



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

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July 5, 1995

Lee Edmonson  
Properties Division  
Cal Mat Company  
1801 East University Drive  
Phoenix, Arizona 85034

RE: Mining and Reclamation Seeding Commitment, Hidden Valley Mine, Cal Mat Company, ACT/015/007, Emery County, Utah

Dear Mr. Edmonson:

I am writing about disturbed areas that have not been seeded at the Hidden Valley Mine. Attached is a copy of my June inspection report. It highlights certain phone discussions and moreover, conclusions from Director Carter, as a result of phone discussions that were outlined to me on June 29, 1995. The phone discussions alluded to are those among Director Carter, Messrs. Edmonson, and Settle.

This matter was discussed further at the Division meeting on June 29, 1995. Personnel attending the meeting included Carter, Braxton, Helfrich, and the undersigned. Also, Mr. Carter consulted with Tom Mitchell of the Attorney General's office prior to the meeting.

Before considering and taking suggested enforcement action, proposed to DOGM management that I am allowed 10 days to try to resolve this issue without the necessity of writing a violation to Cal Mat Company.

Violation N91-26-8-2 concerned these issues:

- (1) Erosion road outslope on the reclaimed road,
- (2) Not seeding and mulching all disturbed areas as committed to in the Mining and Reclamation plan, and
- (3) Disturbed markers not properly located on a portion of the reclaimed road.

Page 2  
L. Edmonson  
Seeding  
July 5, 1995

Issue (1) and (3) have been resolved with the cooperation of Mr. Edmonson and others. Further, it is in the best interest among all the concerned as discussed in our July 1994, meeting to rely on overall bond release requirements on the total site rather than on compliance to move toward long range common objectives.

It is in this spirit that I write you to explore how we may resolve the seeding issue without the necessity of relying on compliance and/or further litigation to resolve this matter.

It is my sincere opinion that we can do together what we cannot do alone. Would be amenable to utilize the seeding abatement plan you submitted in response to N91-26-8-2 as a starting point to resolve this matter.

Sincerely,



Wm. J. Malencik  
Reclamation Specialist

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cc: Ed Settle, Consol