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

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September 27, 1994

Mine file
#5

Ed Kay, Deputy Director
Department of the Interior
Office of Surface Mining
1951 Constitution Avenue, N.W.
Washington, D.C. 20240

Re: Ten-Day Notice X94-020-179-002, Mountain Coal Company, Gordon Creek #3 and 6 Mines, Folder #5, ACT/007/017, Carbon County, Utah

Dear Mr. Kay:

By letter dated September 9, 1994, I requested an extension of time to provide information germane to the above-noted Ten-Day Notice ("TDN") informal review. In this letter I had agreed to collect field data regarding the existence of unutilized spoil sufficient to eliminate highwalls at these mines, and to establish a Division position regarding the availability of same by close of business September 26, 1994. I received your verbal concurrence to this on September 23, 1994.

The Division has been successful in collecting preliminary field data, but due to schedule conflicts, I have been unable to present these data to Jim Carter, Division Director. Jim is out of state Monday through Thursday of this week, and must chair an all day hearing on the 30th.

By this FAX, I am requesting a second extension to October 5, in which to formalize the Division's position on the availability of spoil at this site.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. Braxton".

Lowell P. Braxton
Associate Director, Mining

vb
cc: T. Ehmett, AFO

