



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertter

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

April 3, 1989

Mr. Tom Paluso, Chief Engineer  
Soldier Creek Coal Company  
P. O. Box I  
Price, Utah 84501

Dear Mr. Paluso:

Re: Review of Permit Stipulations and As-Built Drawings, Soldier  
Creek Coal Company, Banning Loadout, ACT/007/034, Folder #3,  
Carbon County, Utah

The Division has completed its review of the response to permit stipulations and as-built drawings for the Banning Loadout, received March 3, 1989.

The submittal was found adequate to address all permit stipulations. However, several minor deficiencies were found, as outlined in the attached review document. These need to be addressed so that the Mining and Reclamation Plan (MRP) is complete and accurate.

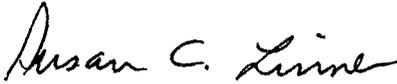
It was noted that the permit boundary and disturbed boundary on Exhibit 5.2-1 were revised slightly from the approved MRP. Essentially, the boundaries were changed in the area of the sedimentation pond and the southwest to southeast areas. The changes are not significant (less than 50 ft.). The total surface disturbed area was digitized and the area found to be 21.76 acres. This value is within 0.3 acres of the proposed value in the MRP. This minor change is acceptable. Since this drawing is labeled "as built" this will be considered to be the approved disturbed area boundary. Perimeter markers should therefore agree with Exhibit 5.2-1.

Page 2  
Mr. Tom Paluso  
Soldier Creek Coal Company  
Review of Permit Stipulations

Please submit fourteen (14) copies of your responses to these deficiencies, correctly formatted for insertion into the MRP, by April 21, 1989.

Please contact me or Mike DeWeese, Reclamation Hydrologist, if you have any questions.

Sincerely,

  
Susan C. Linner  
Reclamation Biologist/  
Permit Supervisor

cl  
Attachment  
cc: R. Hagen, OSM  
B Team  
BT45/203-204

AS BUILT PLAN REVIEW

Soldier Creek Coal Company  
Banning Loadout  
ACT/007/034  
Carbon County, Utah

UMC 783.25 Cross-Sections, Maps, and Plans - JSL

The surface facilities map, Exhibit 2.1-2, must delineate the substitute topsoil test plot location.

UMC 784.21 Fish and Wildlife Plan - LK

Page 2-14 states that "the applicant reserves the right to amend the fish and wildlife plan, since 30 CFR and UMC 784.21 are presently suspended". The Division does not question the applicant's right to amend plans. However, the statement regarding the status of these regulations should be deleted from the MRP since 30 CFR 784.21 was revised and re-instated as a final rule on December 11, 1987 (see Federal Register for that date), and UMC 784.21 has not been suspended. Page 2-14 should be revised by deleting the statement regarding the status of 30 CFR 784.21 and UMC 784.21 regulations.

UMC 786.21 Criteria for Permit Approval or Denial: Existing Structures - SCL

In order to clarify that the existing structures listed in Table 2.2-1 are to be used for mining activities in compliance with this section, this table should be re-labeled, "Existing Structures to be Used in Permitted Operations".

UMC 817.46(r) and 817.48(h) Certification Requirements - RPS

The submittal is approvable with the exception of Exhibit 5.2-2. It is recommended that the drawing be resubmitted with the "as-built" label and certification prior to issuance of final approval.

BT45/205