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Mine file
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S.C.L.
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DAVE H.

United States Department of the Interior
FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
2060 ADMINISTRATION BUILDING
1745 WEST 1700 SOUTH
SALT LAKE CITY, UTAH 84104-5110

IN REPLY REFER TO:

(ES) August 14, 1985

ACT/015/032 #2

RECEIVED
AUG 15 1985
DIVISION OF OIL GAS & MINING

Samuel Berman, PE, Chief
State Program Management Branch
U.S. Environmental Protection Agency
Region VIII
999 - 18th Street, Suite 1300
Denver, Colorado 80202-2413

Dear Mr. Berman:

This letter addresses proposed issuance of a NPDES water discharge permit to Genwal Coal Company, Emery County, Utah.

The U.S. Fish and Wildlife Service (FWS) requests denial of the permit until the Company redesigns the sediment pond and commits to a timeframe and suitable methods for controlling surface runoff and sedimentation. We question the appropriatness of issuing a discharge permit when the Company has not demonstrated compliance with discharge requirements. This is demonstrated by two facts: (1) the Company has not yet successfully revegetated disturbed areas draining to the seminent pond and (2) the Utah Division of Oil, Gas and Mining is requiring the company to redesign and reconstruct their sediment pond.

We believe that the Company has had adequate opportunity to protect the site and they have not done so.

Please contact us if we can be of further assistance.

Sincerely yours,

Clark D. Johnson
Assistant Field Supervisor

cc: RO/HR - Denver, Colorado
DOGM - Salt Lake City, Utah