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cc: JAC
V. J. W. 11/11/93
file Blazon
cc: D. Haddock
TAM
BC
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9-13-93

Steven K. Tanner
Rt. 1 Box 146. G-3
Helper, Utah 84526

September 7, 1993

DIVISION OF
OIL, GAS & MINING

Mr. James Carter
Division Director
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: Blazon Mine, INA/007/021, Carbon County, Utah

Dear Mr. Carter

Another construction season has arrived and has nearly passed by, with UDOGM still rendering this property ineffectual by implementing bureaucratic delays to further disregard reclamation, environmental and landowner concerns.

This landowner is sick and tired of sending in citizen complaints supported by Federal Regulations and facts, only to receive the expected evasive double talk in return.

Last week we were approached by an investment group to syndicate properties, however, due to the ongoing posture of the Board and Division, we were forced to decline a rather lucrative venture.

It would be interesting to know when or if the Division ever plans to correct their attitude towards this property.

The use of the regulations to cover up poor decision making of the past reeks, as does the "\$38,000 Bond" which has been used as a deterrent crutch as well as the time limitation regulation exercised to further surpass the pleading of the landowner.

Without question the remainder of the Approved Bond will not accomplish reclamation, however, additional monies from the Abandoned Mine Program utilizing the Operator Levy, along with and other additional potential funds are available, but not disclosed, which in fact could be attached to this property and full reclamation be achieved.

I am certain what the Board and Division has done in the past is very legal, however, when considering the spirit of the regulation, what was morally right

leaves room for uncertainty about the decision making of the Board and the Division.

The attitude and actions exhibited by the Board and the Division has undeniably opened enormous avenues and windows for an operator to walk from their reclamation agreement should one wish to exit the coal industry. Since the legal loopholes are many and effortlessly available to the operator, the environment and the landowner becomes the victim.

As the landowner, we wish to see any and all designs UDOGM may consider in the reclamation process of our property prior to implementation and in a timely manner to provide us an opportunity to review and comment.

The outstanding environmental issues still to be confronted are as follows:

1. Stream alteration has been unsuccessful above, below and between the remaining pad access culverts, as the channel fails to provide natural habitat for the fishery in that the armor provided for stream bank and channel is not adjusting to nature's normal wear, and fails to provide gravel for reproduction zones for the cutthroat trout.
2. The water well is still untested and remains a potential source for ground water pollution.
3. The drain field and holding tank have not been tested or removed as of yet.
4. The reclamation attempts of the "highwall" leaves a lot to be desired and serves well as an indicator of what not to allow happen during reclamation. The "highwall" continues to undercut and demonstrates failure and has the potential of not stabilizing until reaching the crest of the ridge.

We again respectfully plead for full reclamation be implemented by the State of Utah at the above mentioned site, commencing this season. Thank you for your time, and we anxiously await your positive reaction to this ongoing request.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven K. Tanner". The signature is fluid and cursive, with the last name "Tanner" being particularly prominent.

Steven K. Tanner
Jack Otani
Landowners

BCC: