



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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November 12, 1991

Mr. Johnny Pappas, Environmental Coordinator
Soldier Creek Coal Company
P.O. BOX 1
Price, Utah 84501

Dear Mr. Pappas:

Re: Sediment Pond Modification Delay, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018, Folder #2, Carbon County, Utah

On October 23, 1991 Sharon Falvey contacted you to find out if Soldier Creek Coal Company (SC3) had completed the pond modifications and submitted the certified "as built" designs required in stipulation R614-301-733-(1)-SKF and attached to the July 19, 1991 permit revision. You indicated that the pond was not modified because of circumstances resulting from the September 7, 1991 precipitation event. Ms. Falvey requested that you submit a memo addressing the delay in pond modifications.

On October 24, 1991 the Division received a memo from SC3 addressing the reason for delay of the sediment pond modification associated with the road expansion approval. The reasons identified were:

1. The precipitation event on September 7, 1991 resulting in muddy soil conditions.
2. Options to proceed with the modifications during muddy soil conditions were thought to be impractical or a safety concern subject to MSHA violations.
3. A discussion with Rick Summers of DOGM, during a site visit on September 23, 1991, led you to believe that pond modifications could be completed when work conditions were conducive.

The applicant also stated that all pond modifications should be complete by the end of November 1991.

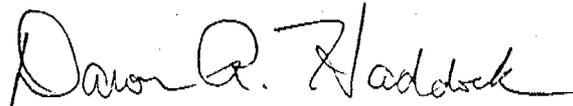
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In the pond modification review and stipulation, R614-301-733-(1)-SKF, the Division allowed the operator to proceed with construction upon concurrence from the Department of Health. On July 30, 1991 the Division sent a memo to Soldier Creek indicating the operator was to commence with the proposed changes as soon as possible. Although the operator did not address the time period between July 30, 1991 and the September 7, 1991 precipitation event, the stipulation did give SC3 until October 11, 1991 to complete all requirements including pond modifications.

In considering the information presented above the Division is extending time for pond completion to November 30, 1991, and for submittal of certified pond "as built" designs and text clarification to December 13, 1991. Enforcement actions will result if the operator does not meet these time constraints.

If you have any questions regarding the pond modifications please contact me.

Sincerely,



Daron R. Haddock
Permit Supervisor

skf
cc: S. Falvey, DOGM
SC3POND.MSF