

PERMIT CHANGE TRACKING FORM

DATE RECEIVED	4/11/94	PERMIT NUMBER	ACT/007/017
Title of Proposal:	3 SAE'S	PERMIT CHANGE #	94A
Description:	Abatement of violation N94-26-1-1.	PERMITTEE	Mr. Carl B.
		MINE NAME	G.C. # 3: # 6

<input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION <input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee. <input type="checkbox"/> Request additional review copies prior to Division/Other Agency review. <input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.) <input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.	DATE DUE	DATE DONE	RESULT
		4/12/94	<input checked="" type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED

REVIEW TRACKING	INITIAL REVIEW		MODIFIED REVIEW		FINAL REVIEW AND FINDINGS	
DOGMR REVIEWER	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> Administrative _____						
<input type="checkbox"/> Biology _____						
<input type="checkbox"/> Engineering _____						
<input type="checkbox"/> Geology _____						
<input type="checkbox"/> Soils _____						
<input type="checkbox"/> Hydrology <u>Scott</u>	5/11/94					
<input type="checkbox"/> Bonding _____						
<input type="checkbox"/> AVS Check _____						

COORDINATED REVIEWS	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> OSMRE						
<input type="checkbox"/> US Forest Service						
<input type="checkbox"/> Bureau of Land Management						
<input type="checkbox"/> US Fish and Wildlife Service						
<input type="checkbox"/> US National Parks Service						
<input type="checkbox"/> UT Environmental Quality						
<input type="checkbox"/> UT Water Resources						
<input type="checkbox"/> UT Water Rights						
<input type="checkbox"/> UT Wildlife Resources						
<input type="checkbox"/> UT State History						
<input type="checkbox"/> Other						

<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision)	<input checked="" type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.	4/29/94
<input type="checkbox"/> Copies of permit change marked and ready for MRP.	<input type="checkbox"/> Notice of <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee.	
<input type="checkbox"/> Special Conditions/Stipulations written for approval.	<input type="checkbox"/> Copy of Approved Permit Change to File.	
<input type="checkbox"/> TA and CHIA modified as required.	<input type="checkbox"/> Copy of Approved Permit Change to Permittee.	
<input type="checkbox"/> Permit Change Approval Form ready for approval.	<input checked="" type="checkbox"/> Copies to Other Agencies and Price Field Office.	5/13/94

APPLICATION FOR PERMIT CHANGE

Title of Change: *Request for Approval of Small Area Exemptions.*

Permit Number: *INA10071017*

Mine: *Gordon Creek 3/6 Mines*

Permittee: *Mountain Coal Co.*

Description, include reason for change and timing required to implement:
*For Abatement (Option II) of N.O.V. 94-26-1-1.
 Approval Required by 5/31/94.*

- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # <i>94-26-1-1</i> |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.# |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain: |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Dana Ballard for Kathleen J. Holt 4/18/94
 Signed - Name - Position - Date

Subscribed and sworn to before me this 8 day of April, 19 94
Dana Ballard
 Notary Public

My Commission Expires: 9-27, 19 97
 Attest: STATE OF _____ COUNTY OF _____
JEAN CARROLL



DANA BALLARD
 NOTARY PUBLIC - STATE of UTAH
 865 EAST 2800 SOUTH
 PRICE, UTAH 84501
 COMM. EXP. 9-27-97

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER

PERMIT AMENDMENT APPROVAL

Title:	PERMIT NUMBER:
Description:	PERMIT CHANGE #:
	MINE:
	PERMITTEE:

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL

YES, NO or N/A

1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:	
A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or	
B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	
3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	
4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	
5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.).	
6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	
10. The Applicant has satisfied the applicable requirements of R645-302.	
11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL

YES NO

1. Are there any variances associated with this permit amendment approval? If yes, attach.			
2. Are there any special conditions associated with this permit amendment approval? If yes, attach.			
3. Are there any stipulations associated with this permit amendment approval? If yes, attach.			

