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## United States Department of the Interior

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Reclamation and Enforcement  
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August 10, 1978

Mr. James W. Smith  
Reclamation Soils Specialist  
Dept of Natural Resources  
Div. of Oil, Gas and Mining  
1588 West North Temple  
Salt Lake City, UT 84116

Dear Mr. Smith:

We have checked our files and have identified the map you noted for the Sunnyside Coal Mines. A minor amount of confusion has arisen since the forwarding letter cited Section 715.11(c) of the initial regulations. The Sunnyside Mines, since they are underground mines, are regulated by a different part, Part 717.

Part 715.11(c) requires a status map showing lands from which coal has not yet been removed as well as "used or disturbed" lands. Section 710.11(d) addresses plans for "pre-existing, non-conforming structures."

Our confusion is caused by the fact that we do not have any documents indicating that the Sunnyside Mine operator has identified non-conforming structures or facilities. Nor do we have a plan "for the reconstruction of the structure or facility" (710.11(d)(2)(ii)).

We recommend that the operator be asked to describe any pre-existing, non-conforming structures or facilities keyed to Exhibit 1, to identify the non-conforming features thereof, and to submit to you a plan for prompt reconstruction immediately (see 30 CFR 710.11(2)). Otherwise, it will be presumed the operator has found all pre-existing structures and facilities in compliance with the pertinent regulations.

If questions arise, please call John Hardaway at 303/837-5511.

Sincerely yours,

Donald A. Crane  
Regional Director

