

**PLATEAU
MINING
CORPORATION**

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An affiliate of **RAG**

October 4, 2001

Mr. Daron R. Haddock
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Incoming
0/007/004-AM01B-1

RECEIVED

OCT 12 2001

DIVISION OF
OIL, GAS AND MINING

Re: Revisions to Adit #1 Reclamation Plan, Response to Technical Analysis, Castle Gate Holding Company, Castle Gate Mine, C/007/004-AM01B, Carbon County, Utah

Dear Mr. Haddock:

Castle Gate Holding Company (CGHC) is submitting its response to the Division's August 2001 Technical Analysis regarding the aforementioned.

CGHC tried to make this amendment application as simple as possible by taking the currently approved Adit #1 reclamation plan and enhance the backfilling and grading plan, hydrology, and land treatment technology. Many of the currently approved aspects of the reclamation plan were not revised.

CGHC uses prior technical analyses and approved reclamation plans as tools during its permitting actions. Often times a technical analysis will be reviewed to see how a certain permitting action was analyzed, so that it can be properly addressed. Also, to ensure the adequacy of an amendment the permittee will use approved verbiage from other plans and incorporate it into the amendment. However, this and recent permitting actions are bringing into question the worthiness of the Division's technical analysis document and approved verbiage as permitting tools.

The findings identified by the Division are presented below along with a brief response by CGHC.

R645-301-121.200, 1) *the confusion of whether a one-foot or four-foot soil depth will be used for reclamation needs to be resolved.* 2) *It needs to be made clear that ACD-1 will be removed as part of the reclamation of the adit site.* 3) *Provide a drawing or other method of demonstrating how straw bales will be installed.* 4) *Provide Figure 3.5.4 installation methods for silt fences and update the Table of Contents to show its location.*

1) The confusing statement regarding one-foot has been deleted from page 3.5-10. 2) ACD-1 will be removed as reflected on page 3.5-11. 3) Reference to the use of strawbales has been removed. Strawbales were to be a temporary sediment control structure that will be removed and/or incorporated as the area is reseeded and mulched. 4) Figure 3.5.4 is presented in our Plan and it should be in the Division's. Castle Gate Holding Company does not like to place page numbers on its figures, and discourages page numbers on tables, except for when they are within the text section of

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the Plan. Page numbering figures, tables, and etc. makes the paginating exercise of any amendment very onerous.

R645-301-121.200, *The permittee must clarify the statements about how asphalt will be disposed of. If no asphalt is present, then the permittee should remove reference to its disposal in the demolition section. If the asphalt will be disposed of on site, then the permittee must show that asphalt can be properly used (land owner and DEQ consent etc.) as backfill.*

The reference to asphalt has been removed from page 3.5-10. There is not any asphalt at the site, and this is why it was not itemized in the reclamation bond costs. Furthermore, the Division needs to provide the permittee with a decision letter whereby everyone, including the Division is on the same page. What, where and why is or isn't allowed?

R645-301-121.200, *The permittee must clarify the statements about how steel will be used for backfill. The Division usually does not allow steel to be used as backfill; however, steel (rebar) in concrete is allowed in backfill.*

The reference to steel was reworded to state steel reinforced concrete on page 3.5-10. As stated in the Plan, steel will be salvaged rather than buried whenever possible. During demolition of the structures, the steel is salvage by the contractor, however there may be some small pieces that remain and end up incorporated into the backfill.

R645-301-113.100, *Appendix 3-G referred to on page 3.5-13 of the application could not be found.*

Appendix 3-G is provided for inclusion. The Permittee failed to add this during the assembling of the amendment package.

R645-301-224, *The Division requests an opportunity to review the results of the soils analyses referred to in Appendix 3-2, Section 3.1, page 3.5-13, please submit these analytical results as soon as they become available.*

The permittee believes that the Division meant to say Appendix 3-G, Section 3.5. This information was faxed to the Division on June 1, but should have been in the amendment application where it is now.

R645-301-244, -353, -354, -355, -356, -302-280, -281, -282, -283, -284 *The applicant needs to include references to the other seed mixes identified in the reclamation plan. The application needs to include a detailed schedule and timetable for the steps and phases of reclamation. The application needs to include a reference area for the #1 Adit. The reference area for the adit should be established in accordance with the vegetation guidelines established by the Division.*

The applicable information is provided in the Plan, therefore, the Permittee does not consider these findings valid.

