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Original 007/004 #2
cc: Randy
Priscilla
Daron

AMAX COAL COMPANY

A Subsidiary of AMAX Coal Industries, Inc.



November 17, 1992

BELLE AYR MINE

Mr. Daron Haddock
Utah Division of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

RE: Sowbelly Canyon Approval Letter

Cert. Mail # P 114 441 152

Dear Daron:

Thank you for the prompt review of the Sowbelly Canyon permit revision. However, Amax cannot accept the Conditional Approval by the Division. The requirement to handle the spoil according to the requirements of R645-301-553.252 is unacceptable. The aforementioned regulation applies to refuse piles and not reining areas which is the section of the regulations the mining and reclamation plan is designed to meet.

Page 3.2-16 of the Sowbelly Canyon Permit Revision states that, "Any acid forming or toxic materials exposed during the grading operation, which may adversely affect water quality or vegetation, will be treated or buried at a depth of no less than four feet". This language meets the applicable regulations for reining areas including R645-537.220 which requires any toxic spoil which is exposed in the regrading of the Sowbelly Canyon Area to be located so as not to be a detriment to the environment, to the health and safety of the public, or to the approved postmining land use.

Construction cannot begin until Amax receives a concise and unequivocal approval of the Sowbelly Canyon Reclamation Plan from the Division.

Sincerely,

Richard H. Allison, Jr. P.E.
Project Supervisor

RHA:vsn
cg033

cc: George Womack
Steve Laird
Bill Hendrickson/Earthfax
Pat Winmill
Phil Dinsmoor

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NOV 20 1992

DIVISION OF
OIL GAS & MINING