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Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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September 24, 1981

Mr. Ken Wangerud
Permits and Compliance
ARCO Coal Company
Box 5300
Denver, Colorado 80217

RE: C.V. Spur
Beaver Creek Coal Co.
ACT/007/022
Carbon County, Utah

Dear Ken,

In regard to your letter of July 21, 1981, concerning the status of the C.V. Spur facility, I would like to provide you with the following history:

On September 20, 1979, Swisher Coal Company received a violation #79-5-5-29 from an Office of Surface Mining Inspector. The violation was issued for operating without a permit. The abatement measure called for Swisher Coal Company to submit a mining and reclamation form (Notice of Intent MR Form #1) to the Division of Oil, Gas & Mining. The violation was terminated by the Office of Surface Mining on October 16, 1979. Prior to this action the Division of Oil, Gas & Mining received a mining and reclamation plan, MR Form #2, from Swisher Coal Co. At that point, a Notice of Intent form was sent to Swisher for completion. This form was received by the Division on October 23, 1979. The Division did not make a formal response to the abatement action, but did conclude that the Mining & Reclamation plan and forms were sufficient for the facility to operate under interim program status. Mr. Ron Daniels, at the time Coordinator of Mined Lands Development, discussed the issues with Mr. Dan Guy in a telephone conversation. In this discussion, Mr. Daniels granted a verbal approval for the C. V. Spur to conduct operations and issued an ACT mine identification number.

This letter is to formalize the aforementioned approval for Beaver Creek Coal Co. to operate the C.V. Spur facility under the interim mining and reclamation plans submitted in September and October of 1979, subject to the State of Utah's Permanent Program Performance Standards.

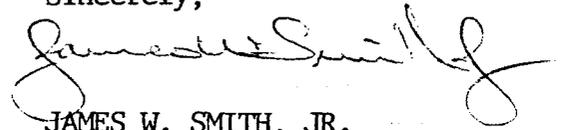
Mr Kenneth Wangerud
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Upon submission of ARCO's response to the Apparent Completeness Review conducted by the Division in April of 1981, the Division will proceed into a technical analysis of the C.V. Spur permanent program application

If you have any further concerns regarding this matter, please contact myself or Sally Kefer.

Sincerely,



JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

JWS:SK:vp

cc: Don Crane, OSM
Dan Guy, Beaver Creek Coal