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R645-301-320, *The applicant needs to identify which seed mix or mixes they are proposing to use for reclamation of the adit.*

The Permittee does not consider this finding valid. As the application states, Species List #1 is to be used.

R645-301-322, -333, -342, -358, *See the TA for a description.*

The Permittee does not consider these findings valid.

Regarding the transport of the water, the permittee will implement that practice approved in the current reclamation plan, which is to hard pipe the water through the reclaimed area. This is unfortunate because it would have been better to have a water source on the west side of Highway 6 instead of requiring the wildlife to cross Highway 6 to get a drink of water.

R645-301-322, -330, *The application should delineate that portion of the baseline wildlife information that applies to the #1 Adit area. The application needs to include a current raptor survey for the #1 Adit area. The application needs to include resource information sufficient to provide for a protection and enhancement plan that ensures compliance with the Endangered Species Act of 1973.*

The Permittee does not consider these findings valid.

R645-301-323, -411, -521, -622, -722, 731, *See TA for a description.*

The Permittee does not consider these findings valid.

R645-301-323, -512, -521, -542, -632, -731, *The reclamation plan for #1 Adit needs to include reclamation treatments, monitoring and sampling location maps.*

The Permittee does not consider these findings valid. There is a reclamation treatment map provided, see Exhibit 3.5.3A. Monitoring and sampling of this ephemeral drainage would only provide information regarding the event, not that of sediment leaving the reclaimed area.

R645-301-411.100, .130, .250, *The application needs to provide a description of the wildlife habitat and the information required by these section of the regulations.*

The Permittee does not consider these findings valid.

R645-301-411.140, .144, *See TA for description.*

The Permittee does not consider these findings valid. However, a letter from the Carbon County

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Historical Society is provided in Appendix 3.3H expressing their desire for historical remnants of old mine sites to remain post reclamation and belief that they possess a historical value to Carbon County. Furthermore, as allowed under the Coal Rules, a structure may remain if it is the desire of the landowner and by doing so does not affect the postmining land use.

The reclamation plan achieves the postmining land use of wildlife habitat with the old structures remaining as desired by the landowner.

R645-301-412, -413, -414, -302-270, -271, -272, -273, -274, -275, *The applicant needs to provide the information required by these sections of the regulations.*

The Permittee does not consider these findings valid.

R645-301-553.110, *The permittee must give the Division information on why cut slopes cannot be fully reclaimed.*

As stated on page 3.5-12 of the plan, reasonably-available material will be used. The mass balance calculations depict what is available. To further clarify the utilization of available material, the permittee added verbiage as to the utilization of all reasonably-available spoil material and provided references to Appendices 3.3D and 3.3H within the Castle Gate Permit that addresses slope stability issues.

R645-301-553.120, *The permittee must describe how the highwalls will be or have been eliminated.*

The pre-SMCRA Adit #1 area is rather unique in that there really isn't a highwall. However, the postmining topography Exhibit 3.5-3 shows backfilling to the top of the portals and additional verbiage was added to address the utilization of all available fill material to backfill to the top of the portals and blended in with the slopes whereby the surface configuration is compatible for the postmining land use.

R645-301-553.120, *The permittee must describe spoil disposal plan.*

As stated on page 3.5-12 of the plan, the area will be graded by blending spoil into the surrounding area and creating a landform which resembles the surrounding terrain. Additional verbiage has been added to state that all reasonably-available spoil will be utilized in the backfilling and grading plan for the site.

R645-301-724, *See TA for description.*

After consultation with Mr. Mike Suflita, it was decided to delay this finding until he has reviewed the Castle Gate Mine water monitoring amendment which deals, in part, with this issue.

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R645-301-731.300, *There is no indication that materials at the site will be tested to identify their acid/toxic characteristics. Since identification is a requirement, this should be added to the amendment in order to fulfill the commitment to treat such materials.*

After consultation with Mr. Mike Suflita, this issue appears to be adequately addressed in the plan. Additional soil samples are to be obtained from several trenches to identify soil suitability. This information will also be provided to the Division for review and subsequent incorporation into the Plan.

