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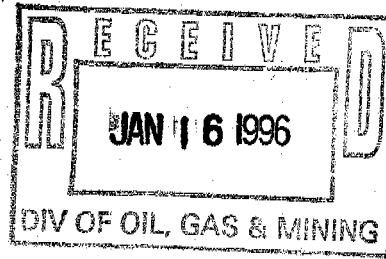
ACT/007/004
#2, Suspect



EarthFax

January 15, 1996

Mr. Paul Baker
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RE: NOV #95-41-3-1 Abatement Request, Castle Gate Coal Mine, Permit Number
ACT/007/004

Dear Paul:

Mr. Johnny Pappas of Cyprus-Plateau Mining Corp. ("CPMC"), has requested that EarthFax Engineering, Inc. submit this response, on behalf of CPMC, to attempt to abate the NOV #95-41-3-1.

Late in 1995, DOGM raised a concern regarding the monitoring of B-22. This station is a groundwater monitoring point for a spring which flowed seasonally until approximately 1992. Since that time, the spring has been dry. Intermittent flows have been reported in the stream channel 20 to 50 feet downstream from the spring location. The inspector felt that the surface flows in the creek should be monitored in place of the dry spring. Castle Gate argued that the monitoring station was a groundwater source and not a surface water source and that adequate surface water monitoring was already provided for the canyon. Additionally, it was pointed out that it is not known if the spring and stream waters are from the same water source. Because an agreement could not be reached, an NOV, #95-41-3-1, was issued.

As background, the spring is located in the channel bank of Crandall Canyon, on the south side of the creek, approximately three feet above the channel bottom. This spring is thought to indicate a buried bedrock source of water; while, the intermittent stream flow is thought to result from seasonal fluctuations in the alluvial groundwater table.

A water quality sample was taken from the stream site and the analytical results were compared to the historical data for the spring. This comparison could not conclusively prove that the waters were from the same source. Due to this possible difference in the source of the waters, it is Castle Gate's position that it would not be appropriate to combine these two separate waters into a single source. Additionally, if surface flows were sampled in place of the spring, then the data set would be of little value if the waters were not from the same source.

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Therefore, Castle Gate requests that the NOV be vacated. If it is determined, by the DOGM technical staff, that additional stream flow monitoring is required for the lower portion of Crandall Canyon, it would be more appropriate to add a stream monitoring station (B-44) for the intermittent stream flow rather than assume that the two occurrences are from the same source.


In light of this request and due to the fact that several changes to the monitoring program were already being considered, to address and correct inconsistencies and to improve the monitoring accuracy, Castle Gate has attached a proposed modification to the permit to be used as a discussion point for consideration in addressing this issue. The main points addressed in this modification are:

- o Addition of stream sampling to lower Crandall Canyon at B-44 if determined to be necessary.
- o Relocation of the sampling point B-17 to just below the disturbed area in Sowbelly Gulch. This provides a better prediction of the impacts from the site area. For analytical reasons, it is recommended that this point be renumbered to B-45 to prevent confusion in future data analyses.
- o Correction of the sampling locations of BM-30 and UPDES Point 020 on the monitoring location map.
- o Dropping of sediment pond sampling points 016 and 017. These ponds have been reclaimed as part of the reclamation plans for Sowbelly Gulch. Therefore, there are no points to sample as the ponds no longer exist.
- o Minor correction of the water quality monitoring parameter list. This correction is to adjust the parameters sampled for groundwater to delete Total Suspended Solids, Settleable Solids and Oil and Grease from the analyses. These parameters are limited to surface water concerns. Therefore, their inclusion in the groundwater sampling is of no value. Also, the dissolved oxygen parameter, which is indicated in the text as having been dropped in 1980, was finally removed from the list.
- o Minor text changes to support the proposed changes and make the text read better.

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Your consideration of this request and an expeditious review and resolution of this issue would be appreciated.

Sincerely,



Thomas J. Suchoski
Hydrologist

Enc. Permit Text Changes
Modified Monitoring Station Map

CC: Johnny Pappas, Cyprus-Plateau Mining