

CC
 11/1/88
 Aug OR 2
 11/1/88/1007
 Tracy Munn file

FABIAN & CLENDENIN

A PROFESSIONAL CORPORATION
 ATTORNEYS AT LAW

TWELFTH FLOOR
 215 SOUTH STATE STREET
 P. O. BOX 510210
 SALT LAKE CITY, UTAH 84151
 TELEPHONE (801) 531-8900
 FACSIMILE (801) 596-2814

RALPH H. MILLER
 GEORGE D. MELLING, JR.
 WARREN PATTEN
 M. SYRON FISHER
 STANFORD B. OWEN
 WILLIAM H. ADAMS
 ANTHONY L. RAMPTON
 PETER W. BILLINGS, JR.
 THOMAS CHRISTENSEN, JR.
 LAWRENCE J. LEIGH
 DENISE A. DRAGOO
 JAY B. BELL
 DANIEL W. ANDERSON
 GARY E. JUBBER
 ROSEMARY J. BELESS
 ANNA W. DRAKE
 W. CULLEN BATTLE
 KEVIN N. ANDERSON

RANDY K. JOHNSON
 NORMAN J. YOUNKER
 MICHELE MITCHELL
 JOHN E. S. ROBSON
 DOUGLAS B. CANNON
 DOUGLAS J. PAYNE
 ROBERT PALMER REES

DIANE H. BANKS
 R. BRUCE BADGER
 JOHN (JACK) D. RAY
 KATHLEEN H. SWITZER
 CRAIG T. JACOBSEN
 BRUCE D. REEMSNYDER
 GEOFFREY R. GRIFFIN

OF COUNSEL
 PETER W. BILLINGS

HAND DELIVERED

June 22, 1992

Dr. Dianne R. Nielson
 Director
 UTAH DIVISION OF OIL, GAS & MINING
 3 Triad Center, Suite 350
 355 West North Temple
 Salt Lake City, Utah 84180-1203

RECEIVED

JUN 22 1992

DIVISION OF
OIL, GAS & MINING

RE: Division Order No. DO-92A

Dear Dr. Nielson:

We have been requested to contact you on behalf of Hidden Valley Coal Company ("HVCC") regarding the above-entitled Division Order. This letter rescinds and supersedes HVCC's letter dated June 5, 1992.

Enclosed for the Division's review and approval is Plate III of Hidden Valley Mine's final reclamation plan, which has been revised to indicate the location of the Stream Buffer Zone Variance Area. In addition, enclosed is a letter dated May 2, 1980 from the Utah Division of Oil, Gas & Mining granting a variance at the Hidden Valley Mine to stream buffer zone requirements with the following stipulations that:

1. HVCC will work with the Division in determining those areas of the outslope of the fill which are required to be stabilized; and that
2. Runoff from the outslope of the fill will meet the effluent limitations set by the regulations.

These stipulations were satisfied by the reclamation plan submitted to the Division and approved on December 12, 1986. Please attach a copy of the 1980 variance document to the permit application package, page 64.

Upon approval of this response, Stream Buffer Zone signs will be relocated as per Plate III.

LAW OFFICES OF
FABIAN & CLENDENIN
A PROFESSIONAL CORPORATION

Dr. Dianne R. Nielson
June 22, 1992
Page 2

By submitting this information in response to DO-92A, Hidden Valley Coal Company does not waive its pending dispute with the Division challenging the Division's jurisdiction over the Hidden Valley Mine.

Please give me a call if you have further questions.

Very truly yours,



Denise A. Dragoo

DAD:jmc:062292a

cc: Lee Edmonson
Lowell Braxton
Pamela Grubaugh-Littig