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**From:** Daron Haddock  
**To:** OGMCOAL  
**Date:** 6/2/2009 7:13 AM  
**Subject:** Fwd: Revised Disturbed Area Plan  
**Place:** OGMCOAL

>>> Dana Dean 6/1/2009 6:47 PM >>>  
Jay,

During a field visit on March 11, 2009 the Division discussed with you several ideas regarding your construction work at the site.

We asked you to do whatever necessary to get hydrologic controls in-place for your disturbed area. That included some disturbance in areas that were to be left as undisturbed islands according to your approved plan.

You were directed to work within the approved plan, except where changes were necessary to install hydrologic structures; and to get your amended plan back to us as soon as possible (no specific deadline was given at that time).

We also asked that you inform Pete Hess of any field changes ahead of time, and to work with him to avoid any type of off site impacts.

We appreciate the fact that you quickly installed the necessary hydrologic structures and controls, and that you have been working closely with Pete regarding field changes to your approved plan. However, because you are now working with a hybrid plan that is neither the approved plan, nor the revised plan you submitted last year, it is difficult for us to have a consistency among our staff regarding inspection. It is also difficult for us to know if you are using best practices to carry out certain aspects of your work. We would like to avoid this problem, and be sure that you are working from an approved plan that all of our inspectors have access to.

To avoid further confusion and inefficiency, we need a quick response to the January 2009 deficiency letter regarding your application to revise the plan for the disturbed area. **Please submit that no later than June 18 to avoid compliance action.**

We would like to avoid further compliance actions, and adversarial stances, while ensuring that your plan is as complete as possible and that you are adhering to it. Your continued cooperation in this effort is greatly appreciated. A quick discussion ahead of time can avoid an unpleasant encounter down the road.

Please feel free to contact our staff at anytime to discuss any aspects of the work you are doing on the ground, to ask questions about the deficiencies in your amendment request, or for any other reason.

Please let me know if you have any questions.

Thank you,

Dana Dean, P.E.  
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