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United States Department of the Interior
OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
SUITE 310
625 SILVER AVENUE, S.W.
ALBUQUERQUE, NEW MEXICO 87102
JUL 08 1987

AOX/007/021

orig mine file
RECEIVED
JUL 10 1987

DIVISION OF
OIL, GAS & MINING

*cc K. May
L. Boston
J. Helfrich*

In Reply
Refer to
4480
INE

Dr. Dianne Nielson, Director
Utah Division of Oil, Gas, and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

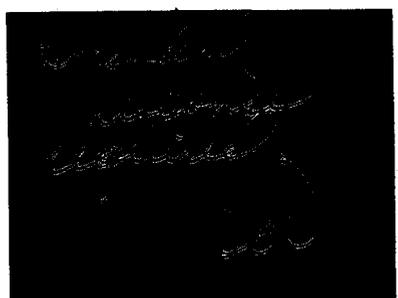
Re: DOGM Response to Ten-Day Notice No. 87-2-116-4, North American Equities, Blazon No. 1 Mine, INA/007/021

Dear Dr. Nielson:

The Albuquerque Field Office (AFO), Office of Surface Mining Reclamation and Enforcement (OSMRE), has reviewed the above-noted TDN response. The response will be considered initially inappropriate for the following reason(s):

DOGM indicates in the above-noted response, "The Division agrees that contemporaneous reclamation beyond that conducted by North American Equities in 1986 could have been accomplished, but in order to occur as contemporaneously as practicable, such reclamation must follow removal of structures, and must be conducted when field moisture conditions more favorable exist." OSMRE believes more than adequate time and field conditions existed through 1986 to allow for completion of all on-site work necessary to satisfy the commitments found in the permittee's approved Mining and Reclamation Plan.

The AFO contacted Mr. Jack Otani and Mr. Allen Smith via telephone on June 5, 1987, concerning North American Equities May 19, 1987, letter to DOGM referred to in the above-noted DOGM TDN response. Neither Messrs. Otani or Smith were able to provide definite time frames for completion of all necessary site work during 1987. In addition, Mr. Otani indicated he was not satisfied with the approved Mining and Reclamation Plan and that he was not aware of any negotiations concerning a transfer of the permit and bond from North American Equities to him.





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

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*Amended
response
required
DKA*

Dr. Dianne Nielson

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In view of the above findings; OSMRE feels it is imperative for DOGM to require time frames during the current 1987 construction season and the upcoming fall seeding season to ensure timely reclamation at this site. The time frames should include specific dates for completion of backfilling and grading; topsoil redistribution; seeding, planting, and mulching.

DOGM should provide an amended response to TDN 87-2-116-4 incorporating the time frames referred to above. OSMRE will evaluate the amended response and determine whether it is appropriate or inappropriate.

Please address any questions concerning this response to Stephen Rathbun of my staff at (505) 766-1486.

Sincerely,



ACTING FOR

Robert H. Hagen, Director
Albuquerque Field Office