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

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November 14, 1994

Paige Beville, Manager
Environmental, Health and Safety
ARCO Coal Company
555 Seventeenth Street
Denver, Colorado 80202

Re: Findings for Phase II Bond Release, Gordon Creek #3 and #6 Mines, Mountain Coal Company, ACT/007/017-93B, Folder #3, Carbon County, Utah

Dear Ms. Beville:

Following are the findings and chronology for the Phase II bond release for the Gordon Creek #3 and #6 Mines:

- Dec. 13, 1993: Application for Phase II bond release submitted to the Division including a sed-cad analysis and vegetative information.
- Newspaper Advertisement for Phase II bond release published in the Sun Advocate on September 21, 28, October 5, and 12, 1993. No comments received.
- March 4, 1994 Copies of March 1, 1994 notification letters sent to appropriate parties about Phase II bond release application is submitted to the Division.
- April 22, 1994: Letter from the Division sent to Utah Power and Light, Calvin Jacob and Sons, Scott Hirschi, and OSM-AFO inviting their participation in the Phase II bond release inspection scheduled for May 18, 1994.
- May 3, 1994: Division transmitted copies of the application for the Phase II bond release to OSM-AFO.



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- May 5, 1994: Division transmitted copies of vegetative information to OSM-AFO.
- May 18, 1994: Phase II joint bond release inspection with the following attendees:

DOGM: Susan White, Tom Munson, Henry Sauer, Pamela Grubaugh-Littig
OSM-AFO: Edzel Pugh and Russ Porter
OSM-WSC: Daylan Figgs and Phil Reinholtz
Mountain Coal Company: Dan Guy and Dana Ballard (Blackhawk Engineering)
- June 20, 1994 TDN X94-020-179-002 TV3 was received at the Division.
- June 30, 1994 Division response to TDN X94-020-179-002 TV3 sent to AFO.
- July 7, 1994 Recommendation from the technical staff in regard to aspects for Phase II bond release - recommend approval of Phase II bond release at the Gordon Creek #3 and #6 Mines.
- July 18, 1994 The Division receives a letter from OSM-AFO stating that, "the AFO has determined that the wrong regulation was cited in parts one and two of the TDN. Part three of the TDN is properly cited, but to avoid confusion, TDN X94-020-179-001 TV3 is withdrawn and TDN X94-020-179-002 is issued".
- July 28, 1994 Division response to TDN X94-020-179-002 TV1 sent to AFO.
- August 18, 1994 AFO finds the July 28, 1994 Division response to TDN X94-020-179-002 inappropriate. (Received at the Division on August 25, 1994)

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- August 22, 1994 Letter from Lowell Braxton (Division) to Thomas Ehmett (OSM-AFO) requests comments on any other outstanding issues at the Gordon Creek #3 and #6 Mines be sent to the Division.
- August 29, 1994 Division requests an informal appeal of the August 18, 1994 AFO finding, i.e. an Informal Appeal.
- Sept. 9, 1994 Division requests a stay of the Informal Appeal based on pending acquisition of field data and submittal of additional information regarding availability of excess spoil at the mine.
- Sept. 27, 1994 Division requests an extension until October 5, 1994 to formalize the Division's position on the availability of spoil at the mine site.
- October 3, 1994 Division requests that Utah's Informal Appeal of the TDN be put on hold, pending the site visit by OSM-Washington management on October 24, 1994.
- October 24, 1994 Site visit at the Gordon Creek #3 and #6 Mine by personnel from OSM-Washington, OSM-WSC, OSM-AFO, Division, and Mountain Coal Company. In attendance were:
OSM: Ed Kay and Vermel Davis (Washington), Charles Sandberg (OSM-WSC), Thomas Ehmett and Edzel Pugh (OSM-AFO)
Division: Lowell Braxton, Joe Helfrich, and Pete Hess
Mountain Coal Company: Paige Beville, Dan Guy,
- Nov. 10, 1994 Decision from OSM-Washington reverses the AFO decision of August 18, 1994.

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Since resolution of the TDN issue, there are no outstandings issues for the Phase II bond release at the Gordon Creek #3 and #6 Mines. Therefore, in accordance with R645-301-880.300, this Phase II bond release is approved in the amount of \$103,800.

Sincerely,


Lowell P. Braxton
Associate Director, Mining

cc: Thomas E. Ehmett, OSM-AFO
Pamela Grubaugh-Littig
Daron Haddock
Susan White
Tom Munson