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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 18, 1993

TO: James W. Carter, Director
Lowell P. Braxton, Associate Director, Mining

FROM: Pamela Grubaugh-Littig, Permit Supervisor *pgl*

RE: Status of Gordon Creek #2, #7, and #8 Reclamation Submittal,
Gordon Creek #2, #7 and #8 Mine, Mountain Coal Company,
ACT/007/016, Folder #2, Carbon County, Utah

The review of the reclamation submittal at the Gordon Creek #2, #7 and #8 Mine received August 6, 1993 is on hold pending the forthcoming policy on approximate original contour. Attached please find the chronology for this reclamation.



Chronology of Gordon Creek #2, #7 & #8 Reclamation

- April 14, 1990** Reformatted rules effective (highwall reclamation changed).
- December 3, 1990** Division notified of closure of Gordon Creek #2, #7 & #8 Mine.
- June 6, 1991** Division Order DO-91A issued -- re: Highwall Reclamation.
- July 8, 1991** Mountain Coal Company (MCC) requested 120-day extension citing landowner request, highwall stability, reclamation costs and schedule.
- July 11, 1991** Meeting with Dan Guy, Lowell Braxton and Pamela Grubaugh-Littig.
- Extension granted until 11/11/91 for submittal of DO information.
- August 6, 1991** Dianne Nielson, Lowell Braxton, Jess Kelley, and Dan Guy met at the site to look at the highwalls and discuss possible ways of reclaiming them. At this meeting, it was decided that the Division and the operator would seek the assistance of WTC in the process of "formulation and approval" of a highwall reclamation plan which would be both technically sound and acceptable to the Division and to OSM.
- August 12, 1991** Jess Kelley contacted Merline Van Dyke of WTC to request assistance. He was told by Van Dyke that the Division would have to make a formal request for such assistance in writing, but that WTC wanted to look at some information from the site in the meantime.
- August 14, 1991** Jess Kelley talked with Gene Hay of WTC. Hay requested some information about the site, particularly as-built drawings and geological logs. Kelley wrote a letter to Hay explaining the situation.
- August 19, 1991** Jess Kelley sent Gene Hay the information requested on August 14. Dianne Nielson formally requested WTC's assistance by letter.
- September 3, 1991** Division requested Western Technical Center assistance.

September 27, 1991 **Jess Kelley talked with Gene Hay about this site. Apparently, Hay had forgotten about the matter, because he told Kelley that Mr. Hay would talk with his boss about it.**

October 1, 1991 **Jess Kelley talked with Karen Jass of WTC. She said that her and Gene Hay's boss, Charlie Harrison, had given the task of looking at this site to her. She also said that she would make a visit to the site on October 8, 1991, but that the final decision would be made between the Division and OSM's Albuquerque Field Office (AFO).**

October 2, 1991 **Letter from OSM-AFO considers helping Division on Gordon Creek highwall issues.**

October 8, 1991 **Karen Jass visited other sites, but, for reason which she did not explain, failed to visit the Gordon Creek #2, #7 & #8 site. After this, there was, to the writer's knowledge, no further contact between the Division and WTC regarding a joint analysis of reclamation of the highwalls.**

December 12, 1991 **MCC submits revision of Postmining Land Use information.**

January 24, 1992 **Proposal denied.**

January 27, 1992 **Letter sent to Lowell Braxton stating the provisions for administrative and judicial review at R645-300-200 will apply to the Division Order.**

February 25, 1992 **Meeting with MCC and Division -- re: the complete elimination of the highwalls.**

February 26, 1992 **Mid-term review for Gordon Creek #2, #7 & #8 encompassed bond and insurance review only due to reclamation plan changes due 4/30/92.**

Modification of DO-91A stating that Mountain Coal Company must make "requisite permit changes in accordance with R645-303-220 and submit a complete application for permit change by no later than 4/30/92."

March 4, 1992 Clarification letter sent reiterating complete elimination of highwalls is required.

March 6, 1992 Reclamation comments sent to incorporate into the 4/30/92 response.

April 29, 1992 Request received for extension to 5/7/92.

Extension granted for submittal of "complete and accurate information relative to the reclamation of this mine."

May 7, 1992 MCC submits DO-91A response.

Note: The A Team was unable to commence the review until 6/1/92 due to other permitting priorities.

June 3, 1992 Hydrology review submitted to Pamela Grubaugh-Littig. Permanent impoundment is proposed with critical information missing.

June 8, 1992 At I & E meeting, Pamela Grubaugh-Littig advises Lowell Braxton of status of DO-91A. He recommends issuance of an NOV.

June 10, 1992 NOV #N92-20-1-1 prepared.

June 15, 1992 NOV #N92-20-1-1 sent.

June 16, 1992 NOV faxed to Dan Guy.

June 18, 1992 NOV modified to extend abatement until June 29, 1992.

**June 19, 1992 &
June 22, 1992** Other reviews faxed to Dan Guy.

June 25, 1992 Pursuant to a meeting, NOV modified to July 17, 1992.

July 14, 1992 Fact of Violation Hearing.

July 28, 1992 Division Order DO-92A issued regarding reclamation at Gordon Creek #2, #7 & #8.

August 13, 1992 **NOV #N92-20-1-1 vacated.**

August 17, 1992 **"Settlement Agreement" letter from Dianne Nielson to Scot Anderson.**

August 20, 1992 **MCC submittal of highwall information.**

September 10, 1992 **Highwall reclamation approved without variance from AOC requirements.**

December 10, 1992 **Extension request for submittal of reclamation plan to 2/1/93 and other changes in settlement agreement.**

December 21, 1992 **Lowell Braxton grants extension request to 2/1/93.**

February 1, 1993 **Reclamation plan submitted.**

March 17, 1993 **Division completeness and technical review sent to MCC.**

March 23, 1993 **Letter to PGL from Scot Anderson (Legal, MCC) regarding highwall issue.**

April 1, 1993 **Meeting with Scot Anderson, Kathleen Welt, Dan Guy, Tom Mitchell, Henry Sauer, Jesse Kelley, Tom Munson, Susan White, and PGL to discuss the deficiencies of the 2/1/93 submittal. Discussion between Tom Mitchell and Scot Anderson came down to "complete elimination" of the highwall, no matter what. Tom Mitchell essentially stated that the "fatal flaw" was the fact that #7 Mine had been permitted with the retention of a highwall.**

April 5, 1993 **Lowell Braxton states he will talk to OSM about technical assistance.**

May 4, 1993 **Letter to Bob Hagen from Scot Anderson (Legal, MCC) requesting a meeting to discuss the complete reclamation of the Gordon Creek Mine in 1993.**

May 10, 1993 **Deficiency response received from MCC.**

- June 9, 1993** Issues identified in a letter to Kathleen Welt from PGL regarding the May 10, 1993 submittal. Requested response by June 30, 1993.
- June 24, 1993** OSM oversight meeting at the Division. Operator request for technical assistance is discussed. OSM states that technical assistance must be requested through the Division.
- July 12, 1993** Letter from Kathleen Welt to Division requesting extension to August 6, 1993 for resubmittal.
- August 6, 1993** Resubmittal of entire plan to Division from MCC.
- September 17, 1993** Federal Register notice final rule on highwalls in the Utah Coal Regulatory Program. Review postponed, awaiting Division guideline.