

0039

From: melissa <cwmining@etv.net>
To: Pete Hess <petehess@utah.gov>
Date: 12/7/2007 10:57 AM
Subject: Hiawatha
Attachments: sediment pond abandonment.pdf

*Lucas
12/07/0011 9K*

Pete,

Attached is a scanned copy of the MSHA letters for Slurry pond #1 and #5 if you have any questions please call me at 435-687-5777 ext 2076.
Melissa

COPY

SURFACE MINE FILE	
DATE FWD.	10-11-07
INITIALS	Am

JA

SURNAME	DATE
Rehke	10/02/07
Owens	10/10/07
King	10/10

Coal Mine Safety and Health
District 9

OCT 11 2007

Elliot Finley
President
Hiawatha Coal Company, Inc.
P. O. Box 1202
Huntington, UT 84528

RE: King Mine
Mine ID No. 42-02157
Slurry Impoundment No. 1
ID No. 1211-UT-09-02157-01
Final Impoundment Abandonment

Dear Mr. Finley:

MSHA personnel have inspected the referenced impoundment and concur, as stated in your submittal, dated July 12, 2007, that the referenced site was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The above referenced impoundment is approved for final abandonment.

The referenced impoundment identification number will be removed from the mine file. MSHA inspection and reporting requirements no longer apply to the referenced structure.

If you have any questions regarding this approval, please contact Billy Owens at 303-231-5590 or Ronald Gehrke at 303-231-5587.

Sincerely,

/s/ Allyn C. Davis

Allyn C. Davis
District Manager

U.S. Department of Labor

Mine Safety and Health Administration
P.O. Box 25367
Denver, Colorado 80225-0367



OCT 19 2007

Coal Mine Safety and Health
District 9

Elliot Finley
President
Hiawatha Coal Company, Inc.
P. O. Box 1202
Huntington, UT 84528

RE: King Mine
Mine ID No. 42-02157
Slurry Impoundment No. 5
ID No. 1211-UT-09-02157-03
Impoundment Abandonment Plan

Dear Mr. Finley:

The referenced abandonment plan, dated July 12, 2007, has been reviewed by MSHA personnel and is approved in accordance with 30 CFR 77.216-5(a).

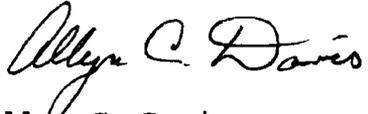
The abandonment project consists of breaching the East Embankment so that the referenced impoundment no longer impounds water, sediment, or slurry.

After the abandonment project has been completed, a professional engineer should certify that the completed project conforms to the approved abandonment plan and that no significant accumulations of water can be impounded at the site. This certification should include a contour map and/or photographs of the area.

The above information should be provided to this office. Members of my staff may visit the impoundment site to evaluate the final impoundment abandonment. The referenced facility will not be removed from the mine file until the above information has been received and final abandonment is approved.

If you have any questions regarding this approval, please contact Billy Owens at 303-231-5590 or Ronald Gehrke at 303-231-5587.

Sincerely,

A handwritten signature in cursive script that reads "Allyn C. Davis". The signature is written in black ink and is positioned above the typed name.

Allyn C. Davis
District Manager