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

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SEP 22 1997
DIV. OF OIL, GAS & MINING

September 16, 1997

To: File

Thru: Joe Helfrich, Permit Supervisor, Compliance

From: Wm. J. Malencik, Reclamation Specialist

RE: Channel Canyon Portals Reclamation, PacifiCorp, Cottonwood Mine, ACT/015/019-97G, Folder #2, Emery County, Utah

The enclosed amendment filed by PacifiCorp requests final reclamation on the Channel Canyon Portals.

You will note that Jess Kelley has been contacted by the permittee concerning this amendment. You have heretofore received a copy of their transmittal letter.

Since this amendment concerns final reclamation, it would appear only reasonable that the required disciplines as determined by you should participate in the review. Further, the permittee in the next to last paragraph states that an "application for reclamation release" of the affected portal area will be filed with the Division.

It appears the permittee has analyzed and made the following conclusions on this matter:

(1) Phase III bond release is a required prerequisite for federal lease relinquishment.

(2) Without being specific, it appears the permittee is taking the position the area cannot be backfilled, topsoiled, nor seeded. He has done all the feasible reclamation work.

(3) Phase I and II bond release requirements as required by the coal rules have been met to the extent feasible.

(4) The portals have been sealed. The area has been secured from a safety standpoint and approved by MSHA.

(5) If phase II requirements are not applicable because of site conditions, then phase III bond release is not subject to the statutory 10 year mandatory period.

Recommendation

Even though this particular amendment may appear unique; nevertheless, there are several such cases that have come in the past. Also, can expect others in the future. The Horse Canyon breakout and other breakouts I believe have been approved by the Division.

My recommendations are as follows:

(1) Besides Jess Kelley, assign others as needed to this project. Please keep in mind the goal of PacifiCorp is lease relinquishment and phase III bond release.

I would be happy to join the Division staff on this project.

(2) Have discussed tentative dates with Mr. Semborski. He suggests a one day field meeting. Details are as follows:

a) Review amendment before field meeting.
b) Meet either September 22 or 23, 1997 at 9:00 a.m.
c) Meet at the Trail Mountain Mine.
d) Bring lunch, water, climbing shoes, etc.

We have retained one copy of the amendment for our files.

sd
enclosures
cc: Chuck Semborski, PacifiCorp, Huntington, w/o enc