

0044



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

August 6, 1985

CERTIFIED RETURN RECEIPT REQUESTED
P-592-429-578

Mr. Kenneth B. Hutchinson
Price River Coal Company
P.O. Box 629
Helper, Utah 84526

Dear Mr. Hutchinson:

RE: Bond Release, Price River Coal Company, "Goose Island"
Reclamation Project, ACT/007/004, Folders No. 5, 6 & 7,
Carbon County, Utah

In reference to the letter sent to Price River Coal Company on July 17, 1985, I must apologetically state that additional obligations must be met by both the Division and Price River Coal Company prior to release of the adjusted amount.

The public notice provided by Price River Coal Company for the release of the performance bond did not include the following required information:

- UMC 807.11(b)(5) Summarize the reclamation, restoration or abatement work done, including, but not limited to, backstowing or mine sealing, if applicable, and give the dates of completion of that work; and
- UMC 807.11(b)(6) Describe the reclamation results achieved, as they relate to the compliance with the Act, this Chapter, the Regulatory Program, and the approved mining and reclamation permit;

Price River Coal Company will have to readvertise and include this information in the public notice. This information is also required as stated in the recently approved bonding regulations (UMC 800.40(A)(2)).

Page 2
Mr. Ken Hutchinson
ACT/007/004
August 6, 1985

The Division, according to UMC 807.11(f)(2), (now UMC 800.40 (B)(2)) must notify the permittee and any other interested parties in writing of its decision to release or not to release all or part of the performance bond or deposit within 60 days from the receipt of the completed application, or within 30 days from the close of the public comment period if comments were received, whichever occurs last. Since the public notice will have to be readvertised, formal decision of the release of part of performance bond cannot be made until the above time has again lapsed.

Under UMC 807.11(f)(5), (now UMC 800.40(E)) the Division shall not release the bond until:

- (i) The town, city or other municipality nearest to, or the county in which the underground coal mining activities are located has received at least thirty (30) days notice of the release by certified mail (the Division must notify the municipality); and
- (ii) The right to request a public hearing pursuant to paragraph (g) of this Section has not been exercised, or a final decision by the Board approving the release has been issued pursuant to paragraph (h) of the Section.

Pending the outcome or the readvertisement for the bond release, the Division cannot make a final decision concerning the amount of bond to be released. Upon completion of the public notice requirements for the bond release, the Division shall review and determine the approved bond amount for release.

We apologize for our oversight in this matter, should you have any further questions concerning this matter, please contact Ms. Pam Grughbaugh-Littig for more information.

Sincerely,



L. P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

JRH:jvb
cc: P. Grubaugh-Littig
R. Harden
S. Linner
1001R-23