

0017



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Governor

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Executive Director

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Division Director

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

July 10, 1990

CERTIFIED RETURN RECEIPT REQUESTED
(P 074 979 007)

Mr. Robert Hagen, Director
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 X-90-02-107-8 TV4, Andalex Resources, Inc., Wildcat Loadout,
ACT/007/033, 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 office on July 2, 1990.

Number 1 of 4 reads: "Failure to certify siltation structures to be constructed as designed and as approved in the Reclamation Plan. Ponds A-F, Sedmarkers; Ponds D-C, Haul Road Culverts (UMC 817.46(r) or R614-301-742.212)."

Division Response: The field work has been completed and the recertified plates were submitted to the Division on July 6, 1990.

Number 2 of 4 reads: "Failure to comply with all terms and conditions of the approved permit. MRP requires deposition of coal processing waste in 24-inch lifts; UD-1, not constructed in accordance with MRP typical design (UMC 771.19 or R614-300-143)."

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RECEIPT FOR CERTIFIED MAIL

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(See Reverse)

Sent to Robert Hagen Dir.	
Street and No. Ste 310 Silver Sq.	
625 SILVER AV. S.W.	
P.O., State and ZIP Code Albuquerque NM 87102	
Postage	\$ 25
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Special Delivery Fee	90
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	\$ 200
Postmark or Date	7-18-90

PS Form 3800, June 1985

Mining Act/007/033 TDN X-90-02-107 TV4

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

3. Article Addressed to:
*Mr. Robert Hagen, Director
Office of Surface Mining
Suite 310 Silver Sq.
625 Silver Av. S.W.
Albuquerque NM 87102*

4. Article Number
P 074 979 007

Type of Service:
 Registered Insured
 Certified COD
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Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
X

6. Signature - Agent
X Wilson Henry

7. Date of Delivery
7-18-90 U

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JUL 18 1990

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CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

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3. 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.
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5. 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.
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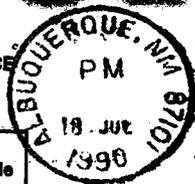
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PENALTY FOR PRIVATE USE, \$300

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

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Division Response: Diversion UD-1 has been enlarged to meet the typical design approved in the Permit Application Package. The operator is working on permitting designs for the lower portion of Diversion UD-1 to replace the 15-inch riprap with a half-round culvert. At no place along that diversion is 9-inch riprap required under the current plans. This ditch was not eroding in its lower portion, but due to major regrading after every storm, a change in design has necessitated the implementation of a half-round culvert.

The permitting of a permanent impoundment is under review (Amendment ACT/007/033-90A) to verify hydrologic calculations and reclamation concerns regarding UD-1.

Number 3 of 4 reads: "Failure to certify haul roads - The road from the north entrance to the truck scales to the stoker coal stockpile (UMC 817.150[d] or R614-301-512.250)."

Division Response: All haul roads have been certified (see Plate 1, certified June 22, 1990).

Number 4 of 4 reads: "Failure to divert runoff at the site of the coal processing waste pile using diversions designed to pass runoff resulting from a 100-year, 6-hour event (R614-301-746.212)."

Division Response: The diversions associated with the coal processing waste pile will be recalculated for the 100-year, 6-hour design storm to verify their adequacy within the current rules. The operator has not submitted this calculation yet but is in the process of verifying the numbers. The coal processing waste pile has been refigured and has been constructed using the appropriate 24-inch lifts making it 450 feet long and 100 feet wide. All calculations will be verified by the Division (permit defect ACT/007/033-90B).

Other Issues of Concern

Items	(8)	A recommendation will be made to the operator to
From		move water monitoring stations to appropriate locations
OSM		more representative of undisturbed drainage. WCW-3
Letter		could be moved above the permanent impoundment out of
		UD-1.

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(9) The west inlet, a 12-inch CMP, was plugged with coal fines. This was cleaned and taken care of during the inspection.

(10) An additional row of straw bales to control fines was installed in the area east of Sediment Pond B.

It has been noted that the operator has been extremely cooperative in maintaining this site and is always attempting to improve the site to decrease maintenance. All issues have been promptly taken care of in a timely manner. Any permitting issues left outstanding will be tracked and processed in a timely manner.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

TM/djh
cc: B. Malencik, DOGM, PFO
AT46/31-33