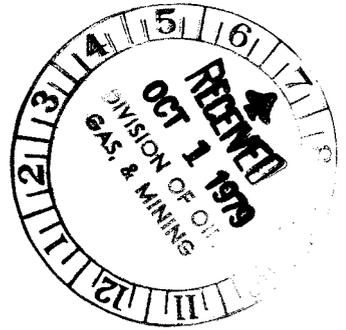


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United States Department of the Interior  
OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
POST OFFICE BLDG. RM. 270  
1823 STOUT STREET  
DENVER, COLORADO 80202

OFFICE OF THE REGIONAL DIRECTOR



28 SEP 1979

Mr. Dan W. Guy  
Chief Engineer  
Swisher Coal Company  
P. O. Box AU  
Price, Utah 84501

Dear Mr. Guy:

In response to your letter of September 24, 1979, and as a result of our field inspections, I am hereby providing approval for Swisher Coal Company to initiate preliminary construction of those portions of the erosion and sedimentation control plan necessary to control runoff from those surface areas already disturbed by existing roads, benches, the loadout, and the office facilities, which are itemized below.

You will recall that the material forwarded with your letter of September 11, 1979, has not been approved by this office. Therefore not all technical design data have been approved by this office. This fact is in conflict with the statement in your recent letter that, "all technical design data should have been reviewed and approved by your office."

We find it appropriate to limit this approval to the following principal activities and to those ancillary activities that are necessary to implement the principal activities:

1. Construction of the two-cell sedimentation pond for the purpose of collecting and controlling runoff from the coal loadout and operating bench area.
2. Construction of a coal sediment catchment facility (e.g., straw dikes, properly sited and anchored) to retain coal sediment and located immediately downslope of the coal loadout area.
3. Construction of a runoff diversion ditch system along the inslope of the operating bench generally as shown in the unnumbered drawing "Yard Contour Lines . . . 09/10/79" and cleanup of the bench and faceup areas to remove sediment and debris that results in excessive

Mr. Dan W. Guy

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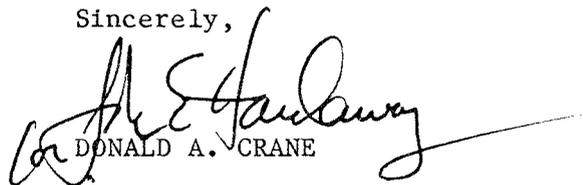
sediment in runoff. Placement of trash rocks and sediment traps within this diversion system to limit sediment concentrations in the discharges to undisturbed terrain. Stabilization of diversion outflow points. Grading of bench as shown on Exhibit 19 with the additional placement of berms on the outslope side to separate bench drainage from upslope diversion ditches and to properly direct runoff from disturbed area to stable drainages. Mulching and seeding of disturbed areas.

4. Installation of an inslope drainage ditch and cross drains along the portal access road as shown on Exhibits 19 and 47 except that the distance between cross drains evaluated in the field was 100 feet and not 200 feet as shown on Exhibit 47.
5. Institution of a surface water monitoring program.

No other approvals are given or implied. If the forthcoming Departmental action on the total mining and reclamation plan conflicts with this approval, Swisher Coal Company will be required to modify these facilities accordingly. It is also understood that Swisher Coal Company will reclaim all areas disturbed by these activities in accordance with applicable regulations and stipulations.

Thank you for your cooperation in this matter.

Sincerely,

  
DONALD A. CRANE

cc: ✓ Ron Daniels/Utah Dept. Natural Resources  
Gary Wicks/BLM  
William Feldmiller/USGS