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PLATEAU MINING COMPANY
A Subsidiary of Getty Mineral Resources Company
P.O. Drawer PMC Price, Utah 84501-0904
Telephone (801) 637-2875

March 9, 1982

Wayne Hedberg
Utah Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, Utah 84114

Re: SEDIMENT PONDS 1, 3 & 5 VARIANCE

Dear Wayne:

Please find attached a report from R.& M. Consultants outlining possible methods to increase the static safety factors of the above mentioned ponds. The report also addresses the probabilities of embankment failure under a variety of conditions.

The report suggests various methods for bringing the ponds into compliance. The only credible option in Plateau Mining Company's opinion, is to relocate the structures in new areas exhibiting the necessary material properties to assure construction would meet the criteria for satisfactory static safety factors.

This determination would be based upon an extensive drilling and testing program with no guarantee that such locations exist in the permit area. Providing access for the drilling and testing would necessitate the destruction of a large number of acres of potentially critical habitat. Also, when you consider that the capacity of the ponds in question is less than two acre feet and that a total failure of any or all would pose no danger to property or safety of P.M.C. employees or the single residence in the area, it seems unreasonable to condemn the structures on an arbitrary static safety factor of 1.5 when in reality the ponds are stable and functioning as designed. It is P.M.C.'s contention that the cost and environmental depredation by such an action is unwarranted.

Based on the attached report, the evaluation by the U.D.W.R. and the revegetation efforts that P.M.C. has already implemented both on and

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adjacent to the ponds in question, it is P.M.C.'s contention that a variance is warranted.

Your concurrence and/or recommendation will be appreciated.

Sincerely,

PLATEAU MINING COMPANY

M. A. Coonrod
Environmental Coordinator

Attachment

MAC/lm

state of utah

DIVISION OF WILDLIFE RESOURCES
DOUGLAS F. DAY
Director
EQUAL OPPORTUNITY EMPLOYER
1596 West North Temple/Salt Lake City, Utah 84116/801-533-9333

January 25, 1982

Reply To SOUTHEASTERN REGIONAL OFFICE
455 West Railroad Avenue, Box 840, Price, Utah 84501
(801) 637-3310

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JAN 28 1982
PMC
FLOYD J. TUCKER

Mr. Floyd Tucker, General Manager
Plateau Mining Company
P.O. Drawer PMC
Price, Utah 84501

Attention: Mel Coonrod

Dear Floyd:

As per Plateau's request the Division has evaluated potential impacts on wildlife that could result from reconstruction of sediment ponds No. 1, 3 and 5 at locations other than where they now exist. The effluent leaving any of these ponds would have to flow in at least 9 miles of dry washes before it would reach Miller Creek which is a perennial stream. Miller Creek supports nongame fishes; segments of the stream are dewatered during the irrigation season through a series of diversions that serve the Miller Creek agricultural area. The return flow from irrigated areas recharges the stream channel.

The Division's concern is that adequate sediment pond capabilities be maintained by Plateau to keep industrial pollutants from reaching Miller Creek. If the now existing ponds are functional this need is considered to be satisfied. Redevelopment of the ponds at nearby locations would represent additional and unnecessary impacts from Plateau's mine or terrestrial habitats.

As you know there are unavoidable impacts on our wildlife resource associated with coal mining. Maintenance and continued use of the existing ponds will result in avoidance of unnecessary impacts on wildlife habitat that would result from construction of new ponds.

Floyd, the Division wants to take this opportunity to express our appreciation for your concern for the State's wildlife resources. Again thanks.

Sincerely,

John Livesay

John Livesay, Supervisor
Southeastern Region

JL:LBD:gp

cc: Darrell Nish

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