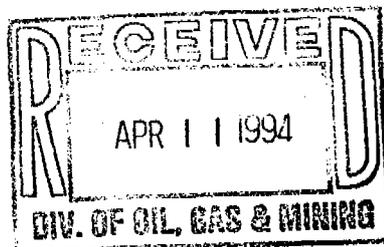
The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed _____

Director, Division of Oil, Gas and Mining

_____ EFFECTIVE DATE

Mountain Coal Company
West Elk Mine
Post Office Box 591
Somerset, Colorado 81434
Telephone 303 929-5015



April 8, 1994

He1/067/017

94A

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: N.O.V. # 94-26-1-1
Mountain Coal Co.
Gordon Creek No. 3/6 Mines
INA/007/017 #2
Carbon County, Utah

*Copy Cover Letter to
Joe - Bill M.
Copy to Amend
File!*

File

Dear Ms. Littig:

Enclosed are 3 copies of a proposed amendment for the Gordon Creek No. 3/6 Mine permit. This information is being submitted for the abatement of the above referenced violation.

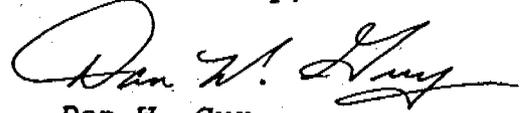
The purpose of the amendment is to designate 2 small areas of the reclaimed site as Small Area Exemptions. These are areas which do not drain to the sediment ponds; however, they are bermed and revegetated and show no evidence of erosion or discharge. The areas were part of the total minesite reclamation performed in 1986.

The justification for requesting the areas be approved as Small Area Exemptions is based on the recent Vegetation Surveys and Sediment Production Evaluation performed on the entire minesite for the Phase II Bond Release, which was submitted to the Division on 12/06/93. This information confirms the adequacy of the site revegetation and shows that sediment contribution is at or below, levels of the undisturbed areas; therefore, sediment control measures should not be necessary for the reclaimed site, including the areas proposed as Small Area Exemptions.

I have included a copy of the 1993 Vegetation Study and the Sediment Production Evaluation to be added as Appendices 10 and 11 respectively. Also included is a revised Plate 3-1A and pages 7-32 and 7-32a to replace corresponding pages in the M.R.P.

It is our hope this proposal meets with your approval. If you have any questions, or need any further information, please let me know.

Respectfully,



Dan W. Guy,
for Kathleen G. Welt

cc: Kathy Welt, MCC
Scot Anderson, Arco
Bill Malencik, DOGM
File

Mountain Coal Company
West Elk Mine
Post Office Box 591
Somerset, Colorado 81434
Telephone 303 929-5015



April 8, 1994

Ms. Pamela Grubaugh-
Permit Supervisor
Utah Division of Oil
355 West North Temple
3 Triad Center, Suite
Salt Lake City, Utah

Post-It routing request pad 7664
BRAND

ROUTING - REQUEST

Please

- READ
- HANDLE
- APPROVE
- and
- FORWARD
- RETURN
- KEEP OR DISCARD
- REVIEW WITH ME

To Pam
This is
ready for
approval
Thanks

Date 4/9 From Dave

Dear Ms. Littig:

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Mountain Coal Company
West Elk Mine
Post Office Box 591
Somerset, Colorado 81434
Telephone 303 929-5015



April 8, 1994

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: N.O.V. # 94-26-1-1
Mountain Coal Co.
Gordon Creek No. 3/6 Mines
INA/007/017
Carbon County, Utah

Dear Ms. Littig:

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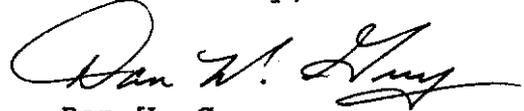
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Respectfully,



Dan W. Guy,
for Kathleen G. Welt

cc: Kathy Welt, MCC
Scot Anderson, Arco
Bill Malencik, DOGM
File

PERMIT CHANGE TRACKING FORM

DATE RECEIVED	4/11/94	PERMIT NUMBER	ACT/007/017
Title of Proposal:	3 SAE'S	PERMIT CHANGE #	94A
Description:	Abatement of violation N94-26-1-1.	PERMITTEE	Gen. Coal Co.
		MINE NAME	G.C. # 35 # 6

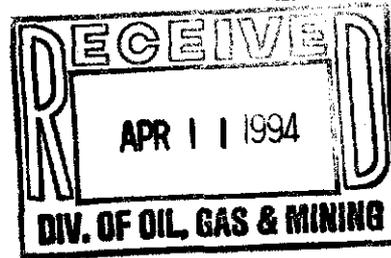
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			4/12/94	<input checked="" type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED
			Permit Change Classification	
			<input type="checkbox"/> Significant Permit Revision	
			<input checked="" type="checkbox"/> Permit Amendment	
			<input type="checkbox"/> Incidental Boundary Change	

