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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



In Reply Refer To:

OCT 07 1988

4480  
INE

Permit: 015/002 # 5  
Mine Name: J. B. King

Mr. Lowell Braxton, Administrator  
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. Braxton:

Federal Ten-Day Notice 88-02-107-10 is being issued for a violation that likely existed at the time of the last State complete inspection (LSCI). Specific details are as follows:

Date of Federal Inspection: 09-29-88 Date of LSCI: 08-09-88

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 noted had been in existence at the time of, or prior to, the last complete State inspection.

Other (Give explanation).

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

Not a violation *This test plot was part of an approved permit*

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 *Lance P. Bricker*

Date *10/29/88*

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

Sincerely,



Stephen G. Rathbun  
Supervisory Reclamation Specialist