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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Salt Lake City, Utah 84180-1203
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August 26, 1991

Mr. Rick Olsen, President
Soldier Creek Coal Company
P. O. Box I
Price, Utah 84501

Dear Mr. Olsen:

Re: Conclusion of Mid-Permit Term Review, Soldier Creek Coal Company, Banning Siding Loadout, ACT/007/034, Folder #2, Carbon County, Utah

In conjunction with the Mid-Permit Term Review the Division conducted a site visit to the Banning Loadout on August 6, 1991. Two areas of concern were noted in this visit:

1) The vegetation test plot used to demonstrate reclamation feasibility is inadequate, and

2) The permit area maps do not address the area on the east side next to the tracks.

You will find enclosed a Division Order which has been issued to correct these deficiencies. Please note that you have thirty (30) days to complete the Order.

This concludes the Mid-Permit Term Review for the Banning Loadout. We have appreciated your help and the help of your staff throughout the permitting process. If you have any questions, please feel free to call.

Sincerely,

Daron R. Haddock

Daron R. Haddock
Permit Supervisor

Enclosure
cc: J. Helfrich
L. Braxton
R. Summers

an equal opportunity employer

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

PERMITTEE	
Mr. Rick Olsen, President **Soldier Creek Coal Company** **P. O. Box I** **Price, Utah 84501** **Permit Number ACT/007/034** **Division Order #DO 91-A**	**DIVISION ORDER AND FINDINGS** **of** **PERMIT DEFICIENCY**

PURSUANT to R614-303-212, the DIVISION hereby ORDERS the PERMITTEE, Soldier Creek 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 the requirements of R614-303-220.

FINDINGS OF PERMIT DEFICIENCY

1) **R614-301-356.250 and R614-301-341-300. Demonstration of Reclamation Feasibility for areas redisturbed by mining and reclamation operations.** The PERMITTEE has attempted to show reclamation feasibility by use of a test plot established in November 1988. In 1990 the plot was shown to have about 2% cover, none from seeded species. Procedures used in establishing this plot have been unsuccessful. Soldier Creek Coal Company must revise the Operation and Reclamation plan to provide a viable means of demonstrating reclamation

feasibility. The plan must contain a schedule for the establishment and monitoring of any test plots used.

2) **R614-301-520. Permit Area maps for the operation plan.** As a result of a site visit conducted by the Division on August 6, 1991 the Division determined that the permit area maps are incorrect. The area of concern is along the railroad tracks on the east side of the property and between the two access gates to the railroad right of way. This area is not shown within the permit boundary. Soldier Creek Coal Company must submit an application for permit change which will incorporate this area into the permit area. Any affected Operation and Reclamation plan maps or text will need to be updated.

ORDER

Soldier Creek Coal Company is ORDERED to make the requisite permit changes in accordance with R614-303-220, as set forth above, and to submit a complete application for permit change addressing each FINDING OF PERMIT DEFICIENCY within 30 days of receipt of this Order. Failure to provide an adequate submittal or to diligently pursue an approval for this ordered permit change shall result in an ORDER TO SHOW CAUSE being issued to appear before the Board of Oil, Gas and Mining.

So ORDERED, this 26th day of August, 1991.

Dianne R. Nielson

Dianne R. Nielson, Director

Division of Oil, Gas and Mining