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OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON  
Executive Director,  
NATURAL RESOURCES

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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March 5, 1981

~~CEP/007/003~~  
ACT/007/022

Mr. Don Crane, Director  
Office of Surface Mining  
Region V  
Brooks Towers  
1020 Fifteenth Street  
Denver, Colorado 80202

Dear Don:

This Division received a letter from John Nadolski of your staff on January 15, 1981, concerning ARCO's Castle Valley (C.V.) Spur. This facility is the processing and loadout site for Beaver Creek Coal Company's three underground coal mines.

The letter from Mr. Nadolski was accompanied by a draft of OSM's technical analysis for all areas except topsoil, revegetation, wildlife, bonding and archeology. The letter subsequently invited the Division staff to write "compliance sections for any of these sections (except archeology)."

This Division is proceeding with a technical analysis of topsoil, revegetation, wildlife and bonding but is seeking a clarification of the archeology review. It is my understanding that in the field on February 18, 1981, ARCO representatives received a Cultural Resources Apparent Completeness Review from OSM representatives. Division representatives, also present, have yet to receive a copy of this review from OSM but have received it from ARCO. A copy is enclosed.

In making this review known to the Utah SHPO office, the Utah Preservation staff has made the following preliminary comment:

"Since it is stated in the cultural resources report that there are no known sites, is OSM therefore questioning the ability of the contractor to locate known sites or is OSM simply dissatisfied with the format of the report?"

In having outlined the sequence of events concerning review of the C.V. Spur, several questions arise which beg clarification:

Mr. Don Crane, Director

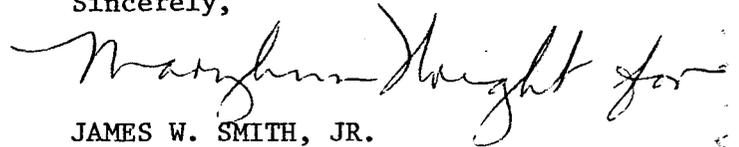
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1. Has an apparent completeness review been done for this mine plan?  
If so, may the Division have a copy for review?
2. How is OSM deciding which sections its staff will write compliance sections for and which this Division will do?
3. Is it proper procedure under the existing cooperative agreement to have this Division remain unaware of reviews done by OSM?
4. If there were no cultural sites found during the survey, is it reasonable to find the report inadequate because it has no cover page, abstract and other minor deficiencies?

The Division would appreciate clarification on these points.

Sincerely,



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

Enclosures

JWS/MAW/btm

cc: John Nadolski, OSM  
Ken Wangerud, ARCO