0034

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

June 11, 1990

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Jesse Kelley, Reclamation Engineer JK

RE: **Memorandum From Bill Malencik Regarding Permit Inconsistencies, Beaver Creek Coal Company, Trail Mountain #9 Mine, ACT/015/009, Folder #2, Emery County, Utah**

Synopsis

A memorandum from Bill Malencik to Pamela Grubaugh-Littig dated January 17, 1990 noted ambiguities in the Trail Mountain #9 Mine Permit Application Package (PAP) regarding a 25-foot by 15-foot Best Technology Currently Available (BTCA) area. This area is bordered on one side by a Class III road and drains into an undisturbed, meandering, vegetated diversion. This diversion, in turn, discharges into a sedimentation pond.

Regarding this area, Mr. Malencik observed that (1) since the area drains into a sedimentation pond, it need not be addressed as an exemption area, and (2) the road outslope which makes contact with the area is exempt under UMC 817.42(a)(4).

Mr. Malencik posed two questions: (1) Since the area in question comingles with the undisturbed road outslope, should the ditch and the inlet to the sedimentation pond be shown on the map?, and (2) Should the ditch be designed?.

Recommendations

In response to the first question, the ditch and its inlet to the sedimentation pond are shown in Figure 7-11 of the PAP. The ditch is shown on this figure as an intermittent, natural drainage.

In response to the second question, the ditch need not be designed. It is a natural water course, and according to Mr. Malencik's memorandum of January 17, 1990, it is stabilized and shows no evidence of topping or of the need for grading. It is performing its intended function adequately.

djh
AT60/8

an equal opportunity employer