

File

0014



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 2, 1994

TO: Coal Regulatory Program Staff
FROM: James W. Carter, Director *JWC*
RE: Sunnyside Mine, ACT/007/007, Carbon County, Utah

Bankruptcy proceedings at Sunnyside dictate that the Division ensure its position with regard to this mine is carefully focused and coordinated. Accordingly, effective immediately, the following procedures must be followed until I have amended them in writing:

Outside Contacts

Lowell and I will be the Division administrative contacts for Sunnyside. All calls, requests for information, etc., should be referred to Lowell for routing and response. Contacts with other state and federal agencies, Sunnyside Coal Company, its contractors, and interested parties, must be approved by Lowell or me prior to their initiation.

Permit Work Group

All previously established permit review assignments for Sunnyside are cancelled. Daron Haddock will assume Permit Supervisor responsibilities for the Sunnyside permit immediately, Randy Harden will serve as Senior Engineer for near-term engineering appraisals that will be directed towards establishing appropriate reclamation detail. Daron and Randy will recommend the additional staff resources required to establish the Division's position. Daron will prioritize these assignments in the light of other permit actions that are ongoing. Lowell will serve as tie-breaker in the event of schedule conflicts.

By no later than 5:00 p.m., Tuesday, May 3, each person presently doing permit review at Sunnyside should provide Daron with a brief written outline of any permitting work in progress that is being suspended by this memo.

Persons assigned to abatement review for existing Sunnyside NOVs need to meet with Daron and Joe to ensure timely resolution of these issues.



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Inspection and Enforcement

Joe Helfrich will be responsible for ensuring that inspection frequency is met, and for assigning staff to conduct inspections. Questions that Joe or the inspector may have concerning compliance at this mine shall be referred to Lowell.

Legal

Because our activities are occurring in the context of ongoing litigation, I will be meeting frequently with Tom and Bill to coordinate our approach to this action in bankruptcy court. Discussions with the attorneys must be treated as attorney-client privileged discussions, and all substantive communications with the attorneys should be limited to Lowell and me.

I appreciate your cooperation with the above direction, and hope to be able to keep you appropriately informed as events develop on this action. If any of you have questions regarding this memo, please contact Lowell.

vb

cc: K. Clarke, DNR
L. Braxton
J. Brown
T. Mitchell
B. Richards
SUNBANK.