

0006

Orig: mine file #45
CC - Rathbun OSM Albg-UB
R. Smith
P.F.O.



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:

August 11, 1989

Permit: 007/013
Mine Name: Horse Canyon

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

RECEIVED
AUG 14 1989

DIVISION OF
OIL, GAS & MINING

Dear Mr. Braxton:

The enclosed 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: 07-26-89 ; Date of LSCI: 06-29-89

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 violations 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 believes that the violations were evident during the last complete inspection.

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

- 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
- Other: _____

Signature James P. Brantton

Date 8/29/89

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

Sincerely,
Stephen G. Rathbun
FOR

Stephen G. Rathbun
Supervisory Reclamation Specialist

Enclosure