

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO
 STREET AND NO.
 P.O., STATE AND ZIP CODE

Mr. & Mrs. Barry, Pleasant Valley, P.O. Box 539, Price, Utah

POSTMARK OR DATE
 RECEIVED
 JAN 31 1979
 STATE OF UTAH

OPTIONAL SERVICES FOR ADDITIONAL FEES
 1. Shows to whom and date delivered
 2. Shows to whom, date and where delivered

RETURN RECEIPT SERVICES
 DELIVER TO ADDRESSEE ONLY
 SPECIAL DELIVERY (extra fee required)

PS Form 3800
 Apr. 1971

NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL

(See other side)
 * GPO : 1972 O - 460-743

639445

No.

1. The following service is requested (check one):
 Show to whom and date delivered 15¢
 Show to whom, date, & address of delivery 35¢
 RESTRICTED DELIVERY
 Show to whom and date delivered 65¢
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Mr. & Mrs. Barry, Pleasant Valley, P.O. Box 539, Price, Utah 84501

3. ARTICLE DESCRIPTION:
Price Utah 84501

REGISTERED NO. *639445* INSURED NO.

1. I have received the article described above.
 Address Authorized agent

2. ARTICLE ADDRESS TO:
 (Always obtain signature of addressee or agent)
Price Utah 84501

3. DATE OF DELIVERY
 FEB 6 1979

4. SIGNATURE
John Brock

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

PS Form 3810, Mar. 1975

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, detach and retain the receipt and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. Endorse front of article RETURN RECEIPT REQUESTED.
4. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. Place the same endorsement in line 2 of the return receipt card if that service is requested.
5. Save this receipt and present it if you make inquiry.

STICK POSTAGE STAMPS TO ARTICLE TO COVER POSTAGE (first class or airmail), CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS

SENDER INSTRUCTIONS
 Print your name, address, and ZIP Code in the space below.
 • Complete items 1, 2, and 3 on the reverse.
 • Moisten gummed ends and attach to front of article.
 • If space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
 USE TO AVOID PAYMENT
 OF POSTAGE, \$300



RETURN
 TO



STATE OF UTAH (Name of Sender)
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS, AND MINING
 1588 WEST NORTH TEMPLE BOX
 SALT LAKE CITY, UTAH 84116

(City, State, and ZIP Code)

0016

SCOTT M. MATHESON
Governor



OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771
January 31, 1979

I. DANIEL STEWART
Chairman

CLEON B. FEIGHT
Director

CHARLES R. HENDERSON
JOHN L. BELL
THADIS W. BOX
C. RAY JUVELIN

REGISTERED - RETURN RECEIPT REQUESTED # 639445

FILE

Mr. T.F. Baily
Plateau Mining Company
P.O. Box 539
Price, Utah 84501

Re: Star Point #1 & 2 Mine
ACT/007/006
Violations discovered
during 1/9/79 inspection

Dear Mr. Baily:

As you know, on January 9, 1979 the Division and the U.S. Office of Surface Mining conducted an inspection of the above-mentioned mine to check for compliance with Division rules Part MC-700.00 et seq. The inspection revealed areas of the MC rules in which Plateau is now in violation with this operation.

The violations found by Division representatives Mary Ann Wright and Ronald W. Daniels on the above-mentioned date are as follows:

<u>No.</u>	<u>Rule</u>	<u>Violation</u>
1.	MC-717.11(b)	An approved hydrologic monitoring plan was not available at the mine site.
2.	MC-717.12(b)	The sign at the entrance to the mine does not depict the telephone number, address, or permit number of this mine.
3.	MC-717.14(c)	Fill material has been placed on the down-slope below the new road east of the Lion Portal deck extension. The rule prohibits this practice on slopes over 20 degrees (36%)

