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cc mine file



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:

June 7, 1991

Permit: ACT/007/033
Mine Name: Wildcat Loadout

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

RECEIVED

JUN 10 1991

DIVISION OF
OIL GAS & MINING

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 last State complete inspection (LSCI) but had not been cited.

Date of Federal Inspection: 5/14/91; Date of LSCI: 3/28/91

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 State complete inspection (sediment pond, excess spoil fill, etc.).

_____ Necessary controls that were required at the time of the last State complete 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 State complete inspection.

_____ Other (give explanation).

Although the violation was cited by the State, OSM believes that the violation was evident during the last State complete inspection.

Mr. Lowell P. Braxton

2

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

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 L.P. Braxton

Date 7-18-71

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

Sincerely,

Gray Futz for SR.

Stephen G. Rathbun, Chief
Inspection and Enforcement Branch

Enclosure