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April 8, 1980

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

Re: Request for Variance to
Buffer Zone Requirement
Hidden Valley Mine
ACT/015/022
Emery County, Utah

Dear Tom:

Your request for a variance to the buffer zone requirement for a class II road at the portal to the Hidden Valley Mine can be issued by the Division with certain stipulations. You will recall that we spoke of several of these stipulations during the week of April 7, 1980, and that essentially the Division needed several commitments and clarifications relative to the road's design.

As you recall, one of the stipulations which you agreed to verbally during our telephone conversation previously mentioned was that the Mine would install a guard rail, rather than a berm, in the area of the road which is less than 100 feet from the stream. The purpose here of course, is to lessen the need for maintenance of a dirt or rock berm below which there would be no sediment collection facility.

You also clarified that the road in the section which would be closer than 100 feet to the stream would be sloped away from the stream to the maximum extent possible, that is where road banking does not require the road to be sloped away from the sediment collection facility.

Another consideration was that for the drainage which comes off of the road and into the area disturbed, a conveyance structure to channel the water from the disturbed area across the minor drainage and into the sediment pond is needed. Both you and Dave Spillman agreed that such a structure was needed and that it was being designed.

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The last and probably the most important consideration and commitment which needs to be made by Soldier Creek Coal Company is the commitment to stabilize the outslope of the fill which converges upon the stream in the section of the road which is closer than 100 feet to the stream. You will recall that we spoke of jute netting or some other physical means of stabilizing this fill slope until an adequate standard of vegetation could be established on said fill. Please make a commitment as to jute netting or some definite action which Soldier Creek Coal Company will undertake for the outslope of the fill.

Enclosed you will find a copy of a memo from Tom Suchoski to me dated March 31, 1980 which outlines in a bit more detail, the background for the commitments and clarifications which are requested in this letter. When the Division receives the above commitments and/or clarifications it will proceed to issue the variance to your company. In the meantime if there are any questions relative to the above procedures please contact us.

Sincerely,



RONALD W. DANIELS
COORDINATOR OF MINED
LAND DEVELOPMENT

RWD/sp
cc: Don Crane, O.S.M, Denver
enc.