

0012



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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February 26, 1991

CERTIFIED RETURN RECEIPT  
P 755 090 791

Mr. Robert Hagen, Director  
Office of Surface Mining  
Reclamation and Enforcement  
Suite 310, Silver Square  
625 Silver Avenue, S.W.  
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

Re: Response to TDL X-91-02-246-2, U. S. Fuel Company, Hiawatha Mine,  
ACT/007/011, Folder #2, Carbon County, Utah

This letter responds to the above referenced Ten-Day-Letter, the certified copy of which was received at the Division offices on February 22, 1991.

**Number 1 of 1:** was written for failure to provide complete designs documenting that the requirements of R614-301-742.110 through 742.113 have been met. The particular locations cited are referred to as "small area exemptions".

**Response:**

In U. S. Fuel's plan the "small area exemptions" refer to areas exempt from reporting to a sediment pond, not areas exempt from sediment control. These areas are all treated by alternate means such as silt fences, straw bales, vegetative filters, etc. Today's terminology would refer to these areas as BTCA areas or areas treated by Best Technology Currently Available.

RECEIPT FOR CERTIFIED MAIL

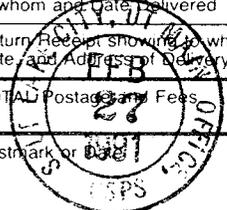
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(See Reverse)

DOGM ACT/007/011 FLDR #2 TDL X-91-

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Street and No. STE 310 SILVER SQUARE	
625 SILVER AV SW	
P.O., State and ZIP Code ALBUQUERQUE NM 87102	
Postage	\$ 29
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PS Form 3800, June 1985



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U. S. Fuel Company  
Hiawatha Mine  
ACT/007/011

In approving the use of BTCA at Hiawatha, the design decision for the alternate sediment control facilities is basically a question of professional engineering and hydrologic judgement. This is clearly allowed on a case by case basis, under the definition of BTCA as found in R614-100-200.

Further, the drainage from this type of area is not considered a point source and designs for meeting effluent limitations do not apply. Should the Division of Environmental Health require attainment of effluent limits for non-point source discharges, the Division will require conformance with the regulations in effect at that time.

Sincerely,



Lowell P. Braxton  
Associate Director, Mining

mbm  
cc: D. Haddock, DOGM  
S. Demczak, PFO  
BT007011.USF