

0013



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

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

November 2, 1982

REGISTERED RETURN RECEIPT REQUESTED

Mr. John Huefner
Kaiser Steel Corporation
P. O. Box D
Sunnyside, Utah 84539

RE: Compliance Status at
Sunnyside Mines
ACT/007/007
Carbon County, Utah

Dear Mr. Huefner:

I would like to take the opportunity to discuss with you the compliance status of Kaiser Steel's Sunnyside operation.

Recently, the Office of Surface Mining (OSM) conducted a preliminary review of our coal regulatory program pursuant to their oversight policy. OSM's initial findings indicated that during a one year period from May 1981 through May 1982 a total of eight violations and one Cessation Order were issued and upheld in assessment conferences. Sediment control violations were cited on four separate State inspections. The Utah Law refers to the situation in general terms as a pattern of violations under Section 40-10-22(d) which reads as follows:

"When on the basis of an inspection, the Division determines that a pattern of violations of any requirements of this chapter or any permit conditions required by this chapter exist, or has existed, and if the Division also finds that these violations are caused by the unwarranted failure of the permittee to comply with any requirements of this chapter or any permit conditions or that these violations are willfully caused by the permittee, the Board shall be requested to issue an order to the permittee to show cause as to why the permit should not be suspended or revoked and shall provide opportunity for public hearing. If a conference is requested, the Division shall inform all interested parties of the time and place of the hearing. Upon the permittee's failure to show cause as to why the permit should not be suspended or revoked, the Board shall immediately suspend or revoke the permit."

Board/Charles R. Henderson, Chairman • John L. Bell • E. Steele McIntyre • Edward T. Beck
Robert R. Norman • Margaret R. Bird • Herm Olsen

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In reviewing the language of the aforementioned section of our statute, a formal Order to Show Cause before the Board may be required. In view of this, I would like to extend an open invitation to you and members of your company to meet with myself and members of both our technical and inspection and enforcement staffs to informally discuss the compliance history and status of the Sunnyside operation. I feel that a meeting of this nature would provide the necessary mechanism for ensuring environmental compliance without enforcement action.

Your response in this matter at your earliest possible convenience will be greatly appreciated.

Sincerely,



RONALD W. DANIELS
DEPUTY DIRECTOR

RWD:btb

cc: Jim Smith, DOGM
Jack Feight, DOGM
Joe Helfrich, DOGM

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*GPO: 1980 331-003

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