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January 9, 1980

Mr. Brian Honey
Chief Engineer
J.B. King Mine
Western States Minerals Corp.
P.O. Box 'F'
Salina, Utah 84654

RE: Time Extension for Compliance
J.B. King Mine
Western States Minerals Corp.
Emery County, Utah
ACT/015/002

Dear Mr. Honey:

I apologize for the delay in responding to your request for an extension of time to bring the J.B. King Mine into compliance with the interim program regulations. Any time extensions granted by the Division will not apply to Notices of Violations issued by the federal Office of Surface Mining. Time extensions for abatement of those infractions must be requested from that agency.

Please keep in mind that the mining and reclamation plan currently on file and the compliance measures now being taken by Western States Minerals do not necessarily fulfill requirements to be met under the permanent program regulations which go into effect upon approval of the State regulatory program sometime this spring. It will be to Western States Minerals Corporation's advantage to address all compliance measures with regard to the permanent program regulations as published in the Federal Register, March 13, 1979. The State's regulations will pretty much parallel the federal regulations, with some modifications to meet specific conditions unique to Utah.

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The Notice of Intention to Commence Mining Operation (MR Form 1) and the Mining and Reclamation Plan (MR Form 2) are basic forms to be filed by all mining operations with over two acres of surface disturbance and moving more than 500 tons of material during a twelve consecutive month period. Another basic form, Commitment to Rule M-10 (MR Form 8), is also to be submitted by the above operations. This form has not been filed by Western States Minerals and is enclosed for your completion and return to the Division.

Regarding the completeness of MR Forms 1 and 2, the Division requests some additional information and minor modifications.

1. MR Form 1, page 2, Item 12 - lacks a listing of all lease numbers,
2. MR Form 2, page 2, Item 11 - needs more detail, cross-sections, profiles, and specific plans (the narrative is too general and does not adequately address the requirements of the interim program),
3. MR Form 2, page 2, Testing - requires more detail and results of soils analysis,
4. MR Form 2, pages 3 and 4, Revegetation - the Division requests the use of a more diverse seed mixture to include forbs and shrubs; the season to be planted should be late fall for seeds and early spring for seedlings; the Division also suggests that mulch and fertilizer be used in revegetation and recommends the use of vegetation test plots to determine the exact species and methods to be used in the final reclamation (the Division biologist, Mary Ann Wright, will be glad to work with you on this), and
5. The Division requires an updated map (drafted blueprint) showing the exact location of all surface facilities and natural features.

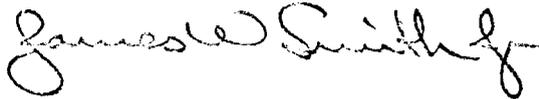
As I mentioned previously, these forms are basic to all mining operations. However, when coal is the commodity involved much more detailed information is needed to satisfy the requirements than what is asked for on the forms. The plan submitted by Western States Minerals is very general in nature and does not adequately address all of the requirements of the interim program. Also, since information for various requirements has been submitted in a rather piece-meal fashion, it is somewhat difficult to review the entire plan and determine exactly what is in the file.

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Therefore, the Division requests that Western States Minerals Corporation submit the detailed plans for those items in your letter of December 14, 1979, by the date which you have stated. The Division further requests that, upon Division approval of each of those items, Western States Minerals compile one single document (including appendices containing maps, aerial photographs, engineered drawings, test results, and other supporting information) which addresses each and every requirement of the regulations in order, section by section.

The Division hydrologist, Tom Suchoski, will respond to the completeness of the hydrologic information which Western States Minerals has submitted within the near future. If you have any questions, please call.

Sincerely,



JAMES W. SMITH, JR.
RECLAMATION SOILS SPECIALIST

JWS/te

cc: Office of Surface Mining, Denver

Boldizar Darnay
Western States Minerals
Lakewood, Colorado

Enclosure: MR Form 8 (Commitment to Rule M-10)