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AMAX COAL COMPANY

A Subsidiary of AMAX Coal Industries, Inc.

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6/9/92 CC JPB
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Laird
Orig. min file
Act/007/004



June 4, 1992

BELLE AYR MINE

RECEIVED
JUN 08 1992
DIVISION OF
OIL GAS & MINING

Dianne Nielson, Director
Utah Division of Oil, Gas, & Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

RE: NOV 92-39-2-1 Adit #1 Discharge

Dear Dianne,

Enclosed is a letter from Mr. Donald A. Hilden, Ph.D., Manager of Permitting & Compliance Section for the Division of Water Quality. In this letter he expresses that there is no need to have an NPDES point for the Adit #1 discharge. This means that the Adit #1 entry discharge water is not required to be conveyed to a sediment pond for treatment before leaving the disturbed area boundary.

I am hoping that you have vacated this violation by the time that you receive this letter. In the event you have not, I am requesting another 30 day extension of the abatement time. Authority for this extension beyond 90 days is given in R645-400-327.500.

AMAX believes that the remediation requiring stopping the discharge may violate MSHA safety standards. Additionally, an informal public hearing date needs to be set as soon as possible to view the site and establish criteria for vacating or safe abatement of the violation.

Sincerely,

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

RHA:vsn
cg018

Enclosure

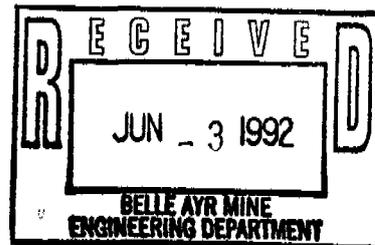
cc: G. Womack
S. Laird
S. Demczak, DOGM Price Field Office



State of Utah
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER QUALITY

Norman H. Bangerter
Governor
Kenneth L. Alkema
Executive Director
Don A. Ostler, P.E.
Director

288 North 1460 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
(801) 538-6146
(801) 538-6016 Fax



May 29, 1992

Mr. Richard H. Allison, Jr.
Amax Coal Company
- PO Box 3005 -
Gillette, Wyoming 82717-3005

RE: Inclusion of a Discharge Point; Permit No.
UTG040012

Dear Mr. Allison:

This letter is in reference to your letter dated May 11, 1992, concerning an inquiry pertaining to whether a natural spring discharge from the old "Utah Fuel #1 mine" needs a discharge permit. On the subject of "Post Mining Areas" 40 CFR 434.52(a) reads:

"(a) *Reclamation Areas.* The limitations in this subsection apply to discharges from reclamation areas until the performance bond issued to the facility by the appropriate SMCRA authority has been released."

This citation assumes that a permit has been issued to the discharge. Since no permit has been issued to the discharge, it is a small natural discharge (1.1 gpm), it has no water quality problems (except the TDS concentration is a bit high), and the Division of Oil Gas & Mining will require monitoring on a quarterly basis we see no need to require a permit for the discharge. If it becomes permitted we will be required to regulate it until the performance bond has been released, there are more important things we need to regulate.

If you have any further questions please contact Harry Campbell at the reply address above or call (801) 538-6146.

Sincerely,


Donald A. Hilden, Ph.D., Manager
Permitting & Compliance Section

DAH:hc/st

cc: Steve Burkett, EPA Region VIII, Water Management Div., NPDES Branch
David Ariotti, Southeast District Engineer
Claron Bjork, Southeastern Utah District Health Department

S:NPDES
FILE:AMAXD.LTR