



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
SUITE 310
625 SILVER AVENUE, S.W.
ALBUQUERQUE, NEW MEXICO 87102



In Reply Refer To:

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DIVISION OF
OIL, GAS & MINING

Permit: Act 007/006
Mine Name: Star Point

Mr. Lowell Braxton, Administrator
Division of Oil, Gas and Mining
Department of Natural Resources
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, UT 84180-1203

Dear Mr. Braxton:

The attached Office of Surface Mining Reclamation and Enforcement (OSMRE) inspection report identifies violations that are considered to have existed at the time of the previous State complete inspection but had not been cited.

Date of Federal Inspection: 09-29-88 Date of LSCI: 06-20-88

The determination that the State did not cite the violations is based on one or more of the following reasons:

The condition was identified in a State inspection report but no State enforcement action was taken.

Design criteria or required certification has not been met for a structure in existence as of the last complete inspection (sediment pond, excess spoil fill, etc.).

Necessary controls that were required at the time of the last complete State inspection have not been established (diversion ditches, sediment ponds, top soil protection, signs and markers, etc.).

Site conditions indicate that the violation noted had been in existence at the time of, or prior to, the last complete State inspection.

Other (give explanation).

Although the violations were cited by the State during a joint inspection, OSMRE feels that the violations were evident during the last complete inspection.

Mr. Lowell Braxton

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Indicate below the Division's reason(s) for not citing the alleged violations.

Not a violation #2 of 3 vacated by docm administration

Precluded by State policy

Not included under State program

Warning given in Lieu of a Citation (#3 of 3) operator failed to conduct maint.

Violation not recognized (missed) (#1 of 3). SAE was in old permit, inadvertent not added to renewed permit

Practice allowed under approved permit

Too minor to cite

Working with operator to correct

Other: _____

Signature Lowell P Braxton

Date 10/27/88

Please return your signed and dated response to the Albuquerque Field Office at your earliest convenience.

Sincerely,



Stephen G. Rathbun,
Supervisory Reclamation Specialist

Attachments