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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

October 21, 1992

CERTIFIED RETURN RECEIPT
P 074 979 299

Mr. Dan Guy, Manager
Mountain Coal Company
P.O. Box 1378
Price, Utah 84501


Dear Mr. Guy:

Re: Division Order, Mountain Coal Company, Trail Mountain Mine,
ACT/015/009-DO-92A, Folder #3, Emery County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the Trail Mountain Mine. If in your review of this Order you have any questions, please call me or Pamela Grubaugh-Littig.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lowell P. Braxton".

Lowell P. Braxton
Associate Director, Mining

jbe
Enclosure
cc: Pamela Grubaugh-Littig
Joe Helfrich
Bill Malencik
A:\DOLTR.92A

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Mountain Coal Company
Mr. Dan Guy
Trail Mountain Mine
P.O. Box 1378
Price, Utah 84501

ORDER & FINDINGS
of
PERMIT DEFICIENCY

PERMIT NUMBER ACT/015/009
DIVISION ORDER # DO-92A

PURSUANT to R645-303-212, the DIVISION ORDERS the PERMITTEE, Mountain Coal Company, to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R645-303-220.

FINDINGS OF PERMIT DEFICIENCY (I)

The Division finds the permit deficient in that, Disturbed boundary on the surface facilities map does not agree with on-the-ground approved disturbance.

In summary, the problems stem from not correcting the aforementioned map when the prior permittee realigned Cottonwood Creek in 1986 which was done without written approval from the Division and a violation was written in 1987 to the prior permittee. As a follow up, disturbed markers, stream buffer zone markers, and alternative sediment control measures were approved and implemented since the small disturbed area could not report to a sediment pond. The disturbed area noted above is shown on the approved "ASCA Map", but not on the surface facilities map. I.D. sign, disturbed markers and stream buffer zone markers have heretofore been installed on this area together with sediment control measures as approved in the "ASCA".

The channel alignment was coordinated with and sequentially approved by the Emery County Road Department, State Engineer, and the Division of Oil, Gas and Mining.

Therefore, the surface facilities map does not show the area described above as lying within the disturbed area.

Regulations Cited R645-301-143,
R645-301-512.120,
R645-301-521.251

Requirements

In order to comply with this regulation, the permittee must:

- 1) Correct surface facilities map to include disturbed area noted above and submit to the Division for approval (i.e., resubmit amended maps Figure 7-1, Figure 3-1, and PAP text 3.2.11 as necessary).
- 2) Research current disturbed area documents and provide explanations if required changes in the disturbed area acreage; and, if necessary, reflect such changes to bond, reclamation agreement and PAP text. Submit explanation and documents to the Division for approval.
- 3) Install supplementary perimeter markers so as to more definitively marker the area noted above.

FINDINGS OF PERMIT DEFICIENCY (II)

The Division finds the permit deficient in that, Plate 3-1-B is not correct since it does not reflect current field conditions. Plate 3-1-B must be updated and certified to reflect current field features.

The approved mining and reclamation road plan and supplementary documents describes one primary road. This road lies between the lower two gates and adjoins the pad. The road classification from a pad to a primary road (coal haul road) took place when the operator graveled the road as a dust abatement measure.

Since that time, a coal silo/loadout area was approved and constructed and road drainage was slightly modified as a result thereof.

Regulation Cited R645-301-512.250

Requirements

In order to comply with this regulation, the permittee must update and recertify plate 3-1-B.

ORDER

Mountain Coal Company is ordered to make the requisite permit changes in accordance with R645-303-220 and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of date of the Order. Approval by the Division must be obtained within 60 days of date of this Order. All approvals not obtained within 60 days may result in a hindrance violation.

Ordered this 21st day of October, 1992, by the Division of Oil, Gas, and Mining.


Dianne R. Nielson, Director
Division of Oil, Gas and Mining

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- Endorse article "Return Receipt Requested" adjacent to number.



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RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DAN GUY MANAGER
MOUNTAIN COAL CO
PO BOX 1378
PRICE UT 84501



3 and 4: Complete items 3 and 4 on the reverse side. Failure to do this will prevent this card from being returned to you. Additional services are available. Consult postmaster for details of delivery. For additional fees, the following services are available. Consult postmaster for fee and check boxes for additional service(s) requested.

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MOUNTAIN COAL CO
PO BOX 1378
PRICE UT 84501

4. Article Number: P 074 979 299

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PO BOX 1378
PRICE UT 84501

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PS Form 3800, June 1985

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NO INSURANCE COVERAGE PROVIDED
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DOGM JBE ACT/015/009-DO-92A #3

P 074 979 299