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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangarter
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

March 24, 1993

To: File

From: Pamela Grubaugh-Littig, Permit Supervisor *pgl*

Re: Status of Division Order DO-92A, Hidden Valley Coal Company,
Hidden Valley Mine, [REDACTED] Emery County,
Utah 17

Following is a chronology for Division Order DO-92A for the Hidden Valley Mine:

January 21, 1992

Nov #N92-25-1-1 issued for "Disturbing land within 100 feet of Ivie Creek, a perennial stream, without authorization from the Division".

May 11, 1992

Division Order DO-92a is issued to correct the permit relative to the stream buffer zone. A Stream Buffer Zone variance had been granted May 2, 1980 with two stipulations. The Division Order requested an explanation as to how the stipulations had been met.

May 13, 1992

Violation vacated due to the fact the stream buffer zone issue had been determined to be a permit defect.

June 5, 1992

Letter from Lee Edmonson to Dianne Nielson states that there is "no need to change the permit", according to the Division Order DO-92A.

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June 22, 1992	Denise Dragoo submits information relative to the Division Order for Hidden Valley Coal Company.
June 23, 1992	Division letter sent to Hidden Valley Coal Company regarding the inadequacy of the June 22, 1993 submittal.
July 15, 1992	Denise Dragoo submits supplemental information for the Division Order pursuant to June 23, 1992 deficiency letter.
August 7, 1992	Division sent second deficiency letter relative to the July 15, 1992 submittal.
August 24, 1992	Denise Dragoo submits more information relative to the Division Order.
August 27, 1992	Division sends letter stated that the Division Order can be approved with a minor change, i.e. the area will be "seeded", not "reseeded".
September 1, 1992	Mr. Lee Edmonson, CalMat sends a letter to the Division raising the issue: "Does the seeding of this area extend the responsibility period beyond the initial ten (10) years?"
September 3, 1992	PGL sends letter to Mr. Lee Edmonson stating that rule R645-301-357 states: "The period of extended responsibility for successful vegetation will begin after the last year of augmented seeding, fertilization, irrigation, or other work, excluding husbandry practices that are approved by the Division....". Therefore, the seeding of the stream buffer zone area would begin the liability period.

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September 25, 1992

Mr. Lee Edmonson sends a letter to Dianne Nielson stating the letter of August 24, 1992 is rescinded and the changes to the Division Order are changed.

After that date, there has been no correspondence regarding the adequacy or inadequacy of this Division Order. Any action on this Division Order has been delayed, pending the outcome of the appeal of the Hidden Valley Coal Company violations in the Appeals Court and possibly the Supreme Court.

**cc: Joe Helfrich
Lowell P. Braxton**