REVIEW TRACKING	INITIAL REVIEW		MODIFIED REVIEW		FINAL REVIEW AND FINDINGS	
DOGM REVIEWER	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> Administrative						
<input type="checkbox"/> Biology						
<input type="checkbox"/> Engineering						
<input type="checkbox"/> Geology						
<input type="checkbox"/> Soils						
<input type="checkbox"/> Hydrology	5/11/94	4/28/94				
<input type="checkbox"/> Pending						
<input type="checkbox"/> AVS Check						

COORDINATED REVIEWS	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> OSMRE						
<input type="checkbox"/> US Forest Service						
<input type="checkbox"/> Bureau of Land Management						
<input type="checkbox"/> US Fish and Wildlife Service						
<input type="checkbox"/> US National Parks Service						
<input type="checkbox"/> UT Environmental Quality						
<input type="checkbox"/> UT Water Resources						
<input type="checkbox"/> UT Water Rights						
<input type="checkbox"/> UT Wildlife Resources						
<input type="checkbox"/> UT State History						
<input type="checkbox"/> Other						

<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision) <input type="checkbox"/> Copies of permit change marked and ready for MRP. <input type="checkbox"/> Special Conditions/Stipulations written for approval. <input type="checkbox"/> TA and CHIA modified as required. <input type="checkbox"/> Permit Change Approval Form ready for approval.	<input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied. <input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee. <input type="checkbox"/> Copy of Approved Permit Change to File. <input type="checkbox"/> Copy of Approved Permit Change to Permittee. <input type="checkbox"/> Copies to Other Agencies and Price Field Office.
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Mountain Coal Company
West Elk Mine
Post Office Box 591
Somerset, Colorado 81434
Telephone 303 929-5015



April 8, 1994

*Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203*

Re: N.O.V. # 94-26-1-1
Mountain Coal Co.
Gordon Creek No. 3/6 Mines
INA/007/017
Carbon County, Utah

Dear Ms. Littig:

Enclosed are 3 copies of a proposed amendment for the Gordon Creek No. 3/6 Mine permit. This information is being submitted for the abatement of the above referenced violation.

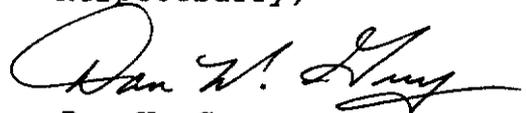
The purpose of the amendment is to designate 2 small areas of the reclaimed site as Small Area Exemptions. These are areas which do not drain to the sediment ponds; however, they are bermed and revegetated and show no evidence of erosion or discharge. The areas were part of the total minesite reclamation performed in 1986.

The justification for requesting the areas be approved as Small Area Exemptions is based on the recent Vegetation Surveys and Sediment Production Evaluation performed on the entire minesite for the Phase II Bond Release, which was submitted to the Division on 12/06/93. This information confirms the adequacy of the site revegetation and shows that sediment contribution is at or below, levels of the undisturbed areas; therefore, sediment control measures should not be necessary for the reclaimed site, including the areas proposed as Small Area Exemptions.

I have included a copy of the 1993 Vegetation Study and the Sediment Production Evaluation to be added as Appendices 10 and 11 respectively. Also included is a revised Plate 3-1A and pages 7-32 and 7-32a to replace corresponding pages in the M.R.P.

It is our hope this proposal meets with your approval. If you have any questions, or need any further information, please let me know.

Respectfully,



Dan W. Guy,
for Kathleen G. Welt

cc: Kathy Welt, MCC
Scot Anderson, Arco
Bill Malencik, DOGM
File

7.2.3.2 Sedimentation Control Structure and Diversions
(Continued)

Maintenance: The sedimentation pond will be inspected after each major storm, and the sediment cleaned as necessary, until bond release. If sediment removal is required, it will be taken to an approved refuse site for final disposal.

7.2.3.3 Small Area Exemptions

There are 2 small areas of the reclaimed site that do not drain to the sediment ponds. These areas are on the opposite side of the reclaimed channel from the ponds. When the site was reclaimed in 1986, these areas were disked, revegetated and bermed to prevent any discharge to the restored, undisturbed channel. As of April, 1994, the areas show no evidence of erosion or discharge, and are adequately vegetated. Vegetation studies and a Sediment Production Evaluation (Sed-Cad Analysis) conducted in 1993, show the entire minesite to meet the vegetation and sediment production requirements for Phase II Bond Release, indicating no further need for sediment controls on the reclaimed site, including the Small Area Exemptions. The S.A.E. areas are shown on Plate 3-1A, and are designated S.A.E. #1 and S.A.E. #2.

