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April 27, 1978

Mr. Steve Rigby, Mine Engineer
Plateau Mining Company
P.O. Drawer PMC
Price, UT. 84501

Re: Pre-existing, non-conforming
structures at the Wattis Mine
Site

Dear Mr. Rigby:

This letter is in response to your request of April 26th 1978, asking for the observations of the Division resultant from its April 24th field inspection relative to pre-existing, non-conforming structures and facilities at the Wattis Mine site area.

In the inspection, it was determined that the only pre-existing, non-conforming structure or facility present was the access and haul road from the Plateau Mining Company office in Wattis to the mine portals and truck loading facilities. This road was found to exceed the grade requirements set forth in Section 717.17(j).

We recommend that your testimony at the May 3rd 1978 hearing be directed to why it is physically impossible to bring the road into compliance by May 3rd 1978.

As we discussed on-site, there may be other areas which are presently in non-compliance at this time, especially drainage control and sediment collection facilities, but these will not be the subject of said hearing. Non-compliance situations will be treated at a later date as non-compliance is found by the Division.

For the May 3rd 1978 hearing, be prepared to present evidence as to why the existing road was physically impossible to reconstruct by the deadline, show engineer-designed plans for reconstruction of the road, and present a schedule of reconstruction.

Mr. Steve Rigby
April 27, 1978
Page Two

The merits of reconstructing the road to bring it into compliance with the road grade standards specified in 717.17 are, as you know, still questionable. However, detailed testimony in regard to the excess environmental damage resultant from said reconstruction, etc. should be reserved for a future hearing. Such a hearing probably will occur in June.

The finding of the May hearing, if it is found that it was physically impossible to bring the road into compliance, will grant an extension of time for reconstruction until the 4th of November 1978 for this pre-existing, non-complying facility.

Please communicate with us if you have any further questions on this matter.

Sincerely,



RONALD W. DANIELS
COORDINATOR OF MINED
LAND DEVELOPMENT

/tlb

cc: Larry Lopez, OSM, Denver, CO.,
OSM, Washington, D.C.