL, GAS & MINING

January 12, 1988

Ms. Susan C. Linner
Permit Supervisor
Division of Oil, Gas & Mining
Three Triad Center, Suite 350
Salt Lake City, UT 84180-1203

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: DOGM Mid-Term Permit Review

Dear Ms. Linner:

Castle Gate Coal Company submitted to the Division on June 19th and July 16th, 1987, the text and maps for a mid-term permit review. On January 4, 1988, Castle Gate Coal Company received the Division comments on the material. The following are Castle Gate's responses to the comments.

1. Comment: There is no overall Table of Contents.

Response: The original copy of the text contains a Table of Contents. If the Division does not have a copy Castle Gate Coal Company will replace it. If the Table of Contents needs more detail, Castle Gate Coal Company will modify it to meet the needs of the Division.

2. Comment: There is no regulation cross-reference.

Response: Castle Gate Coal Company inadvertently omitted the cross reference when retyping the MRP. Castle Gate will furnish a regulation cross reference.

3. Comment: Page numbers are not unique...

Response: Castle Gate Coal Company will repage the permit to make the document more clear to the Division.

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4. Comment: Major chapters are not delineated.

Response: Castle Gate Coal Company retyped the approved MRP which is delineated by chapters.

5. Comment: Appendices have been used improperly to contain plans and commitments.

Response: Castle Gate Coal Company did not send a copy of the appendix as no changes were made to it.

6. Comment: There is still reference in the text to properties now controlled by Blackhawk Coal Company.

Response: Castle Gate Coal Company will work with the Division to remove references to Blackhawk Coal Company which are improper.

7. Comment: There are still references in the text to Price River Coal Company.

Response: Not all references to Price River Coal Company can be eliminated in the permit as the name appears on the original copies of the document. It is not necessary or required to remove these references as Castle Gate Coal Company has legally accepted the permit liabilities of Price River Coal Company within the revised permit boundary.

8. Comment: Many maps and tables are of such poor quality that they are illegible.

Response: The maps and tables which were submitted to the Division were from the Price River Coal original copies. Castle Gate Coal Company spent over \$10,000 upgrading the maps. Castle Gate Coal Company will make reasonable changes to the maps and tables.

9. Comment: References are made in the text to nonexistent maps.

Response: Castle Gate will correct these errors when found.

10. Comment: There is no Consolidated Reclamation Plan.

Response: The reclamation plan was approved in the existing permit. Castle Gate Coal Company has not made any changes to the plan which was approved by the Division in 1984.

11. Comment: The MRP lacks specific commitments to plans of operation and reclamation.

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Response: The Division will have to be more specific. The existing approved MRP contains pages of commitments.

12. The approved responses to all permit conditions have not been incorporated into the MRP.

Response: Castle Gate was not aware that responses needed to be incorporated into the MRP.

The regulation which governs this area of review is UMC 788.11 (B) which states: "After this review the Division may, by order, require reasonable (emphasis added) revision or modification of the permit provisions to ensure compliance with the Act, this chapter, and the regulatory program".

The Division is requiring Castle Gate Coal Company to completely revise the existing permit and to submit a reformat plan. This is not a reasonable request. Castle Gate has already spent in excess of \$30,000 on the mid-term permit review in typing, drafting and aerial photography. The work which has been done far exceeds a reasonable revision and modification. Completely rewriting the permit in order to meet the Division's new format is not a reasonable request and is therefore something Castle Gate cannot do.

I would be glad to spend whatever time it would take to make reasonable revisions to the existing MRP. My plan is to spend one, if needed two days, with Division staff beginning the morning of the 20th of January to address the Division concerns.

Sincerely,


Richard H. Allison, Jr., P.E.
Project Supervisor

RHA:jcr

cc: Dave Miller
Steve Youngbauer
DOGM File
Chrono

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