

0014

### Document Information Form

Mine Number: C/007/022

File Name: Internal

To: DOGM

**From:**

Person N/A

Company N/A

Date Sent: April 13, 1983

**Explanation:**

Memo to Coal File:

**cc:**

File in: C/007, 022, Internal

Refer to:

- Confidential
- Shelf
- Expandable

Date \_\_\_\_\_ For additional information

April 13, 1983

Memo to Coal File:

RE: C. V. Spur Permits  
Beaver Creek Coal Company  
ACT/007/022  
Folder No. 7  
Carbon County, Utah

Dan Guy called Jim Smith on April 11, 1983 to request an extension on the April 18, 1983 deadline for the submittal of plans for the Trail Mountain Truck Dump and western extension of the refuse disposal area until a response to the ACR would be submitted May 16, 1983. Following discussion with Jim Smith and Joe Helfrich, Sandy Pruitt called Scott Raymond of BCCC on April 12, 1983 (Dan Guy was not available) to inform BCCC than an extension on the April 18, 1983 deadline would not be granted.

In discussion, Scott Raymond mentioned that the information requested in a letter dated April 6, 1983 would be available by April 18 but that BCCC had not decided if they would comply with the request or not. BCCC does not agree with the required deadline since much of the information requested could be submitted in the ACR response and this deadline only delays that response by requiring them to compile a separate document. I informed him that I have no authority to extend the required compliance action to include a response to an ACR and therefore would not extend the deadline for that purpose.

In further discussion the fact of the violation (operating without a permit) was questioned. BCCC thinks they were jeopardized by 1980 OSM/DOGM policies at the time these facilities were constructed. It was explained that that argument was accepted by this inspector resulting in the opportunity for compliance by the April 18 deadline without a notice of violation (refer to letter dated March 29, 1983). Mr. Raymond was also reminded that at the time the deadline was set BCCC had already committed to responding to the ACR by March 31, 1983. As of yesterday that schedule has been extended until May 16, 1983.

Mr. Raymond commented further that the lack of environmental harm did not justify the requirement. He was informed that this was an obstruction to enforcement issue requiring permits for compliance with the State Act and Performance Standards. Therefore this enforcement action would not be included with the ACR and extended Mine Plan Review.

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No 0014 Date 4-13-83

In C/ 007, 022, Internal

For additional information

MEMO TO COAL FILE  
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I requested that BCCC respond by the April 18, 1983 deadline either by submitting the required information that is available or with a formal complaint to this enforcement action.

SANDY PRUITT  
FIELD SPECIALIST

SP/lm

cc: Scott Raymond, BCCC  
Jim Smith, DOGM  
Joe Helfrich, DOGM