



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File ACT/007/021
Folder #2

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July 12, 1985

Mr. Robert H. Hagen
Director Albuquerque Field Office
Office of Surface Mining
219 Central Avenue, NW
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

RE: Placement of Excess Development Rock at an Abandoned Mine Site

Utah has received a request from a coal operator, who is reclaiming an inactive mine, to place excess development rock at an abandoned mine site. The AML site is part of Utah's approved 1986 Construction Grant.

The active site to be reclaimed is in a short, narrow canyon. The AML site is several miles away in a broad part of the main canyon and is a surface mine. Reclamation planning for both sites is in progress and use of the material from the active site could benefit the abandoned mine project. This plan would allow for 4,000 cyds of rock development waste to be placed in an area where the AMR Program will place 35,000 cyds of fill to reduce a highwall and cover the coal seam. The AMR Program could easily utilize more fill at this site.

Section 515 (21) & (22) of PL 95-87 does not seem to allow such an action. However, we are aware that both Ohio and West Virginia have received Secretarial permanent program approval to accommodate such instances. Since this proposal makes infinite good sense in reclamation planning for both sites, we therefore request an exception for this instance to the law and the regulations.

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Thank you for promptly considering this request.

Best Regards,



Dianne R. Nielson
Director

vp

cc: Phyllis Thompson, OSM
Chris Warner, OSM
Al Czarnowsky, ACZ
Alan W. Smith, NAE
Lowell Braxton, DOGM

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