

0007



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

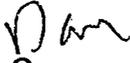
Norman H. Bangertter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

September 4, 1991

CERTIFIED RETURN RECEIPT  
P 074 979 165

Mr. Dan Guy, Manager  
Beaver Creek Coal Company  
P.O. Box 1378  
Price, Utah 84501

  
Dear Mr. Guy:

Re: Division Order, Beaver Creek Coal Company (Mountain Coal Company),  
Gordon Creek #2, #7, & #8 Mine, ACT/007/016-DO-91B, Folder #3, Emery  
County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the  
Gordon Creek #2, #7, & #8 Mine. If in your review of this Order you have any  
questions, please call me or Pamela Grubaugh-Littig.

Sincerely,



Lowell P. Braxton  
Associate Director, Mining

jbe

Enclosure

cc: Pamela Grubaugh-Littig  
Joe Helfrich  
Tom Munson  
Bill Malencik  
Henry Sauer

AT007016.91B

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

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PERMITTEE

Dan Guy  
Beaver Creek Coal Company  
Gordon Creek #2, #7, & #8  
P.O. Box 1378  
Price, Utah 84501

ORDER & FINDINGS  
of  
PERMIT DEFICIENCY

PERMIT NUMBER ACT/007/016  
DIVISION ORDER # DO-91B

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PURSUANT to R614-303-212, the DIVISION ORDERS the PERMITTEE, Beaver Creek Coal Company (Mountain Coal Company), to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R614-303-220.

Findings of Permit Deficiency

Regulation Citation

- 742.223. Sedimentation ponds not meeting the size or other qualifying criteria of the MSHA, 30 CFR 77.216(a) will provide a combination of principal and emergency spillways that will safely discharge a 25-year, 6-hour precipitation event. Such ponds may use a single spillway if the spillway is:
- 742.223.1. An open channel of nonerodible construction and capable of maintaining sustained flows; and
- 742.223.2. Not earth- or grass-lined.

Permit Deficiency

Pond #2 has only one culvert spillway which does not meet the requirements of the rules shown above.

Information required to be submitted

The operator must submit plans to rebuild pond #2 to meet the requirements of the rules.

Beaver Creek Coal Company (Mountain Coal Company) is ordered to make the requisite permit changes in accordance with R614-303.220, and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of receipt of this order. Approval by the Division must be obtained within 60 days of receipt of this order. All approvals not obtained within 60 days may result in a hindrance violation unless a request for extension has been obtained by the Director.

Ordered this 4 day of September, 1991, by the Division of Oil, Gas and Mining.

*Lawell P. Brantner*

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Dianne R. Nielson, Director  
Division of Oil, Gas and Mining

jbe  
cc: Tom Mitchell  
Joe Helfrich  
DIVISORD.FIN

DOGM JBE ACT/007/016 DO-91B

P 074 979 165

RECEIPT FOR CERTIFIED MAIL  
NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

Sent to	DAN GUY MANAGER BEAVER CREEK COAL COMPANY PO BOX 1378 PRICE UT 84501
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	Hand Delivered 9-5-91 by Kelley

PS Form 3800, June 1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1988-217-132

**SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.**  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  
DAN GUY MANAGER  
BEAVER CREEK COAL COMPANY  
PO BOX 1378  
PRICE UT 84501

4. Article Number  
P 074 979 165

Type of Service:  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address  
X *Daniel A. Strong*

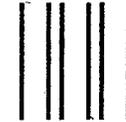
6. Signature - Agent  
X

7. Date of Delivery  
9/5/91

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT  
DOGM JBE ACT/007/016 DO-91B

UNITED STATES POSTAL SERVICE  
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- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

STATE OF UTAH  
NATURAL RESOURCES  
OIL, GAS, & MINING  
TRIAD CENTER, SUITE 300  
SALT LAKE CITY, UTAH 84143-1007