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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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September 13, 1988

Mr. Dan W. Guy, Manager  
Permitting & Compliance  
Beaver Creek Coal Company  
P. O. Box 1378  
Price, Utah 84501

Dear Mr. Guy:

Re: Correction in the Categorization of the No. 8 Mine Permit Change, Beaver Creek Coal Company, Gordon Creek #2 and 7 Mine, ACT/007/016-88A, Folder No. 2, Carbon County, Utah

This letter is to correct a previous categorization of the above-noted permit change. The most recent response was submitted to our office on June 22, 1988.

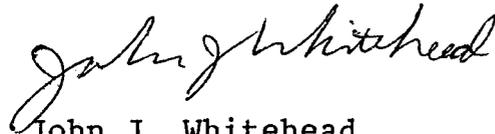
When this permit change was first submitted to the Division in December of 1985, the rules in effect at that time indicated the permit change would be considered a revision and thereby subject to the public notice requirements of UMC 786.11. In the intervening two-and-a-half year time period since the application was filed, Rule UMC 788.12 regarding permit changes, has been modified. The current rule indicates that an application for a permit change which disturbs less than 15 percent of the existing disturbed area is not considered a permit revision, but is properly classified as a permit amendment. After careful examination of the conditions laid out in UMC 788.12, part d, it is apparent that the No. 8 Mine permit change is in fact an amendment rather than a revision.

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Since this is a significant change in the disturbed area configuration, the Division will entertain comments from affected and interested public and state and federal agencies. However, the review period should be sixty days shorter than previously projected, as no public notice period is required for amendments.

Please feel free to contact me if you should have any questions on this matter.

Sincerely,



John J. Whitehead  
Permit Supervisor/  
Reclamation Hydrologist

djh  
cc: R. Hagen  
L. Braxton  
J. Helfrich  
B. Stettler  
WP+/35-36