



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

Internal  
0070017

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November 21, 1997

TO: Pamela Grubaugh-Littig, Permit Coordinator *pgl*

THRU: Joseph C. Helfrich, Permit Supervisor *Jch*

FROM: Jess Kelley, Reclamation Specialist *JK*

RE: Phase III Bond Release Review, Mountain Coal Company, Gordon Creek 3 & 6 Mine, ACT/007/017, Folder #4, Carbon County, Utah

**SUMMARY:**

The permittee applied for Phase III bond release, in accordance with R645-301-880.330, on September 16, 1996. The original bond for this site was for the sum of \$346,000. The Division approved Phase I bond release on June 26, 1997 and released \$207,600, or 60% of the original total. The Division granted Phase II bond release on January 9, 1995 and released another \$85,429, or 25% of the original total. In applying for Phase III bond release, the permittee has requested the release of the remainder of the bond, or \$52,971.

The Division performed a bond release inspection of this site on October 23, 1997. The purpose of this inspection was to observe the condition of the site generally and to determine whether or not the on-the-ground features and configuration of the site were in compliance with the regulatory and technical requirements for Phase III bond release.

This memorandum constitutes this writer's assessment of the reclamation of this site and determination, based on the October 23 site visit and a review of the approved plan, of its compliance with the regulatory and technical requirements for Phase III bond release.

**TECHNICAL ANALYSIS:**

This memorandum discusses 3 components of the final reclamation of the site, the conformance of which with the R645 rules and the compatibility of which with the postmining land use are necessary for the granting of Phase III bond release: Approximate Original Contour (AOC) restoration; roads; and subsidence.

*Approximate Original Contour (AOC) restoration.* The site was reclaimed and restored to its approximate original contour, except the portal highwalls, in 1986.

In the 1986 final technical analysis (TA), the Division, in accordance with UMC 817.101, approved the retention of the highwalls at the #3 and #6 portal areas because the area had originally been disturbed in 1975 and no fill material had been salvaged. In addition, the landowner had approved the proposed surface configuration because it enhanced the postmining land use of livestock grazing by providing level staging areas.

On July 20, 1994, the Albuquerque Field Office (AFO) of the Office of Surface Mining (OSM) took exception to the Division's having approved the retained highwalls and issued Ten Day Notice (TDN) X94-020-179-001 TV3 and, later, X94-020-179-002 TV1. The Division responded to these TDNs, respectively, on June 30, 1994 and July 28, 1994, but AFO found these responses inappropriate on August 18, 1994. Representatives from the Washington, D.C. office of OSM visited the site on October 24, 1994 and subsequently reversed AFO's August 18 decision, upholding the Division's decision to allow the retention of the highwalls.

Thus, the final contour of the site conforms to the requirements of the R645 rules and is compatible with the postmining land use of grazing and wildlife habitat.

*Roads.* There are 2 designated roads: the coal haul road and the mine access road. The coal haul road extends approximately 5,000 feet from the Carbon County road in Gordon Creek Canyon to the base of the #6 area fill. The mine access road goes approximately 2,400 feet from the end of the coal haul road to the upper #6 area.

In the 1986 final technical analysis (TA), the Division, in accordance with UMC 817.150 and UMC 817.160, approved the retention of both roads as permanent roads. Both are located on private land and the landowner requested that both be left in place to provide access to the Coal Canyon area, the upper #6 area, and the Utah Power & Light power line that traverses the area. Both roads were designed and constructed according to the standards of the UMC 800 rules and both have been maintained through the bond liability period in accordance with the requirements of R645-301-534.

Thus, the roads are in accordance with the requirements of the R645 rules and are compatible with the postmining land use of grazing and wildlife habitat.

*Subsidence.* A network of subsidence monitoring points was established in 1986 and has been monitored annually since then. The surface above the mined out area has also been checked for visible signs of cracks or other subsidence damage.

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The maximum total subsidence recorded at any monitoring point since 1986 has been just under 0.40 feet and there has been no measurable subsidence since 1993. In addition, neither the permittee nor this writer, in on-the-ground inspections of the surface above the mined out area, has observed any visible subsidence damage.

Thus, there has been no discernible diminution of the value of the surface area to the postmining land use of grazing and wildlife habitat due to subsidence.

**RECOMMENDATION(S):**

This writer finds that this site conforms to the regulatory requirements for Phase III bond release and is compatible with the postmining land use of grazing and wildlife habitat. It is the recommendation of this writer that the permittee be granted Phase III bond release.