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STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Clean B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

December 28, 1982

REGISTERED RETURN RECEIPT REQUESTED *P324744022*

Mr. Scott M. Raymond
Beaver Creek Coal Company
P.O. Box AU
Price, Utah 84501

#3 + #4

RE: Emergency Coal Stockpile
Conditional Approval
C.V. Spur Prep. Plant
ACT/007/022
Carbon County, Utah

Dear Mr. Raymond:

Beaver Creek Coal Company (BCCC) submitted plans on December 17, 1982 to comply with the conditional approval of December 15, 1982 to stockpile raw coal at the C.V. Spur Preparation Plant. However, the Division's review of these plans indicates that two sections were inadequately addressed. A written response to the following stipulations within ten (10) days of receipt of this letter should satisfy the Division's concerns.

Hydrologic Monitoring

BCCC has not addressed the plugging of sampling well CV-2-W.

Stipulation 12-21-82-1-JL

BCCC must adequately address UMC 784.13(b)(8) and 817.13 in regards to plugging sampling well CV-2-W. This response must be submitted to the Division for review and approval within 14 days of acceptance of this stipulation.

(Please refer to the attached Guidelines For Plugging Mineral Test Holes for recommendations regarding the plugs for dry holes.)

Soil Resources and Handling

The quality of soil in the area of the proposed disturbance is marginal in two areas; 1) EC and 2) SAR. The two areas do not indicate a real toxic level, however if another soil material of higher quality is available for use at final reclamation then stripping and stockpiling will not be necessary.

Board/Charles R. Henderson, Chairman • John L. Bell • E. Steele McIntyre • Edward T. Beck
Robert R. Norman • Margaret R. Bird • Herm Olsen

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As for the bad weather and wet soil conditions, the regulations (817.22(g)) do not provide this as justification for not removing topsoil, if the soil was of a higher quality, stripping and stockpiling would be required.

A variance for removal of topsoil is granted with the following stipulation:

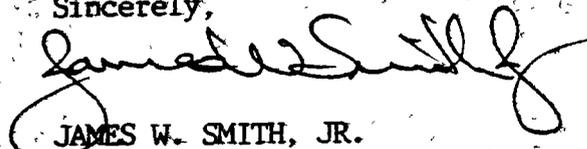
Stipulation 12-21-82-2-EH

Chemical and physical analysis of the proposed topsoil substitute must be submitted as soon as weather conditions permit but no later than June 1, 1983. The substitute soil material must be of a higher quality than that which is found at the proposed site.

Upon receipt of an adequate response to the above stipulations, the Division will grant final approval for the Raw Coal Storage.

Should you have any questions, please don't hesitate to call me or Lynn Kunzler of my staff.

Sincerely,



JAMES W. SMITH, JR.
COORDINATOR
MINED LAND DEVELOPMENT

JWS/LK/lm

Enclosure

cc: Allen Klein, OSM
Sandy Pruitt, DOGM
Joe Lyons, DOGM
Ev Hooper, DOGM