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

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

December 20, 1995

CERTIFIED RETURN RECEIPT
P 074 978 970

Rec. 12/26/95

William and Preston Bown
Utah Building Stone Supply
842 West 400 North
Bountiful, Utah 84087

Dear Messrs Bown:

Re: Status of Non-Compliance, Utah Building Stone, Dove Creek Quarry, M/003/016, Grouse Creek Quarry, M/003/031, Lynn Springs Quarry, M/003/025, Box Elder County, Utah

On November 6, 1995, the Division issued three (3) notices of non-compliance regarding the Dove Creek, Grouse Creek and Lynn Springs mine sites in Box Elder County, Utah. The non-compliance and mitigation requirements for each site are summarized below:

Dove Creek Quarry

The non-compliance notice resulted from your failure to clean up and properly dispose of used oil and other potential deleterious materials. Mitigation required clean-up of these materials and proper disposal. An inspection of the site by Mr. Gordon Struthers of the U.S. Forest Service on December 11, 1995, confirmed that these materials have been cleaned up.

Grouse Creek Quarry:

The non-compliance notice was a result of failing to file a notice of intention to conduct large mining operations. Mitigation required you to file a complete large mining notice and post an interim reclamation surety. On November 27, 1995, the Division received the appropriate notice. On December 11, 1995, you came to our office and met with Mr. Lynn Kunzler. You indicated that you have found a surety company that will post the required interim bond for this operation. Copies of the appropriate bonding forms were obtained during the December 11th meeting. To date, the interim surety has not been received by this office.

Lynn Springs Quarry:

The non-compliance notice required you to reclaim a portion of the site to reduce the disturbed acreage to less than five acres, or submit a notice of intention to conduct large mining operations. Filing of an interim reclamation surety was also required.

On December 11, 1995, you delivered a notice of intention to conduct large mining operations at this site. You indicated that you have found a surety company that will post the required interim bond for this operation. Copies of the appropriate bonding forms were obtained during the December 11th meeting. To date, the interim reclamation surety has not been received by this office.

Presently, we are processing the notices of intention submitted for the Grouse Creek and Lynn Springs quarries. Although you have not yet submitted the interim reclamation sureties required for these operations, you have indicated you are actively pursuing this objective. The Division will temporarily suspend any further enforcement action at this time. We will proceed with our technical review of your mining notices and advise you of their adequacy as soon as possible. In the meantime, we establish a 60-day timeframe from your receipt of this letter to provide the Division with the requisite interim surety bonds. Thank you for your cooperation in this matter. Please contact me, Wayne Hedberg or Lynn Kunzler of the Minerals staff if you have any questions or concerns with these remaining requirements.

Sincerely,

Lowell P. Braxton
Associate Director, Mining

jb
cc: Gordon Struthers, USFS
Dan Washington, BLM, Bear River RA
Lynn Kunzler, DOGM
bown.let