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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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DRAFT

July 7, 1994

TO: Jim Carter, Director

THRU: Pamela Grubaugh-Littig, Permit Supervisor *PL*
Daron Haddock, Permit Supervisor *pl for DRU*

FROM: Susan M. White, Senior Reclamation Biologist *SMW*

RE: Guidance Requested, J. B. King Mine, Western States Minerals, ACT/015/002, Emery County, Utah

R645-301-357 and R645-301-820.330 provide guidance as to the extended liability period and separated areas requiring extended liability from the origin area. However, no guidance is provided by the regulations as to how or if the operator is to be notified of restarting the extended liability period. In a letter dated February 17, 1994 to the Division from Buzz Gerick, Western States Minerals, he states the proposed site activities "should not restart the bond clock." I believe the Division would be derelict in not responding to this statement, however administration must provide guidance as to how or if a response should be made.

There is no question that the extended liability period must be restarted on the areas which are disturbed by this proposed reclamation work. However, R645-301-820.330 only states that isolated and clearly defined portions of the permit area may be separated from the original area. Originally, 28 acres of the site were seeded in 1985 and approximately 10 acres may be reseeded this fall (included is one acre which is considered a Division test plot). Because the entire site is relatively small and the proposed work is approximately a third of the site, I recommend that the entire site have the extended liability period restarted. However, since the phrase "clearly defined portions of the permit area" is vague, I am requesting administrative guidance as to how to apply this regulation.

cc: Lowell Braxton

