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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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*Mine file*

November 17, 1992

CERTIFIED MAIL  
Return Receipt Requested  
P 074 975 191

FAXED 11-17-92

Mr. Lee Edmonson  
CALMAT Company  
Properties Division  
1801 East University Drive  
Phoenix, Arizona 85034

United States Corporation Company  
600 Deseret Plaza Building  
15 E. First South  
Salt Lake City, Utah 84111

Dear Mr. *Edmonson*:

Re: Response to Abatement Plan for NOV 91-26-8-1 and CO 92-26-1-2, Hidden Valley Mine, Hidden Valley Coal Company, ACT/015/007, Folder #2, Emery County, Utah

We have reviewed your submission dated October 29, 1992. Based on our phone conversation today, the Division is requesting that you submit additional information and plan amendments, as indicated below within 15 days of receipt of this letter. Work must be completed in the field within 30 days of approval by the Division, unless the Division determines that field conditions justify a delay in implementation. Failure to meet either of these deadlines will reinstate the failure to abate cessation order.

There are two parts to the violation. Part one deals with erosion, part two deals with the failure to seed all disturbed areas.

**Part 1 of 2**

Nature of violation:

- (1) Failure to maintain diversions to be stable pursuant to Utah Admin. R. 645(614)-301-742.312.1.
- (2) Failure to minimize erosion to the extent possible pursuant to Utah Admin. R. 645(614)-301-742.113.

Hidden Valley's abatement plan for part one of the violation does not adequately address how Hidden Valley will stabilize diversions and minimize erosion to the extent possible on the outsoles of the access roads as required by the pertinent regulations cited above. The information submitted for abatement does not comply with the currently approved plan and lacks sufficient detail.

**Part 2 of 2**

Nature of violation:

- (1) Failure to seed and revegetate all disturbed areas pursuant to Utah Admin. R. 645(614)-301-354.

Hidden Valley's abatement plan for part two of the violation does not adequately address how Hidden Valley will seed and revegetate the disturbed areas as required by the pertinent regulation cited above. For example, the proposed revegetation plan does not clearly state where seeding will take place. The NOV requires that the following disturbed areas will be seeded and revegetated: (1) the access road; (2) the outsoles of the access road; and (3) the stream disturbed outsoles. The abatement plan also contains statements inconsistent with abatement of the violation such as at page three of the abatement plan: "The sites requested for seeding, pitting, mulching, crimping will not be revegetated."

To be technically complete, Hidden Valley's plan must contain specific, detailed, and supported procedures for abatement of the violations which will bring the Hidden Valley mine into regulatory compliance. The submission should also demonstrate why the work being performed does not require restarting the bond clock.

We also note that the abatement plan proposes to abate the violation by utilizing procedures or methods that are not contained in the approved reclamation plan. Hidden Valley must

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either act in accordance with the currently approved plan or provide an amendment to the plan together with a justification as to why it is not prudent and feasible to follow the approved plan. Any changes to the approved plan to abate either part of NOV 91-26-8-1 will be considered amendments and must be submitted to the Division in the proper format to amend the approved plan.

Amendments should be in page format for inclusion in the Rulemaking Plan, and can be submitted in conjunction with the plan for abatement of the NOV.

If you have any questions or want to discuss the proposed plan further, please contact me.

Best regards,



Dianne R. Nielson  
Director

kak  
cc: P. Littig  
cc by fax: Denise Dragoo  
Peter Stirba  
DN92-85