



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

007/001 #5
Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

November 17, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
(#P 402 459 446)

Mr. Robert Hagen, Director
Albuquerque Field Office
Office of Surface Mining
Reclamation & Enforcement
Suite 310, Silver Square
625 Silver Avenue, S.W.
Albuquerque, NM 87102

Dear Mr. Hagen:

RE: TDN #X87-02-006-015 TV8, Barry Barnum, Valley Camp of Utah, Inc., ACT/007/001, Folder #5, Carbon County, Utah

This letter responds to the above-referenced Ten-Day-Notice, the certified copy of which was received at the Division's office on November 10, 1987.

1. Number 1 of 8 was issued for an inconsistency in the plan which provides for annual pond examinations (inspections).

Response - The operator is currently inspecting the mine sediment ponds on a quarterly basis. The change from annual inspections to quarterly was made June of 1986. The operator has changed the appropriate wording in the Belina MRP with a submittal made on October 31, 1987. The issuance of a TDN on this subject is deemed unnecessary and excessive, as the matter had been resolved adequately before the OSM inspection took place.

2. Number 2 of 8 was issued for failure "to comply with the terms and conditions of the permit (for 84, 85, 86, 87), by not monitoring water according to the approved plan."

Response - The operator has recently submitted plans to the Division relative to water monitoring program. The plans are in

response to Mid-Term Permit Review stipulation UMC 817.52(1). The submittal was made on October 30, 1987 and will clear up any discrepancies related to the operator's current water monitoring program, regarding official RA approval. In the past there has been some confusion over which components of the program were approved and which were not. Also, the Division has been satisfied with the information previously submitted, regarding water monitoring, by the operator. In this case the lack of information is more the fault of the RA and not the operator; therefore, no NOV is warranted.

3. Number 3 of 8 was issued for "failure to grade, fertilize, seed, and mulch an embankment of a temporary impoundment."

Response - The operator has committed to seed, mulch and fertilize the top (of pond #4's) embankment by November 20, 1987. Field verification has not been made at this time. The inspector feels that the stability of the dam has not been jeopardized by the lack of vegetation at its top. The bulk of the dam is currently well vegetated and the top has been well compacted. Also, no erosion is apparent at this time. The area of the dam in question, the top 2-3 feet, represents a small portion of the entire structure. No enforcement action will be taken unless the operator fails to revegetate the top of the dam in a timely fashion.

4. Number 4 of 8 was issued for failure "to comply with the terms and conditions of the permit by not constructing sediment ponds according to the approved plans."

Response - Pursuant to INE-27 the operator has been requested to amend the sections in the MRP which address the ponds in question (ponds #2, 3, and 4). A letter was sent to Valley Camp on November 16, 1987, asking the operator to change the information in the plan to account for the existing slopes. No enforcement action will be taken at this time.

5. Number 5 of 8 was issued because the "operator has proposed a plan that does not show the location of each water diversion, collection, conveyance, treatment, storage and discharge facility used."

Response - The Division is aware of this situation and has asked the operator, pursuant to Mid-Term Permit Review stipulation UMC 788.14, to update the plan in such a manner which would include the information under question. The stipulation allows the operator 120 days prior to permit renewal to submit this information. Since this stipulation predates the issuance of the TDN, the Division does not feel that enforcement action is required at this time.

6. Number 6 of 8 was issued because the "operator failed to closely mark the perimeter of all areas affected by surface operations or facilities and has failed to display ID signs at each point of access."

Response - The operator has committed to locate perimeter markers and access signs, in the area of the mine office and access road, by November 20, 1987. No field verification has yet been made. No NOV will be issued at this time.

7. Number 7 of 8 was issued because the "operator has failed to certify all dams and embankments after construction ponds 01, 02, 03, 04."

Response - The Division has asked the operator to submit the appropriate information, concerning pond certifications, by February of 1988, in a letter dated November 16, 1987. This is to allow the operator sufficient time to perform an aerial survey of the mine site and develop up-to-date improved plates of the ponds in question. No enforcement action is considered warranted at this time.

8. Number 8 of 8 was issued for failure "to certify the construction of Class I roads - Belina mine road and loadout #2's mine road."

Response - The Division has asked the operator to submit the appropriate information, concerning road certifications, by

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Mr. Robert Hagen - ACT/007/001
November 17, 1987

February of 1988. Again, for the reason stated in the preceding response, no enforcement action is considered warranted at this time.

Sincerely,



Lowell P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

jr

cc: Barry Barnum (Valley Camp)
Ken May
J. Helfrich
S. Linner
H. Shepherd
0799R/23:

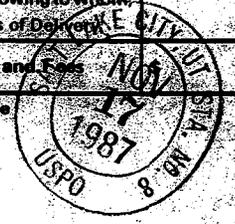
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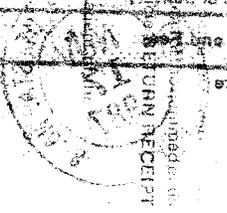
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