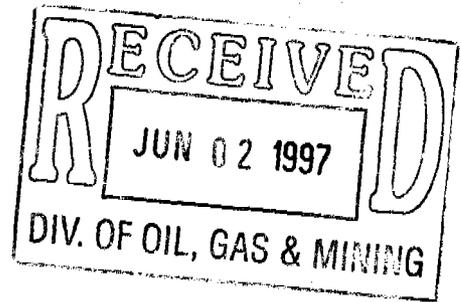




ARCO Coal Company
 555 Seventeenth Street
 Denver, Colorado 80202
 Telephone 303 293 7913
 Facsimile 303 293 4820

Paige B. Beville
 Sr. Manager, Coal Sales



May 28, 1997

Mr. Joseph C. Helfrich, Permit Supervisor
 State of Utah, Department of Natural Resources
 Division of Oil, Gas and Mining
 1594 West North Temple, Suite 1210
 Box 145801
 Salt Lake City, Utah 84114-5801

Copy Joe and Susan

**RE: Seeding Time Change, Mountain Coal Company, Gordon Creek #2, #7,
 and #8 Mines, ACT/007/016-97A, Folder #2, Carbon County, Utah.**

Dear Mr. Helfrich:

This is in response to your letter to me dated May 13, 1997 regarding Mountain Coal Company's application to revise the seeding time for the remaining portions of Gordon Creek Mine #2 and the adjacent access road not fully reclaimed last year. Dan Guy, Dr. Patrick Collins, Biological Consultant of Mt. Nebo Scientific Research and Consulting and I have reviewed your letter and have a number of concerns which are addressed below.

In general, it is unclear to us what deficiencies are in the application. Our application is merely requesting a change from the seeding time as described in the Revegetation Schedule on page 3-57 of our approved Mining and Reclamation Plan (M&R Plan). We are not requesting any variance from our approved Revegetation Protection Plan (Section 3.5.5.4 of the M&R Plan) nor our Revegetation Monitoring program in our approved M&R plan nor in our approved plan for Establishment of Wildlife Habitat (Section 3.5.5.6 of our approved M&R Plan) nor in our plan for ensuring that we meet our Revegetation Standard for Success (Section 3.5.5.7 of our approved M&R Plan). Given this, it is unclear to us why additional, and quite onerous, requirements are being imposed simply because we propose to change our seeding time. As described in our approved M&R plan, we will reseed any areas which do not meet the required revegetation standards in our plan.

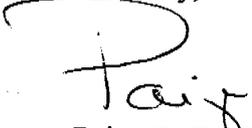
Specifically your letter cites R645-301-354. However I cannot find the statement made in your letter, i.e. **“disturbed area planted at any time other than fall will meet the below listed success standard within two years of seeding.”** Please identify where that statement is made in R645-301-354. We recognize that seeding at any time other than fall, may not be the optimum time for seeding in the high country in Utah - however seeding at any time other than the fall does not obviate our responsibility to meet the requirements of our approved M&R Plan.

Furthermore, the stipulations upon which you propose to condition approval of our proposed change to the seeding time for the remaining portion of No. 2 mine and the adjacent access road are, in our opinion, quite onerous and frankly outside the scope of the revegetation requirements. Specifically, the stipulations which require that our perennial vegetative cover be greater than 70% of the reference area cover and our wood plant density be greater than 80% of the standard within a two year period is unrealistic and may well not be met due to seed stratification and probably weed growth in the first year after seeding. Additionally the requirement to ensure that the vegetative cover meet the diversity standard described in our permit within two years is unrealistic as well. Under the best of circumstances, i.e. fall planting and a warm, wet spring may not be sufficient to guarantee such success within a two year period. It is unclear to me why such stipulations are being imposed. Again, our approved M&R plan indicates that we will meet the requisite success standards prior to applying for Phase II bond release.

Finally it is unclear why you have referenced R645-301-341 in this letter since we are not requesting a variance from our seeding methods. Please explain.

I respectfully request that you review your approval of our application to revise our seeding time and approve it without caveat. If you wish, I will be happy to talk/meet with you at your convenience to discuss this further. I also apologize for the delay in responding to your letter but we had difficulty making contact with Dr. Collins and did want to hear his thoughts on the “deficiencies” noted in your letter before responding. We only heard from him last Thursday.

Sincerely,



Paige B. Beville

cc: Dan Guy, Blackhawk Engineering