



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:

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DIVISION OF
OIL, GAS & MINING

Dr. Dianne R. Nielson, Director
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180

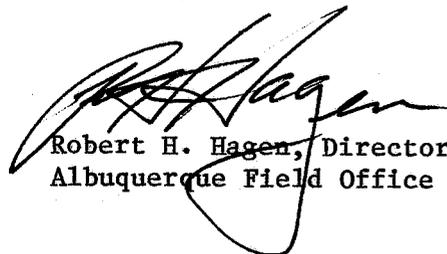
Re: Ten-Day Notice 87-02-006-009, J.B. King, INA/015/002

Dear Dr. Nielson:

This letter addresses the final disposition of violation No. 4 contained in the above Ten-Day Notice (TDN). Violation No. 4 was issued for failure to install an energy dissipator at the upstream end of the sediment pond as required by the permit. The Division's approval (January 29, 1988) of a permit revision deleting the dissipator requirement brings field conditions into compliance with the approved permit. The Division's actions in this matter, while negating the need for a follow-up Federal inspection, have not met the criteria for an appropriate response as set forth in Directive INE-27. The Division's response to violation No. 4, therefore, will be considered inappropriate for oversight purposes.

If you have any questions concerning this matter, please contact Stephen Rathbun at (505) 766-1486.

Sincerely,


Robert H. Hagen, Director
Albuquerque Field Office