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June 17, 1980

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Tom Paluso
Soldier Creek Coal Company
Hidden Valley Mine
P.O. Box AS
Price, Utah 84501

RE: Soldier Creek Coal Company
Hidden Valley Mine
ACT/015/022
Emery County, Utah

Dear Mr. Paluso:

This letter is to cite violations of the Division's interim period enforcement regulations observed by Joseph Helfrich during the June 12, 1980 inspection of the Hidden Valley Mine. Minimum requirements for the alleviation of the cited violations are included. However, these are meant as minimum requirements, and for the most part are by no means the only alternative available.

Violation #1, Rule MC 717.20(a) - Failure to remove, segregate, stockpile and protect topsoil from wind and water erosion and contaminants as directed by the Regulatory Authority.

Soldier Creek Coal Company is hereby directed to abate the above-cited violations within the specified time period from receipt of this letter. At a minimum, abatement should consist of the following:

Abatement Measure #1 - Cease all activity immediately.

Abatement Measure #2 - Submit the following information to the Division:

(a) Plans for storage of refuse material encountered while excavating the ditch for the bypass culvert under the pad area,

(b) The volume of topsoil excavated prior to preparation of pad facilities at the B Portal Area.

Abatement Measure #3 - Consolidate the escavated topsoil from the B Portal Area with the topsoil presently stockpiled near the top of the access road.

If the violations are not abated in the specified time, the matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas and Mining. However, if Soldier Creek Coal Company feels with good cause that these items are not violations, or that alternative methods can satisfy the abatement requirements, Soldier Creek Coal Company may meet with the Division concerning the matter and/or apply for a hearing before the Board. This action should be taken prior to the directed abatement deadline.

The June 12, 1980 inspection and subsequent notice of violations were under the rules and regulations of the interim regulatory period. The Division, at this time, advises Soldier Creek Coal Company that all coal mines must comply with the permanent regulatory program standards; with permanent program applications due within two months and have new approved permits within eight months of Office of Surface Mining approval of the State Program.

Sincerely,

Joseph C. Helfrich

JOSEPH C. HELFRICH
RECLAMATION OFFICER
AND

Denise A. Dragoo

DENISE A. DRAGOO
SPECIAL ASSISTANT ATTORNEY GENERAL
FOR NATURAL RESOURCE AGENCIES

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