

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

November 16, 2004

OK

TO: Internal File

THRU: Wayne Western, Team Lead *W/W*

FROM: *PB* Priscilla Burton, Environmental Specialist III, Soils

RE: Phase I Bond Release - Sowbelly Substation Area, Castle Gate Holding Company, Castle Gate Mine, C/007/0004, Task ID #2038.

SUMMARY:

Phase II bond release for 18.2 acres was approved on February 21, 2003. The substation area was not included in previous bond release applications. This application, received September 14, 2004, requests bond release for the reclaimed 1.84 acre substation and substation access road in Sowbelly Canyon, reclaimed in the fall of 2002. Current bond for Sowbelly (\$233,000) will be reduced by \$85,000 to \$148,000 with this approval (Table 3.1-2).

The application contains a revised Table 3.1-2 Summary of Bonding and Reclamation Costs, reclamation channel designs (Appendix 3.2.G), a prototype for public notice and letters to interested parties (Appendix 3.2K), and a seed list for the site (Appendix 1 of the bond release application). Reclamation techniques for the substation are described as Phase IV in MRP section 3.2-5(1), 3.2-5(4) and Table 3.2-1. The As-Built Reclamation Topography and Cross-section Location Map is Exhibit 3.2-13.

The Utah rule R645-301-880.310 allows for Phase I bond release after the completion of backfilling and regrading and drainage control of the bonded area in accordance with the approved plan. The Bond Release Directive Tech-006 (dated September 5, 2000) and Utah Regulations R645-301-880.100 through 880.310 guided this review of the bond release application.

The Permittee has not met the minimum requirements of this regulation for Phase I bond release.

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TECHNICAL ANALYSIS:

GENERAL CONTENTS

PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

Analysis:

Section 3.2-5(4), p. 3.2-17, and Section 3.2-6 Reclamation timetable p. 3.2-20 indicate that the substation and access road were reclaimed in 2003, but Ex. 3.2-13 indicates the substation was reclaimed in 2002.

Map 3.2-13 should state that the sediment control measures used in the substation area according to the legend provided.

Section 3.2-5(4), p. 3.2-17 of the narrative does not clearly indicate that culvert SBRC-3 was removed during reclamation and construction of reclamation channel SBRD-3.

Findings:

The information provided is not clear. Prior to approval, the Permittee must provide the following, in accordance with:

R645-301-121.200, Section 3.2-5(4), p. 3.2-17, and Section 3.2-6 Reclamation timetable p. 3.2-20 indicate that the substation and access road were reclaimed in 2003, but Ex. 3.2-13 indicates the substation was reclaimed in 2002. • Map 3.2-13 should state that the sediment control measures used in the substation area according to the legend provided. • Section 3.2-5(4), p. 3.2-17 of the narrative does not clearly indicate that culvert SBRC-3 was removed during reclamation and construction of reclamation channel SBRD-3.

RECLAMATION PLAN

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General

Cut fill calculations are provided in Table 3.2-1. Cut/fill information is illustrated on Exhibit 3.2-9.

The location of the cross sections for the reclamation work in the vicinity of the substation and the rest of Sowbelly were not noted on As-Built Reclamation Topography and Cross-section Location Map, Exhibit 3.2-13. The Permittee must state on the map where those cross sections are located.

Findings:

The information provided does not meet the requirements for bond release. Prior to approval, the Permittee must provide the following, in accordance with:

R645-301-542.200, The location of the cross sections for the reclamation work in the vicinity of the substation and the rest of Sowbelly should be noted on As-Built Reclamation Topography and Cross-section Location Map, Exhibit 3.2-13.

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-240.

Analysis:

Redistribution

No topsoil was applied.

Findings:

The information provided meets the requirements for bond release.

STABILIZATION OF SURFACE AREAS

Regulatory Reference: 30 CFR Sec. 817.95; R645-301-244.

TECHNICAL MEMO

Analysis:

Erosion control for the substation was accomplished by gouging 2 ton/acre noxious weed-free hay into the surface soil; seeding with the mix described in Appendix 1 of the Phase I bond release for the Sowbelly Substation Area; and mulching with 1.5 ton/acre noxious weed-free straw and 500 lbs/ac of hydromulch and tackifier (Section 3.2-5(1)).

The Division's planned inspection of the site on November 23, 2004, was delayed due to inclement weather. A field inspection will be conducted when snow leaves the ground.

Findings:

The information provided in the bond release application meets the bond release regulations.

RECOMMENDATIONS:

The site is not recommended for Phase I bond release until the deficiencies identified above are addressed and until after a field visit is conducted by the Division to confirm that the Permittee has applied best management practices to control erosion and prevent sediments from leaving the site.