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June 19, 1981

ACT/007/018
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Mr. J. T. Paluso
Soldier Creek Coal Company
P. O. Box AS
Price, Utah 84501

RE: Guidelines on Perimeter Markers and Raptor Protection on Power Lines

Dear Mr. Paluso:

As you know, on January 23, 1981, Utah's partial or conditional approval under the permanent program appeared in the Federal Register.

Some of the regulations in the permanent program are supplemental to those enforced under the Interim Program. More specifically, these regulations deal with perimeter markers and electrical power line design and construction. Because of their relative newness there exists some ambiguity concerning what the Division is actually looking for, particularly from the inspection viewpoint.

This letter, then, is to inform you of the Division's policy with regard to the enforcement of UMC 817.11(b) (Perimeter Markers) and UMC 817.97(c) (Raptor Protection on Power Lines).

Perimeter Marker Guidelines

1. The perimeter markers should be durable and should be visible enough to allow easy detection by the public, the mine equipment operator and the inspector under a wide range of weather conditions.

2. The perimeter markers should extend along the entire boundary of the permit area as indicated on maps submitted to the Division pursuant to the Mining and Reclamation Plan. At a minimum, all areas which are currently, or will be, affected by any surface effects of underground mining during the permit term shall be so marked.

Special attention is due in any and all areas of the minesite where the public, an equipment operator, or any individual associated in any way with the mining operation, or any authorized representative of the Division or other concerned agency will be aided by their presence.

Any mine which does not have adequate perimeter markers as of July 1, 1981, shall be considered in violation and subject to enforcement action.

Raptor Protection on Power Lines

You should also be aware of UMC 817.97(c) requiring that operators ensure that the design and construction of electric power lines and other transmission features used for, or incidental to, the underground mining activities on the permit area be designed and constructed in accordance with the guidelines set forth in Environmental Criteria for Electric Transmission Systems (USPI, USDA 1970). Power lines should be designed and constructed in accordance with REA Bulletin 61-10, Power Line Contacts by Eagles and Other Large Birds. These and other guidelines, including diagrams of inexpensive pole modifications are available from the Division, the Office of Surface Mining and the Department of Interior. The Division requires that this regulation be addressed by July 1, 1981, or enforcement action will be warranted.

If you have any questions concerning these or other regulations in the permanent program please contact the Division.

Sincerely,

JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

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