



0011

STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

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

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

May 27, 1988

CERTIFIED RETURN RECEIPT REQUESTED  
(P 879 596 362)

Mr. Robert Hagen, Director  
Albuquerque Field Office  
Office of Surface Mining  
Reclamation and Enforcement  
Suite 310, Silver Square  
625 Silver Avenue, S. W.  
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

RE: TDN X88-02-107-6, Andalex Resources, Centennial Project,  
ACT/007/019, Folder 5, Carbon County, Utah

This letter responds to the above referenced Ten-Day Notice, the certified copy of which was received at the Division's offices May 23, 1988.

1. Number 1 of 2 was issued for failure "to provide for an appropriate combination of principal and emergency spillways at sediment pond C." UMC 817.46(i).

Response - The Division contends that the spillways in the operator's pond C are adequate to satisfy UMC 817.46(i). There is an 18-inch inverted culvert acting as a primary spillway and a 36-inch culvert acting as the emergency spillway, as clearly shown in the MRP Volume II, Plate 19.

The 18-inch culvert does run into the 36-inch culvert; however, the regulation does not specify that the spillways have to be completely separate. Furthermore, the pond has been certified to be constructed as per approved specifications by a registered professional engineer.

It should also be pointed out that this pond has previously weathered a 50-year storm event (operator has documentation) and has never discharged.

It is felt by the Division that enforcement action is unnecessary and that the TDN should be withdrawn.

**SENDER:** Complete items 1, 2, 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 service(s) requested.

- Show to whom, date and address of delivery.
- Restricted Delivery.

3. Article Addressed to: **R. Hagen, Director  
Office of Surface Mining  
Ste. 310, Silver Square  
625 Silver Ave. S.W.  
Albuquerque N.M. 87102**

4. Type of Service: Article Number  
 Registered  Insured  
 Certified  COD  
 Express Mail  
**P 879 596 362**

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee  
**X**

6. Signature - Agent  
**X**

*Wilson Henry*

7. Date of Delivery  
**6/1/83**

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

P 879 596 362

RECEIPT FOR CERTIFIED MAIL

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

Sent to **MR. R. Hagen, Director  
Office of Surface Mining  
Ste. 310, Silver Square  
P.O. State and ZIP Code  
Albuquerque N.M. 87102**

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

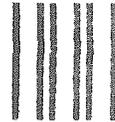
TOTAL Postage and Fees \$

Postmark or Date **USA 0**

ACT/007/019 *Dr*

PS Form 3800, June 1985

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS



**SENDER INSTRUCTIONS**  
Print your name, address, and ZIP Code in the space below.  
 • 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."

STATE OF UTAH  
NATURAL RESOURCES  
OIL, GAS, & MINING  
3 TRIAD CENTER, SUITE 350  
SALT LAKE CITY, UTAH 84180-1203

PENALTY FOR PRIVATE USE, \$300

RETURN TO

\_\_\_\_\_  
(Name of Sender)

\_\_\_\_\_  
(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

\_\_\_\_\_  
(City, State, and ZIP Code)

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

- 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)
- 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.
- 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.
- 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.
- 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.
- Save this receipt and present it if you make inquiry.

May 27, 1988

2. Number 2 of 2 was issued for failure "to pass surface drainage from the disturbed area through a sedimentation pond, a series of sedimentation ponds or a treatment facility before leaving the permit area; and/or failure to obtain an exemption from the requirements for small areas. The office, topsoil stockpile, pad and pad outslope and road." UMC 817.42(a)(1) & (3).

Response - The Division has previously addressed this issue during the 5-year permit review and is currently working with the operator to remedy the situation under the guidelines of Directive INE-27.

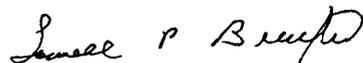
In the permit stipulation review, dated December 23, 1987, (page 13), the operator was asked to "clearly delineate the areas that do not drain to the sediment pond and then clearly detail what alternative measures are being taken to ensure that runoff meets effluent standards."

During this interim period, it should be noted that the road and office pad area in question have previously been paved to reduce erosion; the topsoil pile is very well vegetated with an adequate berm around it; and the outslope and ditches have been protected using straw bales.

In the event that this area does not qualify for a small area exemption, the Division will require that runoff from the aforementioned area shall report to the sediment pond to be constructed later this summer for the Aberdeen portals.

In as much as the Division is taking action to mitigate these defects in the MRP, it is felt that a violation is unwarranted at this time and suggests that the TDN be withdrawn.

Sincerely,



Lowell P. Braxton  
Administrator  
Mineral Resource Development  
and Reclamation Program

slo

cc: Mike Glasson (Centennial)  
K. May  
J. Helfrich  
S. Linner  
D. Haddock

0031Q