

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

June 18, 2012

TO: Internal File

THRU: April Abate, Lead *aaa*
7/2/2012

FROM: Ingrid Campbell, Biology *IC*

RE: Midterm Permit Review Castle Gate Holding Company, Castle Gate Mine, C/007/0004, Task ID #4044

SUMMARY:

On March 13, 2012, the Division notified Castle Gate Holding Company (CGHC) of the commencement of the Midterm Permit Review for the Castle Gate Mine. The following items were selected for review:

- A. Review of the Plan to ensure that the requirements of all permit conditions, division orders, notice of violation (NOV), abatement plans, and permittee-initiated Plan changes approved subsequent to permit approval or renewal (whichever is the most recent) are appropriately incorporated into the Plan document.
- B. Ensure that the Plan has been updated to reflect changes in the Utah Coal Regulatory Program which have occurred subsequent to permit approval or renewal.
- C. Review applicable portions of the permit to ensure that the Plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
- D. Evaluate the compliance status of the permit to ensure that all unabated enforcement actions comport with current regulations for abatement; verify the status of all finalized penalties levied subsequent to permit issuance or permit renewal, and verify that there are no demonstrated patterns of violation (POV). This will include an AVS check to ensure that Ownership and Control information is current and correct.

E. Evaluate the reclamation bond to ensure that coverage adequately addresses permit changes approved subsequent to permit approval or renewal, and to ensure that the bond amount is appropriately escalated in current-year dollars.

F. Evaluate the permit for compliance with variances or special permit conditions.

G. Optional for active mines, mandatory for reclamation only sites: conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness for operational, reclamation, and contemporaneous reclamation practices undertaken on predetermined portions of the disturbed area to minimize, to the extent practicable, the contribution of acid or toxic materials to surface or groundwater, and to otherwise prevent water pollution.

A site visit was conducted on June 11, 2012. This midterm review is recommended for approval.

TECHNICAL ANALYSIS:

RECLAMATION PLAN

REVEGETATION

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

Analysis:

Revegetation: Standards For Success

Dennis Ware, Priscilla Burton and Ingrid Campbell inspected the reclaimed adit #1, Hardscrabble Canyon and Sowbelly Canyon on June 11, 2012. Adit #1 was reclaimed in 2002 and has received phase I bond release from the Division. Earthwork at the Hardscrabble site was completed during the years 1984, 1985, and 1993 through 1999. Phase I bond release was approved for Goose Island (8.79 acres) in 1985. Phase I bond release was approved for Hardscrabble No. 3 and No. 4 Mine areas (27.7 acres) on February 14, 2001. Phase II bond release for most of the Hardscrabble No. 3 and No.4 Mine areas (36.5 acres) and for Sowbelly of the Castle Gate Mine was approved in November 2002. Phase I Bond release for the substation areas of Hardscrabble and Sowbelly (reclaimed in 2002) was granted in 2005. All of these sites were in good condition with good vegetative cover that was controlling erosion. The vegetation consisted of desirable grasses, forbs and shrubs. The sites received below average precipitation this spring but were in good condition regardless. Dennis Ware plans on applying for phase II and III bond release on adit #1 and the areas in Hardscrabble and Sowbelly Canyons in 2013. The vegetation has exceeded the reference area in the most recent monitoring reports.

Findings:

The information in the MRP is considered adequate to meet the regulations.

RECOMMENDATIONS:

The midterm review is recommended for approval.