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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

May 13, 1992

Mr. Steven R. Laird
Amax Coal Company
P. O. Box 3005
Gillette, Wyoming 82717-3005

Dear Mr. Laird:

Re: Informal Conference, Review Fact Of Violation N91-39-2-1

In response to your request of April 21, 1992, and my conversations with Richard Allison, the Division WILL schedule an informal conference to review the fact of violation for N92-39-2-1. The conference will be held at the Division's offices in Salt Lake City. Please contact Vicki Bailey at (801) 538-5340 to schedule a time for the conference.

You requested that the conference be held at the mine site, in accordance with Utah Admin. R645-400-350. As I discussed with Richard, the informal conference is conducted under R645-401-700, not R645-400-350. The latter rule refers to an informal public hearing when the enforcement action expressly or by necessary implication requires cessation of mining. That is not the current situation. Furthermore, the public hearing provided under R645-400-350 requires public notice and provides for public attendance on the mine site if that is the site of the conference.

If you have further questions or want to discuss the hearing procedure further, please call me.

Best regards,

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne R. Nielson, Ph.D.
Director

cc. L. Braxton
D. Haddock