



United States Department of the Interior

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



In Reply Refer To:

APR 05 1988

RECEIVED
APR 07 1988

4480
INE

DIVISION OF
OIL, GAS AND MINING

Permit: 043/008
Mine Name: Boyer

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

*NOTE: This letter sent via
Certified Return Receipt Request
#P 001 719 366
to S. Rathburn - Albg. OSM
4/22/88
Dr*

Dear Mr. Braxton:

Federal Ten-Day Notice 88-02-107-2 (1), (2) is being issued for violations that likely existed at the time of the last State complete inspection (LSCI). Specific details are as follows:

Date of Federal Inspection 3/30/88; Date of LSCI: Week of March 7, 1988.

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 complete inspection (sediment pond, excess spoil fill, etc.)

Necessary controls that were required at the time of the last complete State inspection have not been established (diversion ditches, sediment ponds, top soil protection, signs and markers, etc.)

Site conditions indicate that the violation noted had been in existence at the time of, or prior to, the last complete State inspection.

Other (Give explanation).

Mr. Lowell Braxton

2

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

#2 of 2 was in TA. See Division's
second response

Too minor to cite

Working with operator to correct #1 of 2

was discussed verbally with operator
on 3/3-88 inspection

Other: _____

Signature

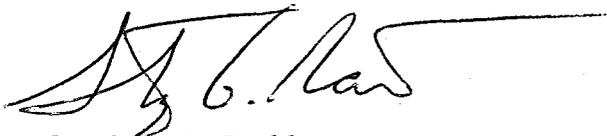
Lowell P. Braxton

Date

4/12-88

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

Sincerely,



Stephen G. Rathbun

Supervisory Reclamation Specialist

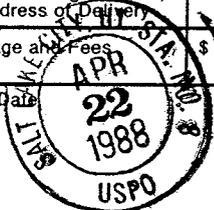
RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982 * U.S.G.P.O. 1984-446-014

Sent to Mr. RATHBUN OFFICE OF SURFACE MINING, REG Street and No 625 SILVER AVENUE S W Suite 310 SILVER SQUARE	
P.O., State and ZIP Code ALBUQUERQUE N M 87102	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	
Postmark or Date	



043/008 Dr

PS Form 3811, Dec. 1989

SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
 Show to whom and date delivered
 Show to whom, date, and address of delivery

2. **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the regular receipt fee.)

TOTAL \$

ARTICLE ADDRESSED TO: S. RATHBUN
 OFFICE OF SURFACE MINING, R & G
 SUITE 310 SILVER SQUARE
 625 SILVER AVENUE S W
 ALBUQUERQUE N M 87102

TYPE OF SERVICE: **ARTICLE NUMBER**
 REGISTERED INSURED
 CERTIFIED COD P 001 719 366
 EXPRESS MAIL

(Always obtain signature of addressee or agent)
 I have received the article described above:
SIGNATURE Addressee Authorized agent
W. K. King

DATE OF DELIVERY: 4/28/88 **POSTMARK:**

3. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE: **7a. EMPLOYEE'S INITIALS:**

- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST-CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**
1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
 2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, detach and retain the receipt, and mail the article.
 3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article. **RETURN RECEIPT REQUESTED** adjacent to the number.
 4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
 5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
 6. Save this receipt and present it if you make inquiry.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
 Print your name, address, and ZIP Code in the space below.
 • Complete items 1, 2, 3, and 4 on the reverse.
 • Attach to front of article if space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

U.S. MAIL

STATE OF UTAH
NATURAL RESOURCES
 OIL, GAS, & MINING
 3-TRAIL CENTER BOX SUITE 350
 SALT LAKE CITY, UTAH 84180-1203

(City, State, and ZIP Code)