

permit to authorize removal of the refuse for use as fuel indicates your agency's own belief that the permittee is not in compliance with the approved permit. Finally, regardless of future plans, it may be necessary to require temporary or permanent reclamation of these lifts depending on the length of time before the refuse may be extracted as fuel or depending on the extent of the fires which currently exist within the refuse pile.

Based on the foregoing, I have reason to believe that a violation of the Utah program exists for which an enforcement action has not been issued. I therefore affirm the determination of the AFO Director and hereby order a Federal inspection.

Sincerely,



W. Hord Tipton
Deputy Director
Operations and Technical Services

cc: Sunnyside Coal Co.
P.O. Box 99
Sunnyside, Utah 84539

Robert H. Hagen
Director, Albuquerque Field Office

Nina Rose Hatfield
Assistant Deputy Director
Operations and Technical Services

Jeffrey Jarrett
Acting Assistant Director, Eastern Support Center

Raymond Lowrie
Assistant Director, Western Support Center

Joel Yudson
Assistant Solicitor, Regulatory Programs