0048

015/018

cc L Braxton
K Mary
DRN

United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
SUITE 310
625 SILVER AVENUE, S.W.
ALBUQUERQUE, NEW MEXICO 87102

TAKE PRIDE IN AMERICA

JUN 28 1988

In Reply Refer To:
4480
SFP

RECEIVED
JUL 1 1988
DIV. OIL, GAS, MINING

Dr. Dianne R. Nielson, Director
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

Dear Dr. Nielson:

Federal Follow-up inspections have been conducted for the minesites listed below. Based on those inspections, the following is the final disposition for the outstanding inappropriate Ten-Day Notice responses in Utah:

CV. Spur, TDN No. 87-2-06-12

Violation #5 A revision to the permit was approved on May 20, 1988; therefore, no Federal enforcement action was necessary.

Violation #8 A revision to the permit was approved on January 22, 1988; therefore, no Federal enforcement was necessary.

Crandal Canyon, TDN No. 87-2-6-17

Violation #6 This violation has been withdrawn and judged a program implementation issue.

Violation #9 A revision to the permit was approved on June 17, 1988; therefore, no Federal enforcement action was necessary.

Violation #10 Certifications, completed in accordance with the Utah regulations, were approved by DOGM on May 11, 1988. No Federal enforcement was necessary.

Violation #13 Re-inspection revealed operator had completed work and that the requirement for Ditch UD-3 was removed from the permit on May 11, 1988. No Federal enforcement was necessary.

Deer Creek, TDN No. 87-02—6-16

Violation #4	Coarse refuse disposal certifications were received by DOGM on January 19, 1988. No Federal enforcement action necessary.
Violation #2, 3, 5	DOGM received revisions to the permit covering these three violations DOGM received on June 20, 1987; Lowell Braxton, on that same date, indicated to AFO that the revisions would be reviewed and a decision to approve/deny them would be made within 60 days. This is in accordance with UMC 788.12. Because of the above, AFO now finds DOGM's response to these three violations to be appropriate.
Violation #6	Re-inspection revealed the violation, failure to certify diversion structures, to exist. Federal Notice of Violation No. 88-2-116-1 was issued.

J. B. King, TDN No. 87-2-06-9

Violation #4	Revision to the permit on October 20, 1987. No enforcement action was necessary.

Belina Mine, TDN 87-2-06-15

Violation #7, 8	As-built certifications for the sedimentation ponds and road system could not be located during the follow-up inspection. Federal Notice of Violation No. 88-2-116-2 was issued.

Please contact Stephen Rathbun at (505) 766-1486 if you have any questions concerning this matter.

Sincerely,

Robert H. Hagen, Director
Albuquerque Field Office

cc: Raymond L. Lowrie