

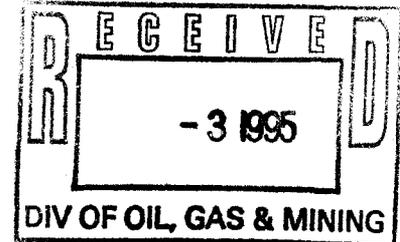


United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Suite 1200
505 Marquette Avenue N.W.
Albuquerque, New Mexico 87102

cc JWC
FPB
PBF
orig file
3/31/95
BJ

March 29, 1995



James W. Carter, Director
Utah Division of Oil, Gas and Mining
3 Triad Center, Suite 350
355 W. North Temple
Salt Lake City, Utah 84180-1203

Re: Response to Ten Day Notice 95-020-190-01TV1, Genwal Coal Company
UT-015-032

Dear Mr. Carter:

The following is a written finding in accordance with 30 CFR 842.11 regarding the Utah Division of Oil Gas and Mining's (DOGM) response to the above-referenced Ten Day Notice (TDN).

Your office's response to the TDN issued after a Federal oversight inspection at the Genwal Mine was received within the required 10 days.

According to the information provided, DOGM agreed with the validity of the TDN and found the area covered, referred to as SAE #2, was improperly named and should have been designated as an alternative sediment control area.

DOGM's letter indicates that the existing permit was revised to change drainage control for the area in question. Designs for sediment control measures and changes in the permit language required by the revision were included in the information received by the Albuquerque Field Office (AFO). According to the letter, the revision referred to as amendment 95-D has been approved.

As DOGM has approved a revision to the permit that includes required designs for sediment control as required by Utah's regulations and the changes have been implemented on the ground as reported by Stephen J. Demczak of DOGM, AFO finds that the response by DOGM to the TDN constitutes good cause for not taking further action.

Sincerely

Thomas E. Ehmett, Acting Director
Albuquerque Field Office