S.A.E. #1

S.A.E. #1 is a reclaimed area north of the road and east of the restored channel. This is an area of approximately 0.316 acres, and is bermed and revegetated. The 100 year, 24 hour storm runoff from this area would be approximately 0.054 acre feet.

S.A.E. #2

This is the area west of the access road and east of the restored channel near the sediment ponds. The area consists of approximately 0.703 acres, and it is also bermed and revegetated. The 100 year, 24 hour storm runoff from this area would be approximately 0.121 acre feet.

Mining and Reclamation Plan
Gordon Creek Nos. 3 and 6 Mine Permit Application

7.2.4 Effect of Mining on Surface Water

Impacts to Coal Canyon Creek are expected to be minimal. Most of the pre-existing disturbance such as road cuts are being revegetated in order to minimize surface erosion. Diversions and sediment ponds have been designed and constructed to control runoff and improve water quality characteristics of discharge from disturbed areas.

7.2.5 Mitigation and Control Plans

Beaver Creek Coal Company will continue to maintain the proposed sedimentation control features throughout the life of mining related activities at Nos. 3 and 6 Mines. Surface disturbance will be limited to what is currently present. The on-going surface water monitoring program will be used to detect any problems with sedimentation control features so that they can be rectified. Water samples are taken and analyzed on a quarterly basis. In addition, an on-site inspection of the reclaimed site will be conducted at least bi-weekly for the first year following reclamation and at least monthly thereafter, until bond release. This inspection will be to examine and maintain erosion and sediment controls and evaluate the need for additional maintenance. If it is determined that additional maintenance is required, (machinery, etc.) such work will be performed within one week or as soon as practicable thereafter, depending on weather or other restricting conditions.

7.2.6 Surface Water Monitoring Plans

Beaver Creek Coal Company currently has an on-going surface water monitoring program. There are two monitoring locations as follows: a) Coal Canyon above mine site, and b) Coal Canyon below sedimentation ponds. Copies of data are sent to OSM and Utah DOGM. Copies of the data are available through the Beaver Creek Coal Company Office in Price, Utah.

APPENDIX 10

VEGETATION SAMPLING:
RECLAIMED AREAS OF THE
GORDON CREEK NO. 3 & 6 MINES

1993



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 29, 1994

Kathleen G. Welt
Environmental Supervisor
Mountain Coal Company
P.O. Box 591
Somerset, CO 81434

Re: Approved Abatement Plan for Violation #N94-26-1-1, Mountain Coal Company, Gordon Creek #3 and #6 Mines, ACT/007/017-94A, Folder #3, Carbon County, Utah

Dear Ms. Welt:

The above-noted amendment has been reviewed and is approved.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Pamela Grubaugh Littig'.

Pamela Grubaugh Littig
Permit Supervisor

cc: Joe Helfrich
Bill Malencik, PFO





State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 29, 1994

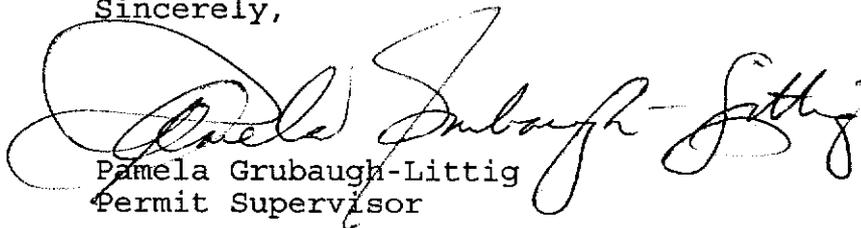
Mr. Robert Hagen, Director
Office of Surface Mining
Reclamation and Enforcement
505 Marquette N.W., Suite 1200
Albuquerque, New Mexico 87102

Re: Approved Abatement Plan for Violation #N94-26-1-1, Mountain
Coal Company, Gordon Creek #3 and #6 Mines, ACT/007/017-94A,
Folder #2, Carbon County, Utah

Dear Mr. Hagen:

Attached please find the approved information to update the
Gordon Creek #3 and #6 plan.

Sincerely,


Pamela Grubaugh-Littig
Permit Supervisor

cc: Bill Malencik, PFO





State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 28, 1994

To: Darron Haddock, Permit Supervisor

From: Scott Milovich, Reclamation Specialist SM

RE: Abatement of Violation N94-26-1-1, Mountain Coal Co., Gordon Creek 3 & 6 Mines, ACT 007 017, Folder #5, Carbon County, Utah

Synopsis of Proposal

The proposal received by the Division on 4/11/94 seeks to amend the permit by designating 2 small areas of the reclaimed site as Small Area Exemptions as per Option 2 of the NOV abatement.

