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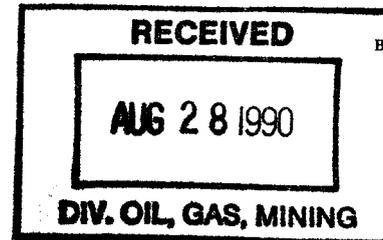
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Adam S. Affleck

August 27, 1990



FAX/U.S. Mail

Ms. Dianne Nielson  
 Mr. Lowell Braxton  
 Division of Oil, Gas and Mining  
 3 Triad Center, Suite 350  
 Salt Lake City, Utah 84101

Act 1007/021  
 #2

Re: Abatement of NOV 90-13-3-1/Application for  
 Permit Change

Dear Dianne and Lowell:

Enclosed is a letter from Earthfax Engineering, Inc., which proposes remedial action on the cut slope area of the access road as required by NOV 90-13-3-1. Since this response requires NAE to make changes in the method or conduct of reclamation activities authorized or required under its approved permit and reclamation plan, I assume that the proposal will be treated as an initial application for a permit change under Utah Admin. R. 614-303-220. Furthermore, since this change was not required by an order issued under Utah Admin. R. 614-303-212 or 614-303-213 and does not appear to meet any of the other definitions of a significant permit revision under Utah Admin. R. 614-303-224, I assume that this will be regarded as a permit amendment and exempt from requirements for notice, public participation, and notice of decision. We will expect your response to this initial application for a permit change within 15 days of your receipt as required by Utah Admin. R. 614-303-221.

Please confirm that this proposal is properly considered an amendment and contact me if you have any questions or concerns regarding this matter.

Sincerely,

*Adam S. Affleck*  
 Adam S. Affleck

bb  
 cc. Richie D. Haddock  
 Jill Hodge