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

June 19, 1980

See
MSW
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DATA

0367027

REGISTERED - RETURN RECEIPT REQUESTED

Mr. David Mills
The Fetterolf Group
P.O. Box 84
Somerset, PA 15501

RE: The Fetterolf Group
Trail Mountain Mine
ACT/015/009
Emery County, Utah

Dear Mr. Mills:

This letter is to cite violations of the Division's interim period enforcement regulations observed by Joseph C. Helfrich during the June 5, 1980 inspection of the Trail Mountain Mine. Minimum requirements for the alleviation of the cited violations are included. However, these are meant as minimum requirements, and for the most part are by no means the only alternative available.

FEDERAL VIOLATIONS

Violation #1, Rule 30 CFR, Section 717.14(c) - Failure to dispose of waste materials in an approved manner.

Violation #2, Rule 30 CFR, Section 717.17 - Failure to minimize disturbance of the prevailing hydrologic balance.

Violation #3, Rule 30 CFR, Section 717.17 - Failure to pass surface drainage from the disturbed area through sedimentation ponds.

Violation #4, Rule 30 CFR, Section 717.17(j)(2)(i) - Flooding a stream.

Violation #5, Rule 30 CFR, Section 717.17(j)(1) - Failure to maintain access and haul roads so as to prevent additional contributions of suspended solids to stream flow.

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STATE VIOLATIONS

Violation #1, Rule MC 717.14(e) - Failure to dispose of waste material in an approved manner.

Violation #2, Rule MC 717.17 - Failure to minimize disturbance of the prevailing hydrologic balance.

Violation #3, Rule MC 717.17(a) - Failure to pass runoff in disturbed area through a sedimentation pond.

Violation #4, Rule MC 717.17(j)(1) - Stream channel used as a ford.

Violation #5, Rule MC 717.17(j) - Failure to maintain roads and associated facilities so as to prevent additional contributions of suspended solids to the stream flow or runoff outside the permit area.

Violation #6, Rule MC 717.11 - Failure to have a copy of the mining and reclamation plan at or near the mine site.

Violation #7, Rule MC 717.20(b)(1)(v) - Failure to report water monitoring data as required by the Regulatory Authority.

Violation #8, Rule MC 717.20(b) - Failure to revegetate areas that are no longer used for mining.

The Fetterolf Group is hereby directed to abate the above-cited violations within the specified time period from receipt of this letter. At a minimum, abatement should consist of the following:

Abatement measure #1 - Remove waste material and dispose of in an approved manner.

Abatement measure #2 - Control surface drainage to minimize erosion and sedimentation.

Abatement measure #3 - Pass all surface drainage from the disturbed area through the sedimentation control structures.

Abatement measure #4 - Do not enter Cottonwood Creek with mining vehicles.

Abatement measure #5 - Conduct maintenance operations in a manner which restricts all material from being deposited on top of the berm and into Cottonwood Creek.

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Abatement measure #6 - Retain a copy of the mining and reclamation plan onsite for State and federal inspections.

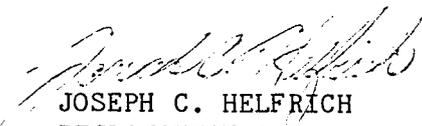
Abatement measure #7 - Report all water monitoring data as required by the Regulatory Authority.

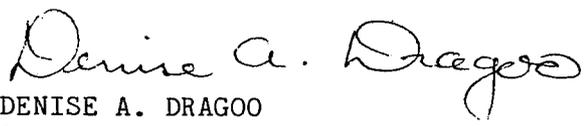
Abatement measure #8 - Revegetate the outslopes of the existing sediment pond, the downslopes between the stockpile and Cottonwood Creek, the downslopes between the upper access road to the main portal and the stockpile area, and the downslopes between the water storage tank and the bathhouse.

If the violations are not abated in the specified time, the matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas and Mining. However, if The Fetterolf Group feels with good cause that these items are not violations, or that alternative methods can satisfy the abatement requirements, The Fetterolf Group may meet with the Division concerning the matter and/or apply for a hearing before the Board. This action should be taken prior to the directed abatement deadline.

The June 5, 1980 inspection and subsequent notice of violations were under the rules and regulations of the interim regulatory period. The Division, at this time, advises The Fetterolf Group that all coal mines must comply with the permanent regulatory program standards; with permanent program applications due within two months and have new approved permits within eight months of Office of Surface Mining approval of the State Program.

Sincerely,


JOSEPH C. HELFRICH
RECLAMATION OFFICER
AND


DENISE A. DRAGOO
SPECIAL ASSISTANT ATTORNEY GENERAL
FOR NATURAL RESOURCE AGENCIES

JCH/DAD:te

cc: Mr. Tom Rice
Mr. Dan Hanna

P20 0367027

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

PS Form 3800, Apr. 1976
6/23/80

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- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**
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 3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends, if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
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 5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
 6. Save this receipt and present it if you make inquiry.

GPO: 1979 O - 289-363