



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

August 15, 1991

Mr. Dwight Crossland
Western States Minerals Corporation
84 Glen Carran Circle
Sparks, Nevada 89431

Dear Mr. Crossland:

Re: Stipulation Response, Western States Minerals Corporation, J. B. King Mine, ACT/015/002, Folder #2, Emery County, Utah

On August 13, 1990, the permit was renewed for reclamation at the J. B. King Mine. Attached to that permit renewal were three (3) stipulations to be resolved by the permittee within sixty (60) days of permit issuance. Now, a year later, only one of those stipulations has been resolved. Outlined below are the two remaining stipulations and their status:

Stipulation R614-301-120 and R614-301-140 (JK)

The requirements of R614-301-120 and R614-301-140 state that all maps and plans submitted must contain accurate and correct information. Map JBK-1, "Reclaimed Topography and Disturbed Area" (date received: 2/14/91), is not accurate and does not distinguish those areas in which coal mining has occurred. The cut slopes of highwalls between disturbed markers 3 and 4, and 5 and 6, were made either when portals were opened or to facilitate clearing for an operational pad. Regardless of whether or not these activities occurred prior to 1977, the portals and operational pads were used post-1977 and therefore the cuts must be included within the disturbed area boundaries of Map JBK-1.

Stipulation R614-301-742-113 (TM)

The requirements of R614-301-742.113 state that sediment control measures must minimize erosion to the extent possible. The silt fences on site do not constitute long term erosion control. The permittee proposed to install rock check dams in Spring 1991 as a long term sediment control measure. The Division response to the permittee was that if equipment was to be used on site, this would restart the period of extended responsibility (R614-301-357).

Page 2
ACT/015/002
August 15, 1991

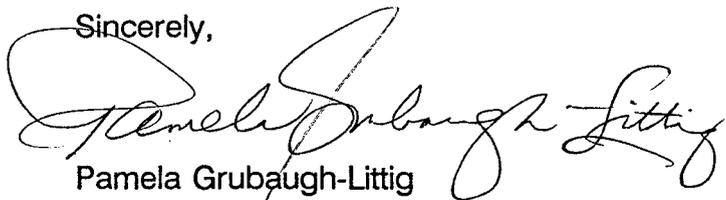
The Division may approve selected husbandry practices if these practices are expected to continue as part of the post-mining land use, or if discontinuance of the practices will not reduce the probability of revegetation success. The permittee has petitioned state and federal agencies as to what constitutes normal husbandry practices in the region. State Lands and the Bureau of Land Management have agreed that check dams would be normal conservation practices, but have not stated if they would continue the practice after bond release. The Division must also determine if discontinuance of the practice, after the liability period expires, will not reduce the probability of permanent revegetation success. A long term erosion control solution must be proposed and implemented in order to satisfy the requirements of this stipulation.

The permittee has stated that they are collecting data and recommendations for a long-term erosion control solution. The permittee must, therefore, submit to the Division, a schedule which includes: data collection, proposal of work, and field implementation. The schedule must include a time frame for submittal of the proposal and field implementation.

In summary, revised Map JBK-1 and an erosion control schedule must be submitted to the Division no later than September 16, 1991. If all of the August 13, 1990 conditions have not been resolved by September 16, 1991, enforcement action will be initiated.

If you have any questions, please call me.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

mbm/jbe
cc: Lowell Braxton
Susan White
Jesse Kelley
Tom Munson
AT015002.JBK