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**CASTLE  
GATE**  
COAL COMPANY

Orig mine file #5  
S. Kinner UB  
M. DeWeese  
J. Helford

RECEIVED  
AUG 25 1989

DIVISION OF  
OIL, GAS & MINING

CERTIFIED MAIL

August 23, 1989

Mr. Lowell P. Braxton  
Associate Director, Mining  
Utah Division of Oil, Gas and Mining  
355 West North Temple  
Salt Lake City, Utah 84180-1203

RE: Castle Gate Coal Company, ACT/007/004, N89-31-2-1,  
Carbon County, Utah

Dear Mr. Braxton:

Castle Gate Coal Company is submitting the following information in resolution of the proposed settlement and vacation of the referenced Notice of Violation. Based on discussions with Mr. Mike DeWeese of your staff, it was agreed that the following responses would be satisfactory for settlement of this matter. The two issues surrounding the issuance of the Notices of Violation are the installation of sediment control markers and a demonstration of adequate detention time for sediment pond 12 at the Castle Gate preparation facility.

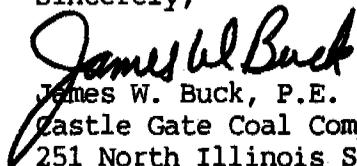
In response to the first issue concerning sediment control markers, Castle Gate Coal Company will place a reference mark on the spillway pipe riser corresponding to the pond elevation necessary to provide containment of the runoff volume from the 10-year, 24-hour precipitation event below the spillway crest. The reference mark will be painted on the riser. The vertical distance of the reference mark below the spillway crest will be determined from the stage-storage relationship for the basin and the 10-year, 24-hour storm runoff volume presented in Figures 3.4-3 and 3.4-4 in the approved MRP.

In response to the second issue concerning detention time, the following information is being provided. Based on Figures 3.4-3 and 3.4-4 in the approved MRP, the runoff volume from the 10-year, 24-hour storm event for the pond 12 system is 34,440 cubic feet (11,032cf + 14,755cf + 2,758cf + 6,895cf) and the required sediment storage volume is 31,559 cubic feet (22,411cf + 9,148cf). The average discharge to the pond from the underground mine is 50 gpm, which is equivalent to approximately 9,600 cubic feet per 24-hour period. Therefore, the required storage volume necessary to provide containment of the 10-year, 24-hour storm event is 76,600 cubic feet (34,440cf + 31,559cf + 9,600cf). The design storage volume provided by the pond 12 series, as presented in Figures 3.4-3 and 3.4-4 in the MRP, is 98,927 cubic feet (75,000cf + 23,927cf). Based on the above demonstration, the pond 12 series has adequate detention time for the treatment of the 10-year, 24-hour precipitation event.

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I hope the above information is sufficient to resolve the issues surrounding this matter. If you or your staff have any questions regarding these responses, please contact either Tom McKenna at the Castle Gate Mine or telephone me at (812) 421-3958. We appreciate your assistance in resolving this issue.

Sincerely,



James W. Buck, P.E.  
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P.O. Box 6106  
Indianapolis, IN 46206-6106  
(317) 266-1500

JWB/jb

xc: T. McKenna - Castle Gate  
D. Ewigleben - Indpls 6  
S. Garcia - Indpls 7