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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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TO: Daron Haddock, Permit Supervisor

FROM: Priscilla Burton, Reclamation Specialist 

DATE: October 16, 1991

RE: *Submittal In Response to Division Order and Subsequent Notice of Violation 91-28-2-1. Castle Gate Coal Co. AMAX Coal Co. ACT/007/004. Folder #2. Carbon County. Utah.*

SUMMARY:

Responses received to the Division Order after issuance of the Notice of Violation which are not being appealed are Items numbered 5, 6, 14, 16, and 23. Items 2, 3, 4, 13, 17, 18, 19, 21, and 25 are being appealed. I have evaluated responses to Items 2, 5, 6, 14, and 16. Items 2, 5 and 6 have been adequately responded to. Item 14 has been responded to but Exhibit 1-1 must be revised to show zoning classifications for the permit area. Item 16 has been responded to, but Exhibits 2-21A and B must be revised as well as portions of the narrative.

ANALYSIS:

ITEM #2 PERMIT APPLICATION FORMAT AND CONTENTS, R614-301-122

AMAX Coal Co. has adequately responded to the deficiencies noted in previous submittals for Item 2. Appendix 8B containing analyses from soil and refuse sampling in Sowbelly, Castle Gate Prep Plant, Hardscrabble, and the Refuse Storage Site has been submitted with accurate labeling. The technical analysis of the AMAX submittal was stymied by the incomplete information provided with the original permit renewal. Therefore, a technical analysis of the ability of AMAX Coal Co. to adequately reclaim the disturbed areas as described will be undertaken with the submittal of this complete information. This technical analysis is forthcoming.

ITEM #5 PERMIT REVIEW CHANGE AND RENEWAL, R614-303-200

AMAX Coal Co. has adequately responded to the deficiencies noted with regard to Chapter 8. References to the UMC regulations have been replaced with references to the R614 regulations in the revised Chapter 8.

Page 2
Response to NOV 91-28-2-1
ACT/007/004
October 16, 1991

ITEM #6 SOIL SURVEY AND SOIL CHARACTERIZATION, R614-301-222 and
R614-301-223

AMAX Coal Co has responded to the requests made in previous correspondence. The permit boundary and disturbed boundaries are located on the soils maps, the sites of soil sampling are also located on these maps. Acceptance of these maps by the Division DOES NOT relieve AMAX Coal Co of the responsibility to search for the best available soil cover material within the permit area for the refuse pile and castle gate preparation plant operations areas and any other areas where the Division finds that the 'in situ' material is unacceptable growth medium. See Item #2 above. These maps will be utilized by the Division and AMAX Coal Co to search for potential soil borrow areas. The acceptance of these maps provides a starting point for this search.

ITEM #14 ENVIRONMENTAL DESCRIPTION, R614-301-411

AMAX Coal Co accurately states that the zoning classifications for the operational areas is listed in Chapter 2, page 26-27. This information is accurate, but must be indicated on Exhibit 1-1, the Permit Area map.

ITEM #16 SUBSIDENCE CONTROL PLAN, R614-301-525.100

AMAX Coal Co has included in the Mining and Reclamation Plan subsidence information from January 1, 1988 to the present. Chapter 3, Section 3.1-2 includes information on the collection of subsidence information from 1978 to the present and filed with the USGS. This information is reported in the MRP in Figure 3.1-1 (page 35 Chapter III, Section 3.1).

Additionally, page 9 of revised Section 3.1 indicates that significant subsidence events will be reported to the USGS. The Division must be notified of significant subsidence events or any subsidence, because of its responsibility and authority for the reclamation of mining related environmental impacts under the Surface Mining Control and Reclamation Act of 1977. Reporting of subsidence events to the Division is mentioned on page 10. Reporting will come in the "State's Annual Report" (sic). The Division requests to be notified immediately after subsidence is detected and in the Annual Report.

Exhibits 3-21A and 3-21B in the MRP identify subsidence monitoring locations from 1978 through 1983 and proposed monitoring in Price Canyon, respectively. These maps must be updated to show present subsidence monitoring points.

Page 3
Response to NOV 91-28-2-1
ACT/007/004
October 16, 1991

CONCLUSIONS:

AMAX Coal Co. has adequately responded to Division Order Items #2, 5, and 6. Items number 14 and 16 require further submittals in the form of revised Exhibits 1-1 and 3-21A and 3-21B. Additionally, AMAX Coal Co. must commit to notifying the Division of subsidence immediately upon its discovery in Section 3-1, page 10.