

0024

Gregory Holabur, AFD  
cc mine file  
JB 5-17-94



# United States Department of the Interior

TAKE PRIDE IN AMERICA  
IN REPLY REFER TO:

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

May 11, 1994

CERTIFIED RETURN RECEIPT # P 965 799 485

Permit: ACT/015/007  
Mine Name: Hidden Valley

Mr. Lowell P. Braxton, Associate Director  
Division of Oil, Gas and Mining  
3 Triad Center, Suite 350  
355 West North Temple  
Salt Lake City, Utah 84180-1203

Dear Mr. Braxton:

Federal Ten-Day Notice 94-020-290-001 is being issued for (a) violation(s) that likely existed at the time of the last State complete inspection (LSCI). Specific details are as follows:

Date of Federal Inspection: 5/4/94; Date of LSCI: 2/28/94

The determination that the State did not cite the violation(s) 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.)
- Site conditions indicate that the violation(s) noted had been in existence at the time of, or prior to, the last State complete inspection.
- Other:

The violation was identified during a State inspection and cited but the citation was later vacated without the condition the violation addressed being corrected.

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

- 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

Other: See note on p1: OSM has characterized the situation in this note.

Signature L. Brato

Date 5/27-99

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

Sincerely,

*Russell Porter*  
*for* Stephen G. Rathbun, Chief  
 Inspection and Enforcement Branch

Enclosure