<u>No.</u>	<u>Rule</u>	<u>Violation</u>
4.	MC- 717.15 717.15 [715.15(a)(3)]	The lower coal processing waste disposal area has not been certified by a registered professional engineer, or if it has been, the Division has not received notice of same.
5.	MC-717.15[715.15(a)(6)]	No topsoil or organic materials were observed to be stockpiled from the lower disposal area for coal processing waste.
6.	MC-717.15[715.15(b)(4)]	On the upper disposal area for coal processing waste, topsoil and organic material have not been removed and conserved.
7.	MC-717.15[715.15(b)(1)]	The upper disposal area containing coal processing waste was not a Division-approved disposal area.
8.	MC-717.15[715.15(b)(12)]	The upper disposal area for coal waste was not inspected by a registered Professional Engineer or qualified professional specialist during critical construction periods, or if it has been, the Division has no record of same.
9.	MC-717.17	The Division does not have an approved hydrologic monitoring plan for surface or ground water that is or could potentially be affected by the mining operation.
10.	MC-717.20	Topsoil has not been removed and stockpiled from the surface area disturbed by construction of the Lion Portal deck extension.

You are hereby directed to abate the ten previously-mentioned violations within 60 days of your receipt of this letter. Abatement will consist of accomplishing the ten following performance measures.

<u>Violation</u>	<u>Performance Measure</u>
1.	Have available at or near the mine site a hydrologic monitoring plan that conforms with the requirements of Rule MC-717.17 and is approved by the Division.
2.	Construct a sign in accordance with Rule MC-717.12(b) at all points of public access to the mine site.

Violation

3.

4.

5.

6,7,8

Performance Measure

Cease placing fill material on the down slope below the road leading east from the Lion Portal deck extension and submit other detailed plans for the construction of this road which would not include the placing of fill down-slope from the road.

Submit a certification by a registered professional engineer that the lower coal processing waste disposal area has been constructed in accordance with the design criteria of MC-717.15[715.15]. This would be certified to the extent possible, since this waste disposal facility existed prior to May 3rd, 1978.

Submit a commitment that states that all surface soil will be conserved and that all organic material will be removed before expanding the lower waste disposal pile to virgin ground. Designate both in plans and on the ground where expansion will take place and a place where surficial soil will be deposited. Also, commit to temporary stabilization of soil from wind or water erosion.

Please be reminded that expansion of this pile into the adjacent drainage would change its designation to that of a valley fill and would change its design and construction criteria to that required under 715.15(b).

For the upper disposal area for coal processing waste, several items need to be addressed.

a. Submit plans for this disposal area certifying its design in accordance with 715.15(b) and any approvals that this facility has had from M.S.H.A. or other regulatory agency.

b. Though included in the above performance measure, make specific provisions, both in plans and on the ground for removing and conserving surficial soil and removing organic material from the surface of land to be covered. Since much surficial soil has already been covered here specific provisions must be made to obtain all available soil material for stockpiling and later use.

Violation
6,7,8, cont.

Performance Measure

- c. Submit reports of inspection performed during critical construction periods by a qualified professional specialist.
9. Prepare, submit and have approved by the Division a hydrologic monitoring plan for surface and ground water which is or could potentially be affected by the mining operation. Rule MC-717.17 should be used as a guide in the preparation of said plan.
10. In addition to the surface soil conservation measures required in Performance Measures numbers 5 and 6, an overall topsoil conservation commitment is needed. A commitment to save surficial soil exposed from all additional surface disturbance is needed. The commitment should designate both on a plan (map) and on the ground where surficial soil will be conserved. Measures should be included in the plan that provide for temporary stabilization of the surficial soil stockpile to prevent wind and water erosion.

If these violations are not abated as required in a timely manner, this matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas, and Mining.

Also, if you feel that the ten items listed are not violations or that an alternative method of achieving the performance standards can be utilized you may apply for a hearing for a Board determination.

Sincerely,



RONALD W. DANIELS
COORDINATOR OF MINED
LAND DEVELOPMENT

RWD/sp
cc: O.S.M., Denver