



0002

STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

*INA/015/007*  
Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

November 4, 1987

CERTIFIED RETURN RECEIPT REQUESTED  
(P 402 459 443)

Mr. Robert Hagen, Director  
Albuquerque Field Office  
Office of Surface Mining  
Reclamation & Enforcement  
Suite 310, Silver Square  
625 Silver Avenue, S. W.  
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

Re: Response to TDN #87-02-006-013 TV 3, 3 of 3, California Portland  
Cement, Hidden Valley, INA/015/007, Emery County, Utah

This letter responds to the aforementioned TDN, 3 of 3, received by Harold G. Sandbeck in Price, Utah. The Division received the mail-certified TDN on October 26, 1987.

1 of 3: -"Operator has failed to design, construct and maintain diversions in a manner which prevents additional contribution of Suspended Solids to streamflow and to runoff outside the permit area...".

The operator has repaired the ephemeral stream channel. A Division inspector field checked and verified completion of repairs. DOGM maintains that this TDN was unwarranted since the eroding event exceeded site designs. No NOV will be issued - OSM should withdraw or vacate this portion of this TDN.

2 of 3 - "Operator has failed to designate and mark a stream buffer zone - the southern disturbed area, within 100 feet of Ivie Creek."

The Division does not contest the fact that stream buffer zone signs may not have been in place at the time of inspection. The Division feels that issuing an NOV for the reasons cited above after Phase 1 reclamation has been completed may be technically proper,

but since no mechanized operations are, or will be, ongoing on this site, issuance will not likely cause correction of the violation, nor serve any other useful purpose. No NOV will be issued for this portion of this TDN.

3 of 3 - "The operator has failed to provide drains for outsloped "dips" discharging onto road embankments, and has failed to provide the bottom of the "dips" with a rock surface - most of the water bars".

The operator repaired the water bar outslope dips and provided protection; this has been verified by Division inspectors. As with #3, the Division maintains that this TDN was unwarranted since the eroding storm event exceeded site designs. No NOV will be issued by the Division. OSM should withdraw or vacate this portion of this TDN.

Sincerely,



Lowell P. Braxton  
Administrator  
Mineral Resource Development  
and Reclamation Program

djh

cc: J. Rains            K. May  
      J. Helfrich        J. Whitehead  
      P.F.O.

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