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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangarter
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

September 9, 1991

CERTIFIED RETURN RECEIPT
P 074 979 124

Mr. Dan Guy, Manager
Beaver Creek Coal Company
P.O. Box 1378
Price, Utah 84501

Dan
Dear Mr. Guy:

Re: Division Order, Beaver Creek Coal Company (Mountain Coal Company), C.V.
Spur Mine, ACT/007/022-DO-91A, Folder #3, Emery County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the C.V. Spur Mine. If in your review of this Order you have any questions, please call me or Pamela Grubaugh-Littig.

Sincerely,

A handwritten signature in cursive script that reads "Lowell".

Lowell P. Braxton
Associate Director, Mining

jbe

Enclosure

cc: Pamela Grubaugh-Littig
Joe Helfrich
Tom Munson
Bill Malencik
Henry Sauer

AT007016.91B

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Dan Guy
Beaver Creek Coal Company
(Mountain Coal Company)
C.V. Spur
P.O. Box 1378
Price, Utah 84501

ORDER & FINDINGS
of
PERMIT DEFICIENCY

PERMIT NUMBER ACT/007/022
DIVISION ORDER # DO-91A

PURSUANT to R614-303-212, the DIVISION ORDERS the PERMITTEE, Beaver Creek Coal Company (Mountain Coal Company), to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R614-303-220.

Findings of Permit Deficiency

Regulation Citation

Certification

512.100. Cross Sections and Maps. Certain cross sections and maps required to be included in a permit application will be prepared by, or under the direction of, and certified by a qualified, registered, professional engineer or land surveyor, with assistance from experts in related fields such as hydrology, geology and landscape architecture, and will be updated as required by the Division. The following cross sections and maps will be certified:

Sediment Ponds

742.223. Sedimentation ponds not meeting the size or other qualifying criteria of the MSHA, 30 CFR 77.216(a) will provide a combination of principal and emergency spillways that will safely discharge a 25-year, 6-hour precipitation event. Such ponds may use a single spillway if the spillway is:

- 742.223.1. An open channel of nonerodible construction and capable of maintaining sustained flows; and
- 742.223.2. Not earth- or grass-lined.

Permit Deficiency

Certification

All ponds require certified as-built drawings to verify they are constructed as designed.

Spillways

Pond #5 has only one culvert spillway and pond #6 has a ditch for a spillway.

Information required to be submitted

Certification

The operator must have certified as-built drawings of all impoundments.

Spillways

The operator must submit plans to rebuild pond #5 and #6 to meet the requirements of the rules. The operator will have to prove pond #6 has an open channel spillway of nonerodible construction or provide plans to meet the requirements of the rules.

Order

Beaver Creek Coal Company (Mountain Coal Company) is ordered to make the requisite permit changes in accordance with R614-303.220, and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of receipt of this order. Approval by the Division must be obtained within 60 days of receipt of this order. All approvals not obtained within 60 days may result in a hindrance violation unless a request for extension has been obtained by the Director.

Ordered this 9th day of September, 1991, by the Division of Oil, Gas and Mining.

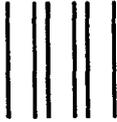


Dianne R. Nielson, Director
Division of Oil, Gas and Mining

jbe
cc: Tom Mitchell
Joe Helfrich
DIVISORD.FIN

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 OIL, GAS & MINING
 TRADING CENTER SUITE 35K
 PRICE UT 84501

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

<p>3. Article Addressed to:</p> <p>DAN GUY MANAGER BEAVER CREEK COAL COMPANY P O BOX 1378 PRICE UT 84501</p>	<p>4. Article Number</p> <p>P 074 979 124</p> <p>Type of Service:</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or agent and <u>DATE DELIVERED</u>.</p>
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<p>6. Signature - Agent</p> <p>X</p>	
<p>7. Date of Delivery</p> <p>SEP 12 1991</p>	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT



DAN GUY MANAGER
 BEAVER CREEK COAL COMPANY
 P O BOX 1378
 PRICE UT 84501

P 074 979 124 2

ACT/007/022-DO-91A JBE DGM