R645-301-742, *1) Appendix 3.5C and/or the Exhibit 3.5-3A needs to be revised to remove the confusion regarding drainage areas. 2) The operator will need to design and install a riprap lined channel when reclaiming below the box culvert. 3) The use of silt fences along the reclaimed stream cannot be completely eliminated. The Division would be amenable to a series of two or three silt fences across the channel just upstream of the box culvert under the road. These would be constructed and maintained as originally explained in the MRP. 4) Use the Best Technology Currently Available and import soil to fill erosion gullies and definitely reseed and mulch the bare area. To be consistent, item 7 in the list on page 3.5-18 should not be crossed out. In addition, the silt fences and straw bales should NOT be removed until after vegetation has been fully re-established.*

1) Appendix 3.5C and Exhibit 3.5-3A have been revised to remove any confusion regarding drainage areas. 2) A letter from UDOT is provided in Appendix 3.5H whereby they will accept the maintenance of a half-round pipe. As stated in the amendment, it is the permittee's, as well as UDOT's, to use the existing buried culvert already under the highway. 3) The permittee's land treatment of mulching, gouging, reseeding, mulching and hydromulching is the final treatment for the area. Any silt fences used during the reclamation activity will only be temporary until the final mulching is applied. This is the same technique/process used in the Hardscrabble reclamation. 4) As agreed upon during the meeting, a revised verbiage, similar to the Willow Creek Mine Plan, has been added to address erosion gulleys. However, the reseeding of erosional features should be evaluated and determined in cooperation with the Division. Often times there exists an adequate seed pool on site whereby reseeding will occur naturally. Item 7 in the list on page 3.5-17 has been added back into the amendment. However, as stated above, silt fences will not be maintained following the final mulching of the reclaimed surface. Treatment is the gouging, reseeding and mulching.

R645-301-830.120, .130, -121.200, *The permittee must provide the following information: 1) the time needed to complete excavation and grading, 2) the time support personnel are needed, and 3) the additional costs for applying mulch after seeding and chemical or physical anchors.*

During the meeting, it was agreed that this information is adequately provided in the amendment.

CGHC hopes that it addressed or clarified those findings required by regulation, so that the permit amendment can be approved. As the Division noticed above, many of the findings identified in the technical analysis were not addressed because it is felt by CGHC that the regulatory requirement is

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applicable during the initial permitting of a mine property and thereby addressed in the Castle Gate Mine Permit.

CGHC's goal is the same as the Division's, which is to reclaim the Adit No. 1 area in compliance with the applicable regulations and achieve a vegetation success warranting final bond release. CGHC's past reclamation projects are a testimony to their reclamation stewardship.

CGHC had hoped to reclaim this site during the 2001 Fall season, but due to the permitting action under review, it will be re-budgeted for the Fall of 2002.

If the Division wishes to schedule a meeting to discuss the findings not addressed in this submittal, please do not hesitate to contact me at (435) 472-4741. If a meeting is necessary, CGHC would like to have Ms. Mary Ann Wright present during this meeting.

Sincerely,



Johnny Pappas
Sr. Environmental Engineer

Enclosures

File: Castle Gate Mine-Adit No. 1
Chrono: JP011001.ltr

APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: C/007/004
Title of Proposal: Adit No. 1, Response to August 2001 Technical Analysis						Mine: Castle Gate Mine
						Permittee: Castle Gate Holding Company

Description, include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first 8 questions (gray), this may be a Significant Revision and require Public Notice. Any questions, please call a Permit Supervisor.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

Attach 3 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

[Signature] - JOHNNY PAPPAS - Sr. Engr. Engineer - 10/19/01
Signed Name - Position - Date

Subscribed and sworn to before me this 9 day of October, 2001.

[Signature]
Notary Public

My Commission Expires: _____, 2003 }
Attest: STATE OF _____ }
COUNTY OF Carbon }



NOTARY PUBLIC
JONA M. SKERL
42 Garden Street
Helper, Utah 84526
My Commission Expires
January 20, 2003
STATE OF UTAH

Received by Oil, Gas & Mining

ASSIGNED TRACKING NUMBER

