

0014



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

File

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

May 20, 1996

VIA FACSIMILE (606) 253-9271

Bennett Bayer, Esq.
310 East Main Street, Suite 1100
Lexington, Kentucky 40507

Re: Hiawatha Mine, ACT/007/011, Folder #2, Carbon County, Utah

Dear Mr. Bayer:

Pursuant to our telephone conversation of May 17, 1996, I am writing to provide clarification on the Utah Coal Regulatory Program's position on permit changes. As you know, all coal mines operated in Utah must have valid mining and reclamation plans, and the permit that is issued is based on detail found in the mining and reclamation plan. In issuing a permit, Utah requires sufficient detail to ensure that a mine can operate in an environmentally sound manner, while also ensuring timely reclamation in accordance with the plan at the conclusion of mining.

Reclamation timed with the conclusion of mining is an underpinning of SMCRA and our own statute. I also believe that a healthy, diverse coal mining industry is desirable. To this extent, I encourage my staff to review appropriately submitted and documented changes to mining and reclamation plans. Of particular interest are permit changes that when approved, facilitate timely reclamation success or maximize coal recovery. The regulatory basis for permit changes is found in our program at Utah Admin. Code R. 645-303-220.

Sincerely,

Lowell P. Braxton

Lowell P. Braxton
Associate Director, Mining

vb

cc: D. Haddock
J. Helfrich
P. Grubaugh-Littig

HIAW5-17.



TRANSACTION REPORT

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Fax #	(606) 253-9271	Fax #	(801) 359-3940

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