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CLEON B. FEIGHT
Director

February 11, 1980

REGISTERED-RETURN RECEIPT REQUESTED

Mr. Ralph L. Jerman
Legal Offices
Utah Power and Light Company
P.O. Box 899 Salt Lake City, Utah 84110

Re: Utah Power and Light Co.
Deer Creek Mine
ACT/015/018a
Emery County, Utah

Dear Mr. Jerman:

You will recall that Tom Suchoski and Mike Thompson of the Division conducted an on-site inspection of the Deer Creek Mine in Emery County, Utah on March 27, 1979, for compliance of the interim period regulations Part MC-700.00 et seq. At that time it was noted that coal had been pushed into the channel of Deer Creek on the upstream side of the access to the live coal storage yard between the Deer Creek Mine and the Huntington Power Plant.

You were sent a certified letter concerning the matter on March 30, 1979. The area was partially cleaned, and a violation was issued May 7, 1979 subsequent to a May 3, 1979 inspection. The channel was then satisfactorily cleaned.

During an inspection on February 5, 1980, Joe Helfrich and Mike Thompson noted that coal had again been deliberately pushed into the Deer Creek channel blocking one of the two large culverts under the access road. A polaroid photograph is enclosed.

This practice is in violation of Rule MC 717.17 of the interim regulatory program. In addition, the practice is in violation of Parts 40-10-17 and 40-10-18 of House Bill 138, Regulation of Coal Mining and Reclamation Operations.

Utah Power and Light Company is hereby directed to abate the violation by removing all coal from the area that is affected above the culvert, removing all coal from the culvert itself and downstream from the culvert for a distance of 25 yards. Abatement shall be completed within 5 working days from receipt of this letter.

The Division will approach the Board of Oil, Gas, and Mining at the March meeting to recommend that Utah Power and Light be fined by the Board for the violation as provided for in Part 40-10-20 of the aforementioned Act. If persons from Utah Power and Light wish to contest the action or speak in behalf of the company they are welcomed.

If you have any questions please feel free to call.

Sincerely,



K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

AND



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

KMT/DAD:sp

cc: Steve McNeal, Division of Health
Murray Smith, O.S.M., Denver

