

**PLATEAU MINING COMPANY**

A Subsidiary of Getty Oil Company

P.O. Drawer PMC

Price, Utah 84501

Telephone (801) 637-2875

**RECEIVED****OCT 16 1984****DIVISION OF OIL  
GAS & MINING**

October 15, 1984

Mr. James Smith  
Division of Oil, Gas and Mining  
4241 State Office Building  
Salt Lake City, Utah 84114

Attn: David Lof

RE: SEDIMENT PONDS 1, 3 AND 5 - NOV 84-4-11-1

Dear Jim:

We would like to ask for a variance from part of UMC 817.46(r), for Ponds 3 and 5; specifically, the requirement that the ponds be inspected during construction by a professional engineer. The Division has found that Pond 1 does not need engineering certification, see letter from Dianne Nielson dated July 19, 1984. Our request for variance is based on the following:

1. The Division has accepted our presentation and re-examination of the static safety factor for Ponds 3 and 5, and determined that Stipulation No. 7 has been met, see DOGM letter dated August 16, 1983.
2. Ponds 3 and 5 will be sized as per original design requirements.

Pond 3 has been enlarged and now meets the size requirements. Pond 5 is being enlarged presently and only lacks a small amount of excavation to be at design size.

As David Lof can testify, we have been working diligently on both ponds to bring them into compliance by deadlines imposed, and we would easily have done so except for the adverse weather we have had. We had approximately \$125,000 worth of damage done to hydrologic structures during two rainstorm episodes; one between August 19 and August 25 and another between October 1 and October 3. After the August storms, Sediment Pond 4 was completely filled with sediment and the main canyon bypass 60-inch diameter culvert was plugged along with several other major areas of damage. As a result, we had to spend considerable time and effort in resolving crisis situations which delayed our enlarging of Pond 5.

October 15, 1984

Re: Sediment Ponds 1, 3 and 5

NOV 84-4-11-1

Page Two

We will continue with an all-out effort on Pond 5 until it is brought up to design size; we should have it completed this week.

We trust you will understand our situation and hope that something can be worked out to avoid a failure to abate situation on NOV 84-4-11-1.

Sincerely,

PLATEAU MINING COMPANY



Ben Grimes  
Environmental Coordinator

BG:sd