



# United States Department of the Interior



## OFFICE OF SURFACE MINING

Reclamation and Enforcement

Suite 1200

505 Marquette Avenue N.W.

Albuquerque, New Mexico 87102

February 17, 1994

Permit: ACT/007/035  
 Mine Name: Sunnyside Refuse & Slurry

Mr. James W. Carter, 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

Dear Mr. Carter:

Federal Ten-Day Notice 93-02-370-2 is being issued for (a) violation(s) that likely existed at the time of the last State complete inspection (LSCI). Specific details are as follows:

Date of Federal Inspection: 8/11/93 ; Date of LSCI: 3/31/93

The determination that the State did not cite the violation(s) 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: \_\_\_\_\_



Mr. James W. Carter

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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 \_\_\_\_\_

Date \_\_\_\_\_

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

Sincerely,



Stephen G. Rathbun, Chief  
Inspection and Enforcement Branch

Enclosure