Analysis

The areas SAE 1 and SAE 2 are .316 acres and .703 acres respectively. As a demonstration that siltation structures are not necessary for these areas the operator submitted a vegetation study and a sediment production evaluation (Sed-Cad). The vegetation study and the sediment production evaluation were the same as those submitted for Phase II Bond Release for the entire mine site on 12/6/93. In addition a revised map Plate 3-1A showing the 2 proposed SAE's, and revised pages 7-32 and 7-32a for the M.R.P. were also submitted.

The information provided indicates that the vegetation on the entire mine site meets or exceeds that of the reference area, and that post-mining sediment production is less than pre-mining sediment production. This information is sufficient to indicate that sediment control structures are not necessary for the 2 proposed areas as per R645-301-742.240.

Recommendation

The proposed amendment to the permit for Mountain Coal Co., Gordon Creek 3 & 6 Mines, ACT 007 017 should be approved without conditions.





State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 12, 1994

Kathleen G. Welt
Environmental Supervisor
Mountain Coal Company
P.O. Box 591
Somerset, CO 81434

Re: Initial Review Response -- Accepted, Abatement Plan for Violation #N94-94-26-1-1, Three Small Area Exemptions, Gordon Creek #3 and #6, ACT/007/017-94A, Folder #3, Carbon County, Utah

Dear Ms. Welt:

The Division received the proposed amendment, Abatement Plan for Violation #N94-26-1-1, on April 11, 1994 and has determined the application complete. This amendment has been assigned the permit change number, ACT/007/017-94A.

The anticipated completion of this review is by April 28, 1994, at which time you will be notified of the amendment status.

If you have any questions, please call me.

Sincerely,

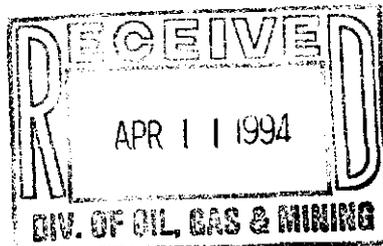
A large, stylized handwritten signature in black ink, appearing to read 'Pamela Grubaugh-Littig'.

Pamela Grubaugh-Littig
Permit Supervisor

cc: Joe Helfrich



Mountain Coal Company
West Elk Mine
Post Office Box 591
Somerset, Colorado 81434
Telephone 303 929-5015



April 8, 1994

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: N.O.V. # 94-26-1-1
Mountain Coal Co.
Gordon Creek No. 3/6 Mines
INA/007/017 #2
Carbon County, Utah

*Copy Cover Letter to
File: Bill M.
Copy to Amend
File*

File

Dear Ms. Littig:

Enclosed are 3 copies of a proposed amendment for the Gordon Creek No. 3/6 Mine permit. This information is being submitted for the abatement of the above referenced violation.

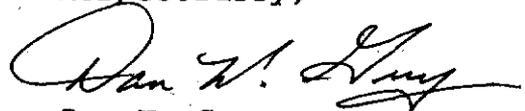
The purpose of the amendment is to designate 2 small areas of the reclaimed site as Small Area Exemptions. These are areas which do not drain to the sediment ponds; however, they are bermed and revegetated and show no evidence of erosion or discharge. The areas were part of the total minesite reclamation performed in 1986.

The justification for requesting the areas be approved as Small Area Exemptions is based on the recent Vegetation Surveys and Sediment Production Evaluation performed on the entire minesite for the Phase II Bond Release, which was submitted to the Division on 12/06/93. This information confirms the adequacy of the site revegetation and shows that sediment contribution is at or below levels of the undisturbed areas; therefore, sediment control measures should not be necessary for the reclaimed site, including the areas proposed as Small Area Exemptions.

I have included a copy of the 1993 Vegetation Study and the Sediment Production Evaluation to be added as Appendices 10 and 11 respectively. Also included is a revised Plate 3-1A and pages 7-32 and 7-32a to replace corresponding pages in the M.R.P.

It is our hope this proposal meets with your approval. If you have any questions, or need any further information, please let me know.

Respectfully,



Dan W. Guy,
for Kathleen G. Welt

cc: Kathy Welt, MCC
Scot Anderson, Arco
Bill Malencik, DOGM
File