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NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
CONSTANCE K. LUNDBERG
EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

May 7, 1979

REGISTERED-RETURN RECEIPT REQUESTED # 538696

Mr. Karl D. Gurr
Mining Engineer
Utah Power and Light Co.
P.O. Box 899
Salt Lake City, Utah 84110

Re: Utah Power and Light Co.
Deer Creek Mine
ACT/015/018-A

Dear Mr. Gurr:

You will recall that Jim Smith and Mike Thompson of the Division conducted an on-site inspection of the Deer Creek Mine in Emery County, Utah on May 3, 1979 for compliance of the interim period regulations Part MC-700.00 et seq. The inspection confirmed that Utah Power and Light is attempting to complete construction of diversion and sediment pond structures as per previously submitted plans. This on-going work will abate some present violations, specifically MC-717.17(a) and (c). Because these violations are being abated, they will not be addressed in this notice.

Violations observed during the inspection include the following:

<u>Number</u>	<u>Rule</u>	<u>Violation</u>
1.	MC-717.17(c)	Slumping of saturated soil has deposited soil material within the half-round culvert diversion.
2.	MC-717.17(c)	The left culvert for the access across Deer Creek to the live coal storage yard, adjacent to the power plant, needs additional cleaning. The staff assumes that what coal exists was frozen when the area was recently rehabilitated as per the Division's March 30, 1979 letter.

<u>Number</u>	<u>Rule</u>	<u>Violation</u>
3.	MC-717.17(j)	A small area adjacent to the abandoned mine, where the conveyor crosses the road, is presently used for equipment storage. If the area is to be utilized, sediment control is needed. Minimum abatement measures would be to berm the area to prevent runoff from entering the creek and revegetate the portion of the area not required for storage.
4.	MC-717.20(a)	Disturbed areas no longer required for the conduct of mining operations have not been revegetated. For the purpose of minimizing soil erosion and sedimentation, the Division requires that disturbed areas such as outcrops of fill structures, exposed cut faces, earth berms etc., be revegetated.

Utah Power and Light Company is hereby directed to abate the above-mentioned violations within the specified time period from receipt of this letter. At a minimum, abatement will consist of the following:

- Violation 1. The culvert diversion must be cleaned within one (1) week.
- Violation 2. The culvert must be cleaned within one (1) week.
- Violation 3. The area is to be bermed within two (2) weeks so that runoff cannot enter Deer Creek. If Utah Power and Light wishes to abandon the area it must be properly reclaimed.
- Violation 4. Revegetation plans must be submitted within sixty (60) days for approval. Seeding must be performed in the coming fall.

If the violations are not abated in the time specified, the matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas, and Mining. However, if Utah Power and Light feels with good cause that these items are not violations, or that alternative methods can satisfy the abatement requirements, Utah Power and Light 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 May 3, 1979 inspection and subsequent notice of violations were under the rules and regulations of the interim regulatory period. The Division, at this time, advises Utah Power and Light Company that all coal mines producing Federal coal must comply with the permanent regulatory program performance standards in mid-september of 1979.

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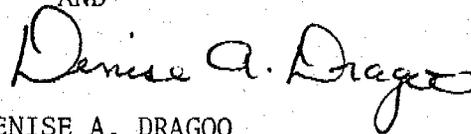
Finally, the Division would like to acknowledge Utah Power and Light's good faith efforts to bring their three mines into compliance with both State and Federal reclamation laws. Utah Power and Light's cooperation in these matters is highly appreciated.

Sincerely,



K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

AND



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

KMT/DAD:sp

cc: Ralph Jerman, Utah Power and Light
Murray Smith, O.S.M., Denver