

0049

*Incoming
c/007/0071*

From: Mark Reynolds <mark.reynolds@hiawathacoal.com>
To: Elliot Finley <efinley@efinley.com>
CC: Dana Dean <danadean@utah.gov>
Date: 12/29/2008 3:06 PM
Subject: Re: Hiawatha Bond Release

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Elliot,

If you remember I asked out about these deficiencies and if you could remember what happened during that time (the reclamation of Pond 5).

These deficiencies were addressed in our response.

For everything except the updates for Appendix V-15 we basically said that none of us were involved in the reclamation, and all records of the reclamation were lost in the fire. I know Priscilla wasn't happy with that response, but I don't see how we can give information that we don't have.

For the request that we update Appendix V-15 our response was that it was already updated. I am not sure when it happened because it wasn't done during the last 8 years that I have been involved, but if the DOGM staff would review Plate V-13 which shows the cross-sections they would see that cross-sections 0+00 through 8+00 are slurry Pond 5 main cell, section 10+00 is a transition between the two, and sections 12+00 through 18+00 are Pond 5a and Borrow Area A where future work will be done. Appendix V-15 shows zero earthwork left for section 0+00 through 8+00 except for section 2+00 which passes through sediment pond D007 which is treating the run off from the reclaimed area and still needs to be reclaimed and is not involved in the bond release.

Please let me know what you want us to do.

Mark

Dana Dean wrote:

- > Elliot:
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- > I apologize for not knowing all of the details of this bond release off hand. The assigned review team has just finished their review, and three deficiencies remain. All of them were included in an earlier review, but have not been responded to.
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- > Because we have yet to receive any findings from the Office of Surface Mining regarding this bond release, it cannot go forward at this time in any case.
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- > You may not use this existing surety as any part of the Bear Canyon Mine bond, or any other use until all steps of the Phase I bond release are complete.
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- > Please let me know if you have any questions.
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- > Thank you,
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