



# United States Department of the Interior

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

MAY 10 1988



In Reply Refer To:  
4480  
INE

Permit: 007/007  
Mine Name: Sunnyside Mine

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

Dear Mr. Braxton:

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

Date of Federal Inspection 4-29-88 Date of State Inspection 2-17-88

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.).

  X   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 violation was cited by the State during a joint inspection, OSMRE feels that the violation was evident during the last complete inspection.

288-2611-1

Mr. Lowell Braxton

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Indicate below the Division's reasons for not citing the alleged violations.

Not a violation

Precluded by State policy

Not included under State program

Warning given in Lieu of a Citation

Violation not recognized (missed)

Practice allowed under approved permit

Too minor to cite

Working with operator to correct *at time of previous inspection*

Other: \_\_\_\_\_

Signature *Lowell P Braxton*

Date *5/15/88*

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

Sincerely,

*Gary Fritz for Steve Rathbun*

Stephen G. Rathbun,  
Supervisory Reclamation Specialist

Attachments