

0010

ROUTING AND TRANSMITTAL SLIP

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11/29/96

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1. Pamela Gusbargh - Littig

2.

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REMARKS

Castle Gate, Sombally Canyon
phase I bond release inspection
report.

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FROM: (Name, org. symbol, Agency/Post)

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OFFICE OF SURFACE MINING RECLAMATION ENFORCEMENT (OSM)
PHASE I BOND RELEASE INSPECTION REPORT FOR THE
CASTLE GATE MINE, SOWBELLY CANYON (NO. 5 MINE)

*Copy Pam, Paul,
Aron*

Date: October 22, 1996

#2

Permit: Amax Coal Company, ACT/007/004 - 96K

Federal coal leases: U-25484, U-25485, U-058184, U-019524, SL-029093-046653, and SL-071737

Operator: Plateau Mining Company

Inspection participants:

Office of Surface Mining Reclamation and Enforcement - Dennis Winterringer

Utah Division of Oil, Gas and Mining (DOG M) - Paul Baker, Bob Davidson, Pamela Grubaugh-Littig, Randy Harden, Steve Johnson, and Wayne Western

Operator - Johnny Pappas

Inspection summary:

Per the attached October 8, 1996, letter request from DOGM, I participated in the phase I bond release inspection for this mine. The letter indicates that the permittee has reclaimed 21.0 acres but has not reclaimed the area of the electrical substation and access road (i.e., the disturbed acreage is some unspecified amount over 21 acres). After the inspection, I confirmed with Paul Baker that a total of 21 acres has been disturbed, and 18.2 acres of it has been reclaimed.

No Federal surface managing agency participated in the inspection because none of the mine disturbances in Sowbelly Canyon are on Federal land.

As set forth in Utah's rule at R645-301-880.310, the purpose of the inspection was to determine whether the operator had successfully backfilled and graded the disturbed area. The applicable backfilling and grading performance standards are in Utah's rules at R645-301-553. The mine operation plan indicates that the operator commenced operations prior to May 3, 1978, and continued operations thereafter. Therefore, the backfilling and grading requirements for continuously mined areas at R645-301-553.500 apply. Specifically, R645-301-553.610 allows highwalls to be incompletely eliminated if the operator demonstrates in writing to DOGM that it has, "to the maximum extent technically practical", used all "reasonably available spoil" in the permit area to backfill the highwall. Utah, does not in its rules or in

its approximate original contour policy directive (Tech-002) define these terms.

During the inspection, the participants discussed the differentiation Utah makes between highwalls and "cut-slopes." As discussed in its directive, Utah considers highwalls to be the cut areas immediately adjacent to the entries underground mines; "cut-slopes" are cut areas for roads, pad facilities, and other surface facilities related to underground coal mining. Because Utah does not in its backfilling and grading rules use the term "cut-slope," there are no specific backfilling and grading performance standards for cut-slopes. Utah indicated that it interprets its program as follows. For post-May 3, 1978, cut-slopes, operators must backfill and grade them to approximate original contour. For pre-May 3, 1978, cut-slopes that are continuously used, operators must only backfill them to the maximum extent technically practical using all reasonably available spoil.

According to the mine operation plan, the highwall for the No. 5 mine portal, the highwall for the No. 5 fan portal, and the cut-slopes on the site were all created prior to May 3, 1978, and were used continuously thereafter. Therefore, under Utah's interpretation of its program, all have to be backfilled and graded to the maximum extent technically practical using all reasonably available spoil.

All of the participants walked the entire site and inspected the backfilling and grading. With the exception of a portion of the access road and the electrical power substation near it, all of the surface facilities had been removed, and all of the disturbed areas in the canyon had been backfilled and graded, topsoiled, and planted.

The highwall for the No. 5 fan portal had been completely eliminated. The highwall for the No. 5 mine portal had been completely eliminated with the exception of a short horizontal stretch where a few vertical feet of the highwall remained. DOGM indicated that this area remained unbackfilled because there was not reasonably available spoil to do so; because of the need to keep the backfilled slope relatively moderate (no greater than a 2h:1v slope) so as to keep the regraded surface erosionally stable and conducive to revegetation establishment; and because of the need to construct a nonerosive drainage pattern that was compatible with the reconstructed drainageway that runs the entire length of the disturbed area in the canyon.

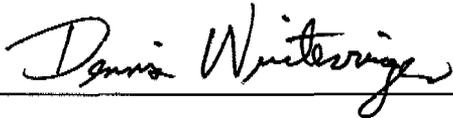
All of the cut-slopes had been graded and backfilled to a certain extent. Some had been completely eliminated, and others had varying horizontal and vertical stretches where the vertical cuts had not been completely eliminated. In not requiring the operator to completely eliminate the cut-slopes, DOGM had applied

the same criteria discussed in the preceding highwall paragraph.

The approved postmining land use for the reclaimed area is wildlife habitat. In accordance with Utah's rule at R645-301-552.100, small depressions may be constructed on a reclaimed landscape if they are needed to retain moisture, minimize erosion, create and enhance wildlife habitat, or assist vegetation. With the intent of satisfying these criteria, the operator had created over the majority of the regraded area a continuously bumpy landform with 2 to 3-foot depressions.

None of the participants identified any toxic or acid-forming materials (such as coal) on the regraded land surface.

As the result of this inspection, I did not recommend that Utah require the operator to conduct additional backfilling and grading operations on the site.



Dennis Winterringer
Senior Environmental Protection Specialist
Denver Field Division
Western Regional Coordinating Center