



0053

STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

May 19, 1988

Mr. Carl Winters  
Kaiser Coal Corporation  
P. O. Box 10  
Sunnyside, Utah 84539

Dear Mr. Winters:

Re: Division Directive to Resolve TDN #88-02-107-4-TV2, Kaiser Coal Corporation, Sunnyside Mine, ACT/007/007, Folder #5, Carbon County, Utah

As a result of the recent OSM oversight inspection on April 27, 28 and 29, 1988, the Division hereby requests Kaiser Coal Corporation (Kaiser) to take the following actions in order to adequately address the Ten Day Notices (TDN) received.

UMC 817.46 requires that each sedimentation pond have an appropriate combination of primary and emergency spillways, in order to safely pass the design event. The Rail Cut Pond, Course Refuse Road Pond, Hoist House Pond, Manshaft Pond, Pasture Pond, and Upper and Lower No. 2 Canyon ponds do not comply with this regulation.

The previous Division approval of these structures was in error, therefore, no enforcement action will be taken. However, the installation of emergency chute-type spillways must be undertaken by Kaiser to adequately address this problem. The Division requests that Kaiser submit plans for emergency spillways for the previously noted ponds by June 30, 1988 and must commit to construct these spillways by September 30, 1988.

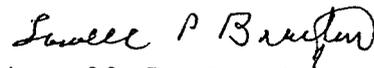
The second part of the TDN problem dealt with sediment controls for the borrow areas east of the east slurry cell. Both of these areas have increased in size over the last few years, and are no longer of an appropriate size, given the undisturbed drainage contribution from the east, to be treated by the silt fence in

Page 2  
Mr. Carl Winters  
0800R/48  
ACT/007/007

place. On May 11, 1988, Division staff were on site and discussed the options available for this situation with Barry Grosely of your staff. Option one is for Kaiser to submit plans for an undisturbed diversion on the east side of the borrow area to route undisturbed drainage from the east away from the borrow areas. This would allow adequate alternate sediment controls with a series of silt fences or similar type devices for the borrow area drainage. The other option is to construct a sediment pond for the borrow areas. Kaiser is hereby directed to submit plans by June 30, 1988, and commit to implement the approved plans no later than September 30, 1988 to address this problem.

Thank you for your cooperation in this matter. Please feel free to contact me if you should have any questions.

Sincerely,



Lowell P. Braxton  
Administrator  
Mineral Resource Development  
and Reclamation Program

JJW/djh  
cc: R. Hagen K. May  
J. Whitehead J. Fricke  
0800R/47-49