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PLATEAU MINING COMPANY

A Subsidiary of Getty Oil Company

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March 6, 1985

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DIVISION OF OIL
GAS & MINING

Mr. Thomas Portle
Reclamation Soils Specialist
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: RESPONSE TO LETTER DATED FEBRUARY 15, 1985
REFUSE EXPANSION AREA - NOV 84-6-15-1

Dear Mr. Portle:

To clarify matters in Item 1, Page 1 of your letter dated February 15, 1985, I offer the following for your consideration: You refer to Stipulation 9-23-3; I believe you mean 9-22-3 as there is no Stipulation 9-23-3.

1. Stipulation 9-22-3 was given in a letter from the Division dated October 1, 1981 giving approval of the Refuse Pile Expansion Plan. Stipulation 6 was given in a letter from OSM dated January 21, 1982, giving approval of Plateau's Mining and Reclamation Plan. For your benefit, I will quote the two stipulations as they appear in the respective letters.

Stipulation 9-22-3

Within 6 months of this approval and pursuant to 817.21 the applicant will submit soil physical and chemical analysis for the Phase II and III areas of the refuse disposal pile. Soil chemical data for the refuse disposal area submitted in Plateau's response to the Division of Oil, Gas and Mining's ACR lacked information on the SAR and soluble Na. Also, Plateau must submit soluble Ca and Mg in meq/l rather than mg/l. The soil data will

be tied into the volume of suitable materials to be segregated and that which is to be redistributed. The need for substitute materials to make up redistribution deficits should be evaluated.

Stipulation 6

Within 60 days of acceptance of Departmental approval of the Mining and Reclamation Plan, the permittee shall submit to the regulatory authority a description of topsoil redistribution methods (related to topsoil depth for each area of disturbance) which are designed to assure successful revegetation.

Stipulation 9-22-3 is addressed specifically to the refuse expansion area; no mention is made that it also addresses the entire operation. Nevertheless, as I pointed out in my January 23, 1985 letter, Plateau recovered 257,751 cubic yards of topsoil and subsoil from the refuse expansion area. Add to this approximately 71,000 cubic yards of PL2 soil that is yet to be removed and approximately 40,000 cubic yards of topsoil previously stockpiled from other areas, and we will have a total of 368,751 cubic yards of material suitable for final reclamation. The total number of acres to be retopsoiled during final reclamation is 154.5 acres, as per Plateau's Bond Reevaluation submitted in 1983. The total soil available will be enough to cover the 154.5 acres with 17 inches of soil. Even though the adequacy of using this depth of soil may be questionable, third year data from the Refuse Pile Research Study indicates that 10 inches of soil may be adequate; I quote directly from the Plateau 1984 Annual Reclamation Report, Star Point Mines dated December 1984:

...The trend from the 1983 and 1984 data favors the subsoil material as the most acceptable plant growth medium. Specifically, the 10" subsoil treatment most closely meets the research study objectives as the most practical combination of soil material and depth with regard to revegetation success standards.

Clearly, the overall balance at Plateau is favorable considering the facts given. As you can see in my November 8, 1984 letter (page two), I did address the soil balance with regard to the entire operation. This is evidenced by the fact that the acreage mentioned in that letter is 154.5, which is the entire disturbed area with exception of the roads which will be reclaimed with material pulled down from the top of the cuts and from material pulled up from the fills, the standard method for reclaiming roads. Two other areas are not included in the acreage because they have their own topsoil; they are the Mudwater Fan area, and the Corner Canyon Fan area. Even if you consider the total disturbed area (all areas included) of 217.3 acres, we will have enough to cover the area with over 12 inches of soil.]

With regard to Item 2, top of page 2, your letter: This has been addressed above and in my November 8, 1984 letter and in my January 23, 1985 letter. To put it more clearly, Plateau maintains that we have enough soil to reclaim the entire operation. Our test plots are showing that soil in the 10 to 20 inch depth range is adequate to reclaim our operation. We removed soil in the area of controversy to the depth determined by an expert in the field at the time of removal, and we do not see any justification for removing more material. The cost to sweep a little material from the area would be far out of proportion with the need, even if the material was usable.

With regard to items in your February 15, 1985 letter, page 2, numbered 1 through 4:

1. No comment
2. The fact remains that an expert was on site at the time of removal, and he directed the halting of soil removal. He obviously had good reason to do so, as he summarized in his report:

Results: PL5 calculated amount available 5-9 feet, actual amount removed 1-4. In general, subsoils of the areas PL1, PL2, and PL4 were deeper than expected. "The only area that had soil more shallow than expected was PL5. In many places there was 0.5 feet or less and because the parent material below this is Mancos shale, removal was halted. Slope in parts of PL5 also made removal impractical."

Mr. Thomas Portle

NOV 84-6-15-1

3/6/85

Page 4

This information was also included in my January 23, 1985 letter.

As you know, Mancos shale weathers very rapidly; much of the material on the site has undoubtedly been derived from this process. My statement in my January 23, 1985 letter that the material is supporting vegetation was referring to the material removed and used on the test plots. Obviously, that material was removed and is usable. The soils expert on site at the time directed that removal and he called a halt to removal. The fact that the material left on the area in question supports vegetation is not disputed either. The vegetation consists almost entirely of Russian Thistle, which will grow almost anywhere in almost any material. Even our coal refuse supports Russian Thistle, but does that make it usable as a reclamation topsoil substitute? We could even make a case for that.

3. Addressed above.

4. Addressed above.

With regard to your comments concerning the permitting and its implementation:

Handling the volume of soil was a large undertaking, but the fact is, the soils expert was on site, and he specifically singled out the PL5 as having had soil more shallow than expected, and he said he halted removal because Mancos shale was encountered.

We agree that a Division inspector is not necessarily a soils expert, but the fact remains that he said on two occasions that the project had been completed. If he had had concerns that some of the material might be usable, surely he would have brought it to your attention.

We hope that the information contained in this letter satisfies the Division on this matter. We maintain that the violation was issued in error and ask again that it be vacated.

If you have any questions, please call.

Respectfully,



Ben Grimes
Environmental Coordinator

BG:sd

Mr. Thomas Portl
NOV 84-6-15-1
3/6/85
Page 5

cc: Bob Lauman
Bart Kale
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