

0016

*orig file - mine  
cc of R May  
L Braxton  
BBK*

*007/012*



# United States Department of the Interior

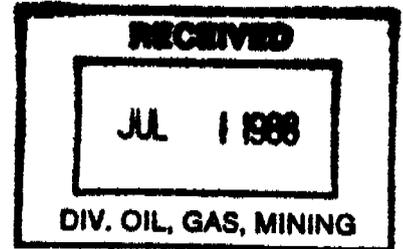
OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT  
SUITE 310  
625 SILVER AVENUE, S.W.  
ALBUQUERQUE, NEW MEXICO 87102



**JUN 29 1988**

In Reply Refer To:

4480  
TDN



Dr. Dianne R. Nielson, Director  
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

Re: Wellington Preparation Plant, TDN No. 88-2-107-3, T.V. 5

Dear Dr. Nielson:

The Albuquerque Field Office (AFO) received the Division's second response to the above Ten-Day Notice (TDN) on June 24, 1988. Based on a review of both responses, AFO makes the following findings:

- Violation No. 1 - The operator corrected the erosion noted in the TDN and the Division field-checked and -verified completion of the repair work. AFO finds the Division's response to this violation to be appropriate.
- Violation No. 2 - This alleged violation for combination spillways will be withdrawn and processed as a program implementation issue because of what appears to be different interpretations of the standard. We will conduct a case-by-case technical review of each situation and inform you of any necessary action.
- Violation No. 5 - The as-built certifications were submitted to the Division by the operator within the 10-day period. The Division's response to this violation is found to be appropriate.
- Violation Nos. 2 and 4 - The Division infers that the alleged violations are addressed within the permit approval document. To

Dr. Dianne R. Nielson

2

properly evaluate the Division's response to these two violations, AFO requests that you submit a copy of the permit written findings document to verify the Division's response.

If you have any questions, please contact Stephen Rathbun at (505) 766-1486.

Sincerely,

Robert H. Hagen, Director  
Albuquerque Field Office

*W. H. Hagen*  
*ACH*