

Mine File:

0007



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT

SUITE 310
625 SILVER AVENUE, S.E.
ALBUQUERQUE, NEW MEXICO 87102



RECEIVED
JUL 02 1990

In Reply Refer To:

June 28, 1990

DIVISION OF
OIL, GAS & MINING

CERTIFIED MAIL RECEIPT NO.: P 965 798 909

Permit: 007/033 #5
Mine Name: Wildcat

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

Dear Mr. Braxton:

Federal Ten-Day Notice 90-02-107-8 (4) is being issued for violations that likely existed at the time of the last State complete inspection (LSCI). Specific details are as follows:

Date of Federal Inspection: 06/21/90; Date of LSCI: 06/05/90

The determination that the State did not cite the violation 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.)
- Site conditions indicate that the violation(s) noted had been in existence at the time of, or prior to, the last complete State inspection.
- Other (Give explanation).

Mr. Braxton

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Indicate below the Division's reason(s) 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

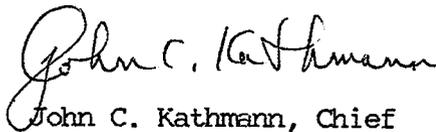
Other: _____

Signature Lucretia P. Braxton

Date 7-16-90

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

Sincerely,



John C. Kathmann, Chief
Inspection and Enforcement Branch

Enclosure

Mine File



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Permit: 007/033
Mine Name: Wildcat

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

Dear Mr. Braxton:

The enclosed Office of Surface Mining Reclamation and Enforcement (OSM) 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: 06/21/90; Date of LSCI: 06/05/90

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.).
- 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 violation was abated during a joint inspection, OSM believes that the violation was evident during the last complete inspection.

Indicate below the Division's reason(s) 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

Other: _____

Signature *Jewell / Briefs*

Date *7-16-90*

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

Sincerely,

John C. Kathmann
John C. Kathmann, Chief
Inspection and Enforcement Branch

Enclosure