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Original 007/004 #5
cc: Lowell Sharon
Daron Rick
PFO

AMAX COAL COMPANY

A Subsidiary of AMAX Coal Industries, Inc.

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MAY 08 1992

DIVISION OF
OIL GAS & MINING
BELLE Ayr MINE



May 5, 1992

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

RE: NOV 92-39-2-1

Dear Lowell:

I am requesting an extension for the abatement time for NOV 92-39-2-1. Circumstances which are involved with this NOV require that the abatement time be extended more than the 90 days as outlined in R645-400-324.

AMAX Coal Company is diligently pursuing approval of designs and plans as required by Division Orders. Design changes for the Utah Fuel Adit No. 1 area will be submitted in June. On April 10, 1992, I wrote a letter to you requesting that the Division be specific in what design changes need to be made at Adit #1 in order to abate the violation. I have not received a reply to this request and would like to incorporate the Division's legitimate requirements into the designs.

The abatement procedure of stop discharging required by the Division may create a safety problem which would violate safety standards of the Mine Safety and Health Act of 1977.

Therefore, for the reasons stated above, I am requesting that the abatement time for NOV 92-39-2-1 be extended indefinitely. Authority for this extension can be found in R645-400-327.100 and 327.500

Sincerely,

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

RA/ec
cg009

cc: Phil Dinsmoor
Steve Laird
George W. Deaver

Cert. Mail # P 114 441 136