



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

August 30, 1988

Ms. Jodi G. Belviso  
Blackhawk Coal Company  
P. O. Box 700  
Lancaster, Ohio 43130

Dear Ms. Belviso:

Re: Mid-Permit Term Review, Willow Creek, ACT/007/002, Folder #2, Carbon County, Utah

Please pardon the delay in this follow-up to our January 13, 1988 letter. In addition to those comments regarding deficiencies in the Mining and Reclamation Plan (MRP) for the Willow Creek area, the Division has since determined that your December 30, 1987 letter does not substantially respond to the concerns raised in the Mid-Permit Term Review (MPTR). Furthermore, none of the requisite updates to the MRP were submitted, so the plan cannot be considered consolidated or up-to-date, as required in the Mid-Permit Term Review.

The Division has two main areas of concern at this time: first, that resolution of the MPTR is a year overdue; and second, that the permit for the Willow Creek area could not be renewed at this time due to the fact that there is substantial noncompliance in the current state of the MRP based on the requirements of the MPTR, and, if the proposed new permit areas are removed from the MRP, there will be no mining activities proposed for the next permit term.

There are two options that can be taken to resolve these two major concerns. If BCC wishes to continue as documented in your December 30, 1987 letter, two things will have to occur before the permit renewal deadline (August 24, 1989). All MPTR deficiencies will need to be adequately addressed by that date and BCC will have to get approval (either separately or as part of the previously mentioned process) for a plan for underground coal mining activities which will be implemented in the next permit term. If BCC chooses this option, we should schedule a meeting as soon as possible to discuss specific deficiencies and requirements and agree upon a schedule for submittal and review of the required information.

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The second option would be if BCC would choose not to request renewal of the permit for the Willow Creek area. In that case, the MPTR comments could be revised to only reflect what would be required to finalized a complete and comprehensive Reclamation Plan (RP) for the disturbed area. Again, if this is what BCC wishes, a meeting should be held soon to establish specific requirements and a schedule.

If neither of these options are pursued with resultant agreements entered into and followed through such that the MRP (or RP) is adequate by August 24, 1989, the Division may deny a new permit and order immediate reclamation of the site in a manner and schedule as designed by the Division.

I am sure that neither of us would like to see the situation come to that conclusion, so I urge you contact me or Susan Linner at the earliest convenience to set up a meeting to discuss these issues further.

Sincerely,



Lowell P. Braxton  
Administrator  
Mineral Resource Development/  
and Reclamation Program

LPB/cl  
cc: K. May  
S. Linner  
H. Sandbeck  
D. Darby  
WPP/45/2-3