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PLATEAU MINING COMPANY

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C. L. ...

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DIVISION OF OIL
GAS & MINING

August 1, 1984

Ms. Mary Anne Wright
Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, Utah 84114

RE: NOV 84-4-11-1

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Man...
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Dear Ms. Wright:

Plateau Mining Company, in an effort to resolve questions concerning the documentation and construction techniques of sediment ponds protecting Plateau's permit area, has supplied correspondence and studies per DOGM's request.

There were three ponds, 1, 3 and 5, where the paper trail did not provide conclusive documentation that stipulations of UMC 817.46(r) had been met. Plateau Mining Company therefore submitted a request for a variance from UMC 817.46(r), (letter from Ben Grimes 4-4-84). In response, the Division in D. Wayne Hedberg's letter of 5-23-84, requested Plateau to provide a survey of the ponds verifying storage capacities, elevations, etc.

Plateau utilized survey data supplied by Bruce Ware, R.L.S., to determine annual pond cleaning requirements. Also, it was determined that Ponds 3 and 5 were undersized.

Plateau presented this information to DOGM on Monday, July 16, 1984 along with a commitment and schedule to rectify the problem.

At the meeting of July 16, Ben Grimes with Dianne Nielson, D. Wayne Hedberg and Dave Lof discussed the procedures for measuring and certifying the results of the expansions. Plateau also requested that the project at hand be conducted in conjunction with Plateau's request of July 26, 1983 to modify the decant structures. DOGM indicated that a decision pertaining to the decant structure would be provided on August 1, 1984.

Plateau was issued NOV 84-4-11-1 on Wednesday, July 18, 1984.

In 1983, Plateau Mining Company had a new hydrologic plan developed by Vaughn Hansen and Associates. The objective was to examine the site several years following the operation of the original hydrologic structures and determine their performance and to develop a plan that would be mutually understood and accepted by the Agency and Company. This new plan was presented to DOGM on January 13, 1984, along with a construction outline for adapting aspects of the new plan.

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On June 26, 1984, Plateau submitted to DOGM an upfront plan outlining 1984 environmental maintenance projects.

The intent of presenting this material to DOGM was to set forth Company objectives and obtain input from the Agency on techniques and priorities from DOGM's standpoint. Plateau's project format has focused on preventative structures that will provide reduced maintenance over time and ones that are compatible with the physiological parameters of the site.

As the Agency must realize, all contributing factors to a hydrologic and sedimentation control program are not clear cut. Plateau suspects that error and padding of safety factors contribute to the oversizing of ponds and conduits.

Plateau believes that to achieve an adequate protection of the environment at Wattis site, specific constraints and characteristics of the area must be taken into consideration. Plateau encourages the Agency to participate with the Company in addressing a practical solution to problems while not being reluctant to pursue innovative ideas or state of the art technology.

Plateau realizes that a property is a dynamic entity. In the past two years, we have examined the practicality of former plans and remedies; this information has been handed to the Agency and is openly discussed during inspections. There may be oversights or failure of mechanical devices; Plateau requests only that in such circumstances, the Company be provided the opportunity to initiate a remedy before the inspection team leaves the site.

The NOV is only an after-the-fact punishment or tool to force a Company to correct a problem. Plateau does not believe this action is appropriate in cases where the problem and plan-of-action has been presented to the Agency, on a voluntary basis, as was done prior to issuance of NOV 84-4-11-1.

Plateau has initiated the excavation of #3 Pond in accordance with the discussion and plan of July 16, 1984; #5 Pond will be expanded within the specified time frame.

We feel that receiving a violation on Ponds 3 and 5 did nothing to further the cooperative atmosphere that we have been attempting to establish with the Division. We would appreciate your consideration of our case, and would ask for vacation of the violation due to the reasons set forth above.

Sincerely,



Robert G. Lauman
Chief Engineer

RGL:sd

cc: Dr. Dianne Nielson

