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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor
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Executive Director
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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 12, 1992

Mr. Richard H. Allison, Jr. P.E.
Amax Coal Company, Belle Ayr Mine
2273 Bishop Road
P. O. Box 3005
Gillette, Wyoming 82717-3005

Richard

Dear Mr. Allison:

Re: Extension of NOV N92-39-2-1, Amax Coal Company, Castle Gate Mine,
ACT/007/004, Folder #5, Carbon County, Utah

The Division received your request for an extension of time to abate NOV #N92-39-2-1 on May 8, 1992. An extension is considered justified, but the Division can only consider extending it to the 90 day limit expressed in R645-400-324. Extensions beyond 90 days can only be given for circumstances listed under R645-400-327, which we feel do not apply in your case.

Certainly, the Division would not want Amax to undertake a procedure which would violate MSHA requirements. However, we feel there are options available to you and abatement of the violation within the 90 day time frame can be accomplished within both Division and MSHA requirements.

You asked for additional specificity in the NOV. I do not agree that the specificity is a prerequisite to initiation of steps to abate the unauthorized discharge. We will review any plans submitted as abatement to the violation, to date none have been submitted.

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Mr. Richard Allison, Jr.

ACT/007/004

May 12, 1992

Enclosed you will find the requested extension. Please note the revised abatement dates and respond accordingly. If you have any questions, please call me or Daron Haddock.

Sincerely,



Lowell P. Braxton
Associate Director

jbe

cc: D. Haddock
S. Demczak

AMAXEXTE.LPB

enclosure



MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Amax Coal Company

Mailing Address P.O. Box 3005 Gillette, WY 82717-3005

State Permit No. ACT/007/004

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 92-39-2-1 dated April 7, 19 92.

Cessation Order No. C _____ dated _____, 19 _____.

Part 1 of 1 is modified as follows: Abatement step #1 is extended to

June 8, 1992 at 12 pm Abatement Step #2 is extended

Reason for modification is to July 6, 1992 at 12 pm.

Part _____ of _____ is modified as follows: _____

Reason for modification is to allow operator time to prepare and
receive approval for designs as per written request

Part _____ of _____ is modified as follows: dated May 5, 1992.

Date of service/mailing 5-13-92

Time of service/mailing 3:00 a.m. p.m.

Date of inspection _____

Richard Allison
Permittee/Operator representative

Project Supervisor
Title

Signature

Daron R. Haddock
Division of Oil, Gas & Mining

Permit Supervisor
Title

Daron R. Haddock
Signature