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# United States Department of the Interior

OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
Suite 1200  
505 Marquette Avenue N.W.  
Albuquerque, New Mexico 87102

0115 AFD, CAB  
cc mine file 5-26-93



IN REPLY REFER TO:

May 18, 1993

Permit: ACT/015/002  
Mine Name: J.B. King

Mr. James W. Carter, Director  
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. Carter:

Federal Ten-Day Notices 93-020-190-02 & 93-020-190-03 are being issued for violations that likely existed at the time of the last State complete inspection (LSCI). Specific details are as follows:

Date of Federal Inspection: 5/11/93; Date of LSCI: 3/17/93

The determination that the State did not cite the violations 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 State complete inspection (sediment pond, excess spoil fill, etc.)

       Necessary controls that were required at the time of the last State complete inspection have not been established (diversion ditches, sediment ponds, top soil protection, signs and markers, etc.)

  X   Site conditions indicate that the violations noted had been in existence at the time of, or prior to, the last State complete inspection.

       Other (Give explanation).

Mr. James W. Carter

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

Not a violation

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 (*under review as a state NOV*)

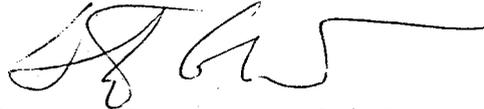
Other: \_\_\_\_\_

Signature *James P. Bruff*

Date 5-25

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

Sincerely,



Stephen G. Rathbun, Chief  
Inspection and Enforcement Branch

Enclosure