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November 8, 1979

Mr. David Mills
Mining Engineer
The Fetterolf Group
P.O. Box 84
Somerset, PA 15501

RE: Trail Mountain Mine
Emery County, Utah
ACT/015/009

Dear Mr. Mills:

You will recall that the existing spoil pile at the Trail Mountain Mine is in violation of the interim coal regulations, and violations have been issued by the State and the U.S. Office of Surface Mining. The violations state that plans are to be submitted to bring the spoil pile into compliance.

This situation was discussed during a joint State-Federal inspection of the property held on November 6, 1979. Ms. Eileen Dougherty, the Office of Surface Mining inspector, was informed that it is the Division's present stand to delay a final decision on the problem until the Cottonwood Portal plans of Utah Power and Light Company are finalized. There is a possibility that the material may be usable as fill material. Ms. Dougherty stated that the Federal violation could not be terminated until this decision was put in writing.

The purpose of this letter, therefore, is to so state the present position of the Division on this matter.

Sincerely,

K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

cc: Ms. Eileen Dougherty, O.S.M.
Dan Hanna, Trail Mountain Mine

KMT/te