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DIVISION OF OIL, GAS, AND MINING

1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

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M E M O R R A N D U M

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TO: Ron Daniels, Coordinator of Mined Land Development  
FROM: Mike Thompson, Engineering Geologist  
SUBJECT: The Fetterolf Group  
Trail Mountain Coal Mine  
Compliance with Violations issued  
February 22, 1979  
ACT/015/009  
DATE: June 4, 1979

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As you will recall, the Trail Mountain Coal Mine was inspected on February 16, 1979, by Tom Suchoski and myself. Notice of violations were issued by letter, from you to Mr. David R. Mills of Fetterolf, on February 22, 1979. The notice set forth a compliance deadline of 60 days from receipt (February 28, 1979), which was April 30, 1979. Upon the request of Mr. Mills a thirty day extension for compliance was granted; thus bringing the compliance date to May 28, 1979.

The following is a review of what has happened since the notice was issued and a review of Fetterholf's compliance with the February 22, 1979 notice.

Fetterolf, through Mr. Mills, responded to the notice by letter on February 28, 1979. Mr. Mills made the following statements and requests:

1. A copy of the MR plan is on site and work is initiated on surface and groundwater monitoring plans.
2. Signs were ordered and should be up in the near future.

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3. The existing refuse pile will be reclaimed and future areas will be designed in accordance with MC-717.14 or MC-717.15. Mr. Mills; in his letter of May 16, 1979, requested assistance for reclamation.

4. Sediment pond design plans cannot be completed by the deadline. A thirty day extension was requested and subsequently granted in your letter of April 25, 1979. Preliminary plans were received on May 21, 1979, within the deadline. The Division staff is presently reviewing them.

5. An extension was requested for the surface water monitoring plan. A thirty day extension was granted for submitting a monitoring plan; however, sampling for a list of specified parameters must be performed immediately, according to your April 25, 1979 letter. The surface water monitoring plan was received May 21, 1979, within the specified time limit.

6. An extension was requested for the installation of properly designed culverts for the two road crossings of Cottonwood Creek until negotiations with Utah Power and Light are completed. Your response of April 25, 1979, states that the extension can only be granted upon receipt of written commitments from either Utah Power and Light or Fetterolf to place properly designed culverts. A commitment was received May 21, 1979; however, no installation date was given.

7. An extension was requested for the groundwater monitoring plan. The extension was granted for the submittal of plans; however, your letter stated that sampling of springs, seeps and water made in the mine should begin immediately. Plans were received on May 21, 1979.

8. A commitment was made to start revegetation as soon as practical. Your April 25, 1979 response stated that seeding this fall is acceptable and a seed mix and rate was provided. Mr. Mills requested technical assistance for revegetation in his May 16, 1979 letter.

9. Mr. Mills is a registered engineer in Pennsylvania, but he is not registered in Utah. Your response of March 22, 1979, states that he must seek a P.E. within the State to certify the required work.

In summary, it appears that Fetterolf is making a good faith effort in abating the violations. Commitments were received to keep a copy of the MR plan on site, to place proper signs, to reclaim the spoil bank and to comply with the regulations for future spoil disposal, to monitor surface and groundwater

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to place proper culverts in Cottonwood Creek, and to revegetate disturbed areas no longer needed for mining. Plans were received for sediment ponds and monitoring plans, which are presently being reviewed. Technical assistance was requested for reclamation of the spoil pile and revegetation.

Until the sediment pond design, spoil reclamation plan and culvert question items are resolved by the Division no further action against Fetterolf would be appropriate. However, the deadline is past for violations concerning having a copy of the MR plan on site (717.11) and the placement of proper signs (717.12). In addition, your letter of April 25, 1979, directed Fetterolf to immediately initiate surface and groundwater sampling. These last items should be checked during the next field inspection.

The staff is presently reviewing the submittals of May 16, 1979 (received May 21, 1979) and a response to Fetterolf should be ready shortly.

K. MICHAEL THOMPSON  
ENGINEERING GEOLOGIST

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cc: Mr. David Mills, Fetterolf  
Office of Surface Mining, Region V