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File ACT/007/003 #5

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RECEIVED

MAY 31 1990

DIVISION OF
OIL, GAS & MINING

May 30, 1990

VIA TELECOPY

Mr. Robert Hagen, Director
Office of Surface Mining
Reclamation and Enforcement
Albuquerque Field Office
Suite 310, Silver Square
625 Silver Avenue, S.W.
Albuquerque, New Mexico 87102

Re: Federal NOV 89-02-370-006, Kaiser Coal Company,
Horse Canyon Mine, ACT/007/013, Folder #5,
Carbon County, Utah

Dear Director Hagen:

Kaiser Coal Corporation has requested me to contact you concerning the status of approval of abatement plans for Federal NOV 89-02-370-006 at the Horse Canyon Mine, ACT/007/013, Carbon County, Utah. Kaiser was informed by the Utah Division of Oil, Gas and Mining on May 23, 1990 that it had approved the plan for abatement of the Federal NOV. The State contacted Kaiser once again on May 29, 1990 indicating that information concerning the Federal NOV had been forwarded to your office for approval. By the terms of an agreement between OSM, Kaiser and The Chase Manhattan Bank, N.A., Kaiser is required to abate the Federal NOV within thirty days from notice by the OSM of its approval of abatement plans. Kaiser has retained the services of a contractor and awaits your formal approval to commence abatement. Please forward this approval letter to me by fax or mail at the above address.

Thank you for your assistance in this matter.

Very truly yours,

Denise Dragoo
Denise A. Dragoo

DAD:js

cc: John M. Palfy
Stonie Barker
Hal Morris, Esq.
Pamela Grubaugh-Littig ✓

U.S. DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement
MODIFICATION OF NOTICE OF VIOLATION OR CESSATION ORDER

1. Name <i>Kaiser Coal Corp.</i>		<input type="checkbox"/> Permittee <input checked="" type="checkbox"/> No Permit <i>expired</i>	Originating Office Address	
2. Mailing Address <i>P.O. Box 1107, Raton, NM 87740</i>		O.S.M. <i>625 Silver Blvd Suite 310 Albq., NM 87102</i>		
3. Name of Mine <i>Horse Canyon</i>		<input type="checkbox"/> Surface <input checked="" type="checkbox"/> Underground	Telephone Number <i>505-766-1486</i>	
4. Telephone Number <i>505-445-2395</i>	5. County <i>Carbon</i>	State <i>Utah</i>		8. Date of Inspection <i>5/30/90 Administrative</i>
6. Operator's Name		9. Time of Inspection From _____ a.m. To _____ a.m. p.m. p.m.		
7. Mailing Address		10. State Permit Number <i>WA 007/013</i>		
		11. NPDES Number	12. MSHA ID Number <i>42-00100</i>	13. OSM Mine Number

ACTIONS TAKEN

Authority: Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201) the following action is taken:

14. Notice of Violation Number <i>89-02-370-006</i>	Dated <i>12/12/89</i>	15. Cessation Order Number - - -	Dated
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16. VIOLATION *12* OF *2* IS MODIFIED: (Describe Action and Justify)

This modification is to also serve as notice to Kaiser that OSM has accepted the abatement plan as approved by DEGM for remedial measures to bring the subject impoundments into compliance. In accordance with the agreement dated 4/12/90 between DEGM, OSM, Chree, et al, Kaiser now has 30 (thirty) days from this date to implement the approved plan. The new abatement date is June 29, 1990 5:00 a.m.

A copy of this modification was faxed to Fabian + Clendenin 5/30/90

18. VIOLATION _____ OF _____ IS MODIFIED: (Describe Action and Justify)

19. Print Name of Authorized Representative <i>MITCHELL S. ROLLINGS</i>	Identification Number <i>370</i>
20. Signature of Authorized Representative <i>[Signature]</i>	Effective Date <i>5/30/90</i>