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AMAX COAL COMPANY

A Subsidiary of AMAX Coal Industries, Inc.

Original 007004 #2
cc: Priscilla
Paul
Randy



November 4, 1992

BELLE AYR MINE

Mr. Daron Haddock
Permit Supervisor
Department of Natural Resources
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

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DIVISION OF
OIL GAS & MINING

Dear Daron,

The purpose of this letter is to respond to the conditions in the approval letter dated October 26, 1992. Specifically comment #1 which intimates that there is a new revelation as to the quality of existing soils in the #4 Mine Canyon. Your specific language states that if refuse or development waste is encountered, then the refuse must be hauled to a permitted refuse site or burying it in accordance with R645-301-553.250 which are the Refuse Pile Regulations.

The Division has spent many months in the review of the Hardscrabble Canyon Reclamation Plan and has approved the plan. Additionally, Chapter IX of the Mining and Reclamation Plan(MRP) which contains the soils information was completely rewritten and approved by the Division. The soils in the Hardscrabble Canyon are well documented. In fact there are inferences in soil descriptions that there is some refuse and development waste in the canyon. Therefore, it is incorrect for the Division to make a statement that they had become aware of this situation which infers a recent revelation.

The referenced regulation does not apply in this situation. The cited regulation is for refuse piles and not pre-SMCRA previously mined spoil. The #4 Mine Site is a previously mined area and falls under the R645-537 and 553.500 regulations.

AMAX will follow the approved reclamation plan as written for Hardscrabble Canyon which requires soil testing to be performed after the grading is complete. Any toxic spoil which is revealed through the testing program will be buried or covered in accordance with the approved plan.

The second stipulation requires channel bed samples to be analyzed for particle size fraction for gravel filter blanket design. AMAX has retained Earthfax Engineering in Salt Lake City to design the filter blanket. As soon as the reclamation ditch has been excavated, channel bed samples will be taken to Earthfax for testing and design.

Sincerely,

Richard H. Allison, Jr. P.E.
Project Supervisor

Attachment

RHA/pc

cc: Phil Dinsmoor
Steve Laird
George Womack