



0028

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

chron

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dianne R. Nielson, Ph.D., Division Director

*In original of this
the name of the
of the state of Utah
the attached*

June 8, 1984

*ACT/007/004
#6*

Mr. Gordon Cook, Vice-President
Price River Coal Company
P. O. Box 629
Helper, Utah 84526

Gordon
Dear Mr. Cook:

Enclosed is an Emergency Rule, adopted by the Board of Oil, Gas and Mining at their May hearing, concerning use of mined rock to mitigate flood damage along the Price River drainage. The initial Emergency Order concerned only Soldier Creek Coal Company, but this Emergency Rule has been extended to cover all operators.

Please note that this Emergency Rule is in effect for only 90 days from the May 24, 1984 date of issuance.

If you have any questions or comments, please contact me.

Best regards,

Dianne R. Nielson
Director

DRN/jb

Enclosure

cc: R. Hagen, OSM, Albuquerque
A. Klein, OSM, Denver
R. Daniels, DOGM
J. Helfrich, DOGM
J. Smith, DOGM

92240

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

REGARDING USE OF MINED ROCK FROM : EMERGENCY RULE
COAL MINING ACTIVITIES FOR
RIP-RAP DURING 1984 SPRING :
RUNOFF

Pursuant to an investigation by the Division of Oil, Gas and Mining, the following findings have been made:

1. During the high runoff period of the Spring of 1983, much erosion damage occurred to stream channels;
2. The runoff for the Spring of 1984 has been predicted to surpass the previous year's record due to the unusually high snowpack;
3. The placing of non-toxic, non-carbonaceous rock along the sides of the stream channels will mitigate the erosion damage caused by the predicted high runoff; and
4. The recent warm temperatures have caused the stream levels to rise considerably and, with the temperatures predicted to remain above normal, flow levels will increase rapidly.

Based upon the above findings, the Board finds that an emergency exists and, pursuant to the authority granted to the Board in UCA 63-46-5(2), issues the following Emergency Rule as a variance to UMC 817.17 covering the use of mined rock to mitigate damage along the Price River drainage due to heavy spring runoff.

The Division is authorized to allow any permitted coal mining company is hereby allowed to permit individuals to remove mined rock from the permit area, provided that the conditions listed below are met.

Mined Rock is defined to mean non-toxic rock material which is free of carbonaceous minerals and is not associated with coal or coal wastes.

CONDITIONS OF THE EMERGENCY RULE:

1. Ownership

The operator must demonstrate that he has ownership of the subject mined rock or permission to utilize the mined rock for the designated use.

PAGE 2
EMERGENCY RULE

2. Non-toxicity

The operator must demonstrate that the mined rock is not toxic or is not a toxic-forming material.

3. Non-carbonaceous

The operator must demonstrate through adequate sampling that the mined rock is not carbonaceous.

4. Origin of Material

The operator must demonstrate that the mined rock is not associated with coal or coal waste.

5. Size of Mined Rock

The operator must demonstrate that the size fraction of the mined rock is appropriate for the proposed use.

6. Proposed Use

The operator must describe where the mined rock will be used, the estimated quantities of mined rock to be used, and the time period over which the mined rock will be used.

7. Written Authorization

The operator has obtained the prior written authorization of the Division to use such mined rock for such purposes.

This Emergency Rule will remain in effect for 90 days from issuance.

DATED this 24th day of May, 1984.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

Gregory P. Williams, Chairman

Mr. Charles Gent
Genwal Coal Company, Inc.
P. O. Box 1201
Huntington, Utah 84528

Mr. Brett Harvey, Manager
Kaiser Steel Corporation
P. O. Box D
Sunnyside, Utah 84539

Mr. Jack Lawrence
New Tech Mining Corporation
59 1/2 South Main Street
Moab, Utah 84532

Mr. Alan Smith
North American Equities
1401 17th Street, Suite 1510
Denver, Colorado 80202

Mr. Floyd Tucker
Vice-President and General Manager
Plateau Mining Company
P. O. Box 539
Price, Utah 84501

Mr. David Sanders
Pleasant Valley Coal Partners
P. O. Box 3357
Park City, Utah 84060

Mr. Gordon Cook, Vice-President
Price River Coal Company
P. O. Box 629
Helper, Utah 84526

Mr. Don Ross, President
Soldier Creek Coal Company
P. O. Box I
Price, Utah 84501

Mr. Kerry Frame, Chief Engineer
Southern Utah Fuel Company
P. O. Box P
Salina, Utah 84654

Mr. Leonard Maki
Summit Coal Company
8347 South Mesa Drive
Sandy, Utah 84092

Mr. Dan Guy, Manager
Permitting & Compliance
Beaver Creek Coal Company
P. O. Box 1378
Price, Utah 84501

Mr. Roy Collard, President
C & W Coal Producers
3842 Quail Hollow Drive
Salt Lake City, Utah 84109

Mr. Gale Laier
Coal Search Corporation
P. O. Box 87
Salina, Utah 84654

Mr. Vernal J. Mortensen
Vice-President, Utah Operations
Coastal States Energy Company
411 West 7200 South
Midvale, Utah 84047

Mr. Richard M. Holbrook
Consolidation Coal Company
#2 Inverness Drive East
Englewood, Colorado 80112

Mr. Wendell J. Owen
Co-op Mining Company
P. O. Box 1245
Huntington, Utah 84528

Mr. Allen Childs
Diamond Shamrock Coal Company
P. O. Box 370
Orangeville, Utah 84537

Mr. Larry Guymon
Emery Mining Corporation
P. O. Box 310
Huntington, Utah 84528

Mr. Edward L. Buckley, President
First Western Coal Company
P. O. Box 176
Napa, California 94559

Alfred L. Foster, President
Garfield Coal Company
Star Route
Panguitch, Utah 84759

Mr. S. O. Ogden, President
Sunedco Coal Company
P. O. Box 35B
Lakewood, Colorado 80235

Mr. Sam Quigley
Tower Resources, Inc.
P. O. Box 902
Price, Utah 84501

Mr. J. Chris Carter
UCO, Inc.
1580 Lincoln St., Suite 530
Denver, Colorado 80203

Ms. Jean Semborski
U. S. Fuel Company
Hiawatha, Utah 84527

Mr. James R. Pennington
U. S. Fuel Company
19th Floor, University Club Bldg.
136 East South Temple
Salt Lake City, Utah 84111

Mr. Glenn Sides, Chief Engineer
U. S. Steel Corporation
P. O. Box 807
East Carbon, Utah 84520

Mr. Ben Bringhurst
Utah Fuel Company
P. O. Box 719
Helper, Utah 84526

Mr. John Ferrell, Manager
Utah International, Inc.
550 California Street
San Francisco, California 94104

Mr. Dee W. Jense, Manager
Utah Power & Light Company
P. O. Box 899
Salt Lake City, Utah 84110

Mr. William Wright
Vice-President & Manager
Valley Camp of Utah, Inc.
Scofield Route
Helper, Utah 84526

Mr. Andy King
West Appa Coal Company
P. O. Box AO
Price, Utah 84501

Mr. Don Nelson
Western States Minerals Corporation
4975 Van Gordon
Wheat Ridge, Colorado 80033