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STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

June 9, 1982

REGISTERED RETURN RECEIPT REQUESTED

Mr. Robert Eccli
Mine Engineer
U.S. Fuel Company
Hiawatha, UT 84527

RE: Topsoil Storage at Lambs
Trailer Location
Hiawatha Complex
ACT/007/011
Carbon County, Utah

Dear Mr. Eccli:

Pursuant to our June 9, 1982 telephone conversation, please find the enclosed copy of Chapter 10 of Title 40 of the Utah Code Annotated, 1953. The portion of this which will be of the most interest to you would be 40-10-17 (performance standards). The regulation we discussed is found on page 28 under section (e).

This letter will also serve to document the content of our conversation of this day. The most salient points covered during this conversation: Stipulation # 5-26-82-1-tp and the operators May 28, 1982 response to this stipulation are discussed below.

First, the Division reserves the right to attach stipulations to any approvals which are granted. Since a stipulation without a deadline is a license for non-compliance for an indefinite period these stipulations have deadlines.

The above mentioned stipulation has a deadline "30 days from the receipt of this approval letter". Receipt of the letter was May 28, 1982. Since this falls on a Sunday, the deadline becomes June 28, 1982. THE DIVISION WILL ISSUE A NOTICE OF VIOLATION ON THIS DATE IF THE STIPULATION HAS NOT BEEN COMPLIED WITH.

Second, the statutory basis of this stipulation can be found under section (e) of UCA, 1953.

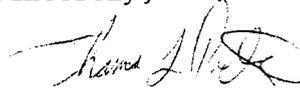
Furthermore, after consultation with our legal specialist, Carolyn Driscoll, it is quite clear that the content of the aforementioned May 28 letter cannot be construed to be a plan.

Mr. Robert Eccli, Mine Engineer
Hiawatha Complex
ACT/007/011
Carbon County, Utah
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The Division requests that U.S. Fuel comply with the previously discussed stipulation to preclude any unnecessary enforcement action.

If you have any questions regarding this matter, the Division will be most pleased to assist you. Please don't hesitate to call.

Sincerely,



THOMAS L. PORTLE
RECLAMATION SOIL SPECIALIST

cc: Jack Feight, OGM
Carolyn Driscoll, OGM
Joe Helfrich, OGM
Sandy Pruitt, OGM
NOV File
Chuck Jahne, Sharon Steel
✓ Jenn Semborski, U.S. Fuel Co.

TLP:dc