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March 6, 1980

Mr. Floyd Tucker
Plateau Mining Corporation
P.O. Drawer PMC
Price, Utah 84501

Re: T.F. Bailey Letter
Dated January 2, 1980

Dear Mr. Tucker:

As you know, the above-cited letter asks for a waiver to Rule 30 CFR 783.14(a)(1), for several reasons. This mine includes a mixture of Federal and Non-Federal coal, so as you know, the granting of a waiver is not entirely the State's decision.

It is however, my opinion that the question of the waiver now becomes moot, due to the change in the proposed permanent program rules. When the State's rules and its attendant program are finally approved by the Office of Surface Mining, then the State's rule in this regard will apply. As I view the situation, the waiver would not be needed.

Please review the State's rule and determine if your request is still relevant.

Sincerely,

RONALD W. DANIELS
COORDINATOR OF MINED
LAND DEVELOPMENT

RWD/sp