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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

September 3, 1992

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

Rick

Dear Mr. Olsen:

Re: Division Order ACT/007/034/-92B, Soldier Creek Coal Company, Banning Siding Loadout, ACT/007/034, Folder #3, Carbon County, Utah

The Division conducted a routine complete inspection of the Banning Siding Loadout facility on August 26, 1992. During the course of the inspection, it was determined that your Permit Application Package (PAP) does not adequately address two areas of the facility. Division Order 92B has been enclosed which requires Soldier Creek Coal Company to submit an application for permit change to correct these problems.

Please review the Division Order, noting the requirements, and submit the required permit changes by the specified due date. If you have questions regarding this Order, please contact myself, Daron Haddock, or Rick Summers.

Sincerely,

Lowell

Lowell P. Braxton
Associate Director, Mining

Enclosures

cc: D. Haddock
R. Summers
SC3ORDE9.COV

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

PERMITTEE

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

Banning Siding Loadout
Carbon County, Utah

Permit Number ACT/007/034
Division Order # ACT/007/034-92B

**DIVISION ORDER AND FINDINGS
of
PERMIT DEFICIENCY**

PURSUANT to R645-303-212, 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 R645-303-220.

FINDINGS OF PERMIT DEFICIENCY

Based on a review of Soldier Creek Coal Company's approved Permit Application Package, dated December 1987, the following permit deficiencies were noted:

1. The application does not contain a demonstration of compliance for rules R645-301-741 and R645-301-742 relative to sediment control measures for the permit area described as a 30 ft. addition to the original permit boundary on the north and

ORDERS AND FINDINGS

ACT/007/034

northwestern boundary of the permit area. The area is further depicted on Exhibit 5.2-1 (Dwg. D-224) as the shaded portion identified with the label "Additional permit area, approximately 0.83 acres (area added as an incidental boundary change, pursuant to "TDN" No. x-89-02-107(2), issued 6/13/89". Soldier Creek Coal Co. must make application for a permit amendment providing a demonstration of compliance for R645-301-741 and R645-301-742 et. seq. The permit amendment will include a narrative and designs for alternative sediment controls for the aforementioned area and a revised Exhibit 5.2-1 depicting the location(s) of the proposed measures. The narrative will also incorporate the commitment stated in a letter from Soldier Creek Coal Co. to the Division of Oil, Gas, and Mining dated August 4, 1989 regarding periodic cleanup of large accumulations of coal fines in the described area. That commitment will be defined with criteria for initiation of coal fine removal (i.e. frequency of removal and/or average depth of fines accumulation).

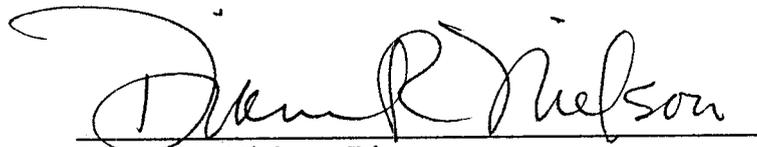
2. The application does not contain a demonstration of compliance for rules R645-301-512.250, R645-301-521.170, R645-301-527 et. seq., R645-301-534 et. seq., and R645-301-742.400 et. seq. relative to road designs and specifications for the access road to the loadout site. Soldier Creek Coal Co. must make application for a permit amendment providing demonstration of compliance for rules the aforementioned rules. The permit amendment will include a plan, narrative, specifications and designs for

the road including drainage controls. Cross-sections (e.g. road and diversions) will be provided and all designs, maps, and plans will be certified by a registered professional engineer.

ORDER

It is hereby ORDERED that Soldier Creek Coal Company make the requisite permit changes in accordance with R645-303-220 and submit a complete application for permit change, addressing the FINDINGS OF PERMIT DEFICIENCY by no later than October 2, 1992.

So ORDERED, this 2 day of September, 1992, by the Division of Oil, Gas and Mining.


Dianne R. Nielson, Director
Division of Oil, Gas and Mining