



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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July 29, 1992

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Henry Sauer, Senior Reclamation Soils Specialist *HS*

RE: Disposition of NOV N91-32-6-1, Western States Mineral Corporation, J.B. King Mine, ACT/015/002, Folder #2 & #5, Emery County, Utah

SUMMARY:

The above referenced violation has not been abated as of the date of this memo.

An extension was granted as per operator request, dated May 11, 1992. Abatement of NOV N91-32-6-1 was extended to no later than June 30, 1992.

Western States Minerals (WSM) submitted a proposal (received by FAX on 6/30/92) to abate Stipulation R614-301-742.113, N91-32-6-1, N91-35-6-1 and N91-35-7-1. WSM's response proposed no additional substantive work on site except for minor maintenance. The proposal was a complete reversal from the previous discussions the Division held with WSM and their consultants.

At this time, Division Director, Dr. Dianne Nielson, and Associate Director, Mr. Lowell Braxton are scheduled to meet, on site, with WSM representatives on August 11, 1992. The purpose of this meeting is to discuss the abatement of the above noted violation and NOV N91-35-6-1 and N91-35-7-1.

Scheduling of the abatement of NOV N91-32-6-1 has been administratively conducted by Dr. Dianne Nielson subsequent to the assessment conference held on February 11, 1992. My involvement since the modification of NOV N91-32-6-1, dated February 18, 1992, has been on a technical basis only.

In general, all violations are required to be abated within ninety days. It is my understanding that an authorized representative of the Division may extend the abatement period past ninety days but not to exceed an additional ninety days when

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requested by the operator. Extensions past ninety days are contingent upon fulfilling the requirements of R645-400-327. Based upon my understanding of this procedure, it is difficult to understand how the requirements for timely abatement have been met in regard to NOV N92-32-6-1. For the purposes of clarification, it would be helpful if you could clarify this procedure in general and as applied to the referenced violation.

BEFORE THE DIVISION OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF STIPULATION	:	WESTERN STATES MINERALS
R614-301-742.113 RESPONSE AND	:	CORPORATION
NOTICES OF VIOLATION	:	
N91-32-6-1, N91-35-6-1 AND	:	J. B. KING MINE, FOLDER
N91-35-7-1	:	FOLDER #2,
	:	EMERY COUNTY, UTAH
	:	ACT/015/002

STIPULATION

Western States Minerals Corporation ("WSMC"), by and through its counsel of record and the Utah Division of Oil, Gas & Mining ("Division"), by and through the Utah Attorney General, hereby stipulate and agree as follows:

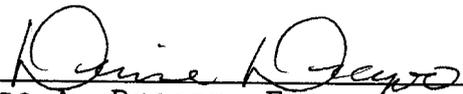
1. The abatement period in this matter is hereby extended pending a site visit to review the nature of the abatement required in response to Stipulation R614-301-742.113 and the Notices of Violation N91-32-6-1, N91-35-6-1 and N91-35-7-1.

2. A site visit of the J. B. King Mine is scheduled on Tuesday, August 11, 1992 at 9:00 a.m.

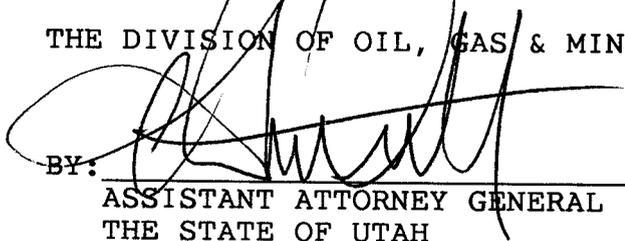
3. By letter dated June 29, 1992, WSMC provided a response to Stipulation R614-301-742.113, which is hereby withdrawn.

4. This agreement preserves WSMC's right to appeal the Division's decision regarding the abatement of Notices of Violation N91-32-6-1, N91-35-6-1 and N91-35-7-1 and Stipulation R614-301-742.113.

SO AGREED this 14th day of July, 1992.


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THE DIVISION OF OIL, GAS & MINING

BY: 
ASSISTANT ATTORNEY GENERAL FOR
THE STATE OF UTAH

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