

0044



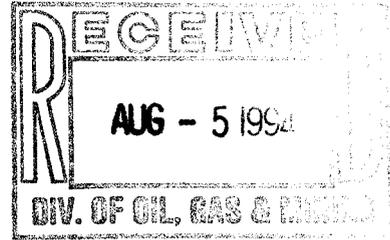
United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Suite 1200
505 Marquette Avenue N.W.
Albuquerque, New Mexico 87102

*cc JWC
JPA
PJM
RH
TAM
orig file
nine copy
07/07*

August 3, 1994

Mr. James W. Carter, Director
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, Utah 84180-1203



Dear Mr. Carter:

On July 12, 1994, Randy Harden, Tom Mitchell of the Utah Attorney General's Office, and you met with the Office of Surface Mining Reclamation and Enforcement (OSM) staff from the Albuquerque Field Office (AFO), the Solicitor's Office and the Western Support Center regarding the bonding situation at the Sunnyside Mine. This letter is to confirm the two agreements made during that meeting.

The Division of Oil, Gas and Mining (DOGM) and OSM agreed that Randy Harden and Karen Jass, DOGM and OSM engineers, respectively, would work together to calculate a bond amount that was acceptable to OSM and DOGM. AFO would remain involved in a coordination and liaison role. Because all parties recognized the importance of moving forward quickly, all parties agreed that bond calculations should be finalized within 30 days of Karen's return from annual leave, August 18, 1994. Recently, our attorney supplied us with an approved Motion to Fix Time for Filing Proofs of Claim and Interest and for Order Setting Notice Requirements, which sets a deadline of August 25, 1994, for all submittals to the bankruptcy court. Thus, our agreed upon deadline of August 18 is extremely timely. It will allow the lawyers a week to prepare the appropriate court papers after receiving the information from the engineers.

A potentially large part of the unidentified costs is contaminated soil removal. At the meeting, you committed to initiating soil sampling within a week if no other State agency has sampled the site. We would like to confirm that sampling has occurred and would like to know when the results can be expected. Please send the information as soon as it is available to this office and Karen Jass of WSC.

Mr. James W. Carter

2

If you can no longer agree to the timeframe for either the bond calculation or the soil sampling, or if you have any other concerns, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Ehmett". The signature is fluid and cursive, with a long horizontal stroke extending to the right at the end.

Thomas E. Ehmett, Acting Director
Albuquerque Field Office