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File ACT/007/018 #3

SC3 SOLDIER CREEK COAL CO.

Telephone (801) 637-6360

P.O. Box I
Price, Utah 84501

RECEIVED
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DIV. OF OIL, GAS & MINING

November 23, 1988

Ms. Susan Linner, Permit Supervisor
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

RE: Stipulation Response
Banning Loadout ACT/007/034

Dear Susan:

I have enclosed Soldier Creek Coal Company's response to the stipulations listed within the State Permit and Decision Package, dated October 24, 1988. This information should be inserted into Item 25 of Section 1.16, Correspondence.

Thank you for your time. If you have any questions, please contact me.

Sincerely,

C.P. Allen

C.P. Allen
Mine Engineer

CPA/lss
Enclosures

15. Liability Insurance - COAL SERVICE

16. State Violation N87-9-6-1 Information - DOGM
    State Violation N88-13-1-1 Information - DOGM

17. Banning Loadout Permit Agreements - APPLICANT & DOGM

18. Permit Application Deadline - APPLICANT

19. Cultural Resource File Search - UTAH DIVISION OF STATE HISTORY

20. Archeological Survey - AERC

21. Newspaper Advertisement - SUN ADVOCATE (Proof of Publication)

22. Permit Application Guidelines - DOGM

23. Complete Groundwater Parameter List - DOGM

24. Groundwater Sample Analysis - APPLICANT
    JULY 1988
    Coal Analysis - APPLICANT
    JULY 1988

25. Permit Stipulation Response - APPLICANT

Soldier Creek Coal Company's response to the stipulations attached to the State Permit and Decision Package for Banning Loadout, ACT/007/034.

1. Stipulation UMC 817.22-(1)

   The Applicant will implement the test plot program during the drainage control construction at Banning Loadout. The test plot will be completed during 1988 and the Applicant has notified DOGM of the implementation.

2. Stipulation UMC 817.43-(1)

   There are no culverts designed for the north and south gates of the access road.

3. Stipulation UMC 817.46-(1)

   The Applicant will install, at least, 34 inch anti-seep collars on the primary spillway of the sedimentation pond. The certified as-built drawings will show the collar size used for construction.

4. Stipulation UMC 817.52-(1)

   The Applicant will sample and test the coal at Banning Loadout quarterly for a period of one year. The samples will be analyzed as per "Standard Method of Analysis", American Society of Agronomy, Mono. No. 9, 1982, for all parameters, except the acid-base potential which will be calculated as per U.S. E.P.A. Document 600/2-78-054, Method 3.2. The parameters are: total non-sulfate sulfur; total organic sulfur; percent calcium carbonate; pH; electrical conductivity; sodium absorption ratio; nitrate-nitrogen; water extractable boron, selenium, copper, molydenum, arsenic, barium, cadmium, lead, mecury, and zinc; and

acid-base potential. Sampling will start the first quarter of 1989.

5. Stipulation UMC 817.53-(1)

The Applicant has informed DOGM that the water well referred to in this stipulation and in previous documents is not a well but only a sump adjacent to our truck dump facility. At the time of reclamation, the sump will be removed by backfilling soil on top of the sump.

6. Stipulation UMC 817.103-(1)

The Applicant will provide DOGM with a 30 day notice prior to transporting coal waste or sedimentation pond waste to Soldier Canyon Mine. The notification will include the estimated quantity and the final location and disposition of the material. Coal that is transported to the mine site for final disposal will be reported to DOGM, but coal for retail sale will not be reported.

7. Stipulation UMC 817.116-(1)

The Applicant will implement the following plan to monitor the progression of the test plot. The first year following seeding the Applicant will visually check the site to insure there is no major problem. During the second and third years, the Applicant will sample for cover by species and total cover. This information will be forwarded to DOGM during the annual report. The Applicant will sample the fifth year for cover by species, total cover and woody plant density. This information will again be reported to DOGM in the annual report. Also, the test plot area will not be fenced so that information gathered from the area reflects final reclamation procedures. Information gathered from the test plots will be evaluated each year to determine any necessary changes to the test plot procedures.

8. Stipulation UMC 817.133-(1)

The Applicant will submit a plan for final disposition of fences at Banning Loadout within 90 days of permit approval. This plan will be developed by the Applicant incorporating the needs of the BLM and the Utah Division of Wildlife Resources.