0003

Mine file

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
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

November 1, 1991

CERTIFIED RETURN RECEIPT REQUESTED
No. P 540 713 866

Robert H. Hagen, Director
Albuquerque Field Office
Office of Surface Mining
Reclamation and Enforcement
Suite 310, Silver Square
625 Silver Avenue, S.W.
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

Re: Ten-Day Letter, TDL 91-02-370-002 TV1, Hidden Valley, ACT/015/007, Cal Mat Company, Emery County, Utah

Your October 24, 1991, letter summarizing a reinspection conducted at Hidden Valley concludes "the reinspection and subsequent review found no evidence that a natural cliff or bluff was reduced or removed by the mining process." I believe it is also safe to state that the inspection found no evidence that a natural cliff or bluff impacted by the mining operation has been left in an unreclaimed configuration after Phase I bond release.

The inspection report identified the location of diversion ditches above the "A" seam portal pad, and noted that OSM had attempted to locate pre-mine topographic information for the "A" seam portal site. Given the time allocated to the inspection, OSM was unable to substantiate the pre-mine cliff configuration or the success of the reclamation effort in eliminating highwalls. This is understandable given the fact that the inspector did not choose to evaluate photographic evidence available at the Division's office, and given the fact that the Division inspector normally assigned to this mine was ill and unavailable to assist our engineer in review of photographic documentation prior to the subject inspection.

I believe we have located photographic evidence that will establish that the above-referenced diversion ditch is constructed on land that was undisturbed prior to the time of

mining, and that the "highwall", that has been the subject of this TDL, is actually a naturally occurring cliff with a diversion constructed at its base. If this is true, the placement of fill in Phase I reclamation eliminated the highwall generated by mining, and the mine plan amendment and subsequent construction of the diversion ditch above the reclaimed highwall enhances the ability of the reclaimed site to withstand storm events of the magnitude that disrupted Phase I reclamation earlier.

On October 31, 1991, Jesse Kelley of the Division, revisited the site and took photographs covering the same area that is depicted in the 1979 era slide, discussed above. To facilitate before and after comparisons, we are in the process of printing these photos to the same scale as prints from the 1979 vintage slide. I anticipate having a report illustrated by these photos completed by the last week of November.

We will send you copies of the report upon completion. I would suggest we defer any decisions on this TDL until completion of the report. In the meantime, the Division has asked that the operator attempt to acquire 1960's or 1970's, USGS or SCS stereo photographic coverage in the event that these data are needed to substantiate our position outlined above.

Please consider this letter an interim response to your October 24, 1991 letter, pending completion of the photographic report noted above.

Sincerely,

Lowell P. Braxton
Associate Director, Mining

vb
cc: D. Nielson
P. Grubaugh-Littig
HIDVALHW

DOGM VB ACT/015/007 TDL 91-02-370-002 1-11-91

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ROBERT H HAGEN DIR
ALBUQUERQUE FIELD OFFICE
OFFICE OF SURFACE MINING R & E
STE 310 SILVER SQ
625 SILVER AVE SW
ALBUQUERQUE NM 87102

4. Article Number

P 540 713 866

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DOGM VB ACT/015/007 TDL 91-02-370-002 11-1

P 540 713 866

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