



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

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November 6, 1997

Vicky Bailey
EarthFax
7324 South Union Park Avenue
Midvale, Utah 84074

Re: Extension Request for NOV N-97-45-1-1, Horizon Coal Company, Horizon Mine, ACT/007/020, File #2, Carbon County, Utah

Dear Ms. Bailey:

In regards to our telephone conversation on Thursday, November 6, 1997, concerning the abatement of NOV N-97-45-1-1 with the submittal of amendment 97F, dated November 3, 1997, it has been concluded that the submittal is incomplete. Therefore, the NOV is still in force.

The violation needs to be abated as quickly as possible to avoid Failure to Abate within 90 days. Therefore, rather than December 15, 1997 as requested (by fax on November 11, 1997), the Division will extend the abatement period to **December 5, 1997** with an interim requirement to have the amendment submitted no later than **November 21, 1997**. This will allow the Division time to review the amendment and provide a Technical Analysis before December 5, 1997.

The Division has determined that abatement of N-97-45-1-1 needs to occur prior to approval of the UC-3 Culvert Extension amendment. The Division recognizes that installation of the UC-3 culvert extension is critical. However, confusion and confounding of facts associated with topsoil resources cannot be resolved until clarification is provided in a complete, accurate and approved amendment to abate N-97-45-1-1.

As discussed in our conversation, you requested a meeting be set up for Monday, November 10, 1997, 10 a.m., here at the Division with you and myself. Daron Haddock, Joe Helfrich, Pam Grubaugh-Littig, and Jess Kelley will also be in attendance. The purpose of the meeting is to help you determine the completeness requirements for approval of amendment 97F.

If you have any questions, please call.

Sincerely,

Robert A. Davidson
Soils Reclamation Specialist

Attachment

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cc: Daron Haddock
Joe Helfrich
Pam Grubaugh-Littig
Jess Kelley

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