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 STATE OF UTAH
 NATURAL RESOURCES
 Oil, Gas & Mining

Full copy

Scott M. Matheson, Governor
 Temple A. Reynolds, Executive Director
 Dr. G. A. (Jim) Shirazi, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

December 16, 1983

Mr. Robert Hagen, Director
 Office of Surface Mining
 Reclamation and Enforcement
 219 Central Avenue, NW
 Albuquerque, New Mexico 87102

RE: Blackhawk Mine Ten Day Notice
 83-2-31-2-1
 ACT/043/001

Dear Mr. Hagen:

Folder # 7

This office is in receipt of your letter relative to DOGM's response to this ten day notice. In essence, your letter asks that we proceed with the issuance of a notice of violation since all mines under the purview of an interim permit are required to maintain environmental protection measures.

We agree that all mines, active or inactive need to provide environmental protection measures and this position was reflected in our communication to the Blackhawk mine. There appears, however, to be some question on what action needs to be taken in the absence of an interim permit.

This matter has been referred to the Attorney General's office for a determination on a preferred course of action. In the interim, is there a contact person in the Solicitor's Office of your office with whom we can discuss this issue? We will keep you informed of our progress in researching this situation.

Sincerely,

RW Daniels

RONALD W. DANIELS
 DEPUTY DIRECTOR

RWD/jvb

cc: Barbara Roberts, Attorney
 Dianne R. Nielson, DOGM