PERMIT CHRONOLOGY

for

Thomas J. Peck & Sons, Inc.

Nephi Gypsum Mine
M/023/011

(January 20, 1993)

August 21, 1985	Letter to Tony Peck from DOGM stating that he is mining without a permit.
November 28, 1985	Received NOI from Thomas J. Peck & Sons, Inc., signed by Robert Steele.
December 12, 1985	Memo to file - regarding air conservation committee meeting regarding Peck Mining operation. Purpose of meeting is to make a decision of a fine for mining under a Cease & Desist Order imposed by Air Quality. Decision made to impose a time frame to have sprinkling system installed. If Peck fails to meet schedule, a pre-arranged fine would be imposed.
December 30, 1985	Received picture of area and hand drawn map. Also a request for variance for highwalls.
February 14, 1986	Letter to Robert Steele, Thomas J. Peck & Sons - sending them the mining and reclamation plan review. Deficiencies need to be addressed. Time should be set up with John Whitehead to meet on issues.
February 25, 1986	Memo to file - Field inspection made 2/9/86 to help facilitate review of NOI. Berm on Salt Creek needs maintenance work. The operation had encroached the stream and possible erosion of the north bank.
September 11, 1986	Memo to file - Meeting between Air Quality and Peck Mining held 8/29/86. Dust control still a problem - Water system did not eliminate the problem. A road to be constructed to a location off to the side and close to the fines, then a water cannon placed there. Pile of fine gypsum but no market found for it yet.
September 15, 1986	Memo to file - Field inspection made 9/10/86. No serious problems were noted, including Salt Creek.

March 31, 1987	Memo to file - Site inspection made 3/11/87 to help Mr. Bob Steele complete mine and reclamation plan. Observations: (1) road constructed and water cannon in place; (2) native seed mix planted in higher area of quarry; (3) slumping occurring until it reaches more stable angle of repose. If market is not found for fine gypsum, it will have to be graded down and covered with soil during reclamation.
March 31, 1987	Letter to Robert Steele - Review of Mining and Reclamation Plan (MRP) and maps. Concurred with highwall and slope variance and with planting seed in mined out area. More information needed on reclamation of roads and stockpile area before approval can be granted. Requested information be submitted by May 1, 1987.
April 21, 1987	Letter from Diane Strong informing DOGM of Air Quality Public Hearing in regard to Pecks mining operation.
June 29, 1987	Certified letter sent to Robert Steele stating a revised MRP had not been submitted.
August 17, 1987	Memo to Board - Request for Board to issue Order to Show Cause for failure to submit revised MRP. Permit history attached to memo. No response to DOGM letters and phone calls.
October 27, 1987	Order to Show Cause issued by Board. Pecks to appear 12/3/87 for failure to obtain mining approvals. Signed by Greg Williams, Chairman of Board. ***Note: On a copy of the Order to Show Cause is a note from Frank Filas - "Tony Peck refused to accept delivery of this letter."**
December 4, 1987	Letter requesting 1987 annual report.
January 11, 1988	"Division Recommendation" in the matter of the Order to Show Cause issued to Thomas J. Peck & Sons, Inc. (1) File $15,000 surety by 3/23/88; and (2) Peck to submit complete MRP by 3/23/88. If these conditions are not met then an Order for immediate cessation of operations. If this is not

	met by 5/25/88 then direct permanent cessation and reclamation will be issued.
January 20, 1988	Certified letter to Mr. Steele giving tentative approval of MRP. Surety of $15,000 to be posted prior to 1/28/88 then the Board Hearing will be canceled.
January 21, 1988	Memo to File - January 14, 1988, Bob Steele met with DOGM in preparing MRP, acceptable to both parties. If the $15,000 reclamation surety bond is posted prior to January Board, the Order to Show Cause will be canceled.
January 25, 1988	Notice of Tentative Approval sent to newspapers for publication.
February 11, 1988	"Order" issued - Hearing on 1/28/88 regarding the Order to Show Cause. Pecks had not submitted the $15,000 surety. Ordered to submit $15,000 surety by 2/16/88 or immediately cease all mining operation including all onsite transportation of stockpiled material. Order signed by Greg Williams 2/11/88.
February 11, 1988	Letter from Deseret Bank, Lehi Office, stating a $15,000 Standby Letter of Credit (LOC) #114 was issued for Thomas J. Peck & Sons. - Expiration Date 2/11/89. Letter stated that LOC could be extended for a consecutive five year period.
February 23, 1988	Certified letter to Stephen Swenson, Deseret Bank acknowledging receipt of LOC. Sent bank the Collateral Bonding and Indemnity Agreement form to accompany the LOC. LOC accepted providing that it is extended by November 11 each year and increased to cover inflation (5 year schedule shown).
March 2, 1988	Annual report for 1988 received. Tried to make phone call 3/6/89 regarding the annual report to verify if stockpiled material had been removed during 1988 and if so how much. No answer.

March 22, 1988	Memo to Board - Seeking concurrence on form and amount of surety. Executive Summary and reclamation estimate was attached.
May 4, 1988	Collateral Bonding & Indemnity Agreement signed and in place. Greg Williams & Tom Peck signed.
May 4, 1988	Letter to Tony Peck stating final approval of MRP and LOC was given by Board 4/28/88. Also reminding them to renew and update LOC by November 11 of each calendar year.
May 9, 1988	Memo to file - Field inspection made 5/6/88. Recommendations to operator to repair Salt Creek berm; also stated slope stability concern.
May 20, 1988	Letter to Robert Steele stating concerns of 5/6/88 inspection.
July 19, 1988	Memo to file - Site inspection made 7/7/88 regarding holes in Salt Creek berm. No reply from operator since the letter telling him of this concern. Will follow up this visit with phone call. Photos taken of area and placed in file.
July 21, 1988	Memo to file - Phone call made to Bob Steele's home at 10:30 p.m. 7/21/88. Phone call referencing letter. He said he couldn't remember if he received letter or not. Problem discussed. Mr. Steele stated he would construct sediment controls.
November 16, 1988	Letter to Tony Peck stating that DOGM had received a new LOC #117 for $15,300 replacing #114.
December 2, 1988	Memo to file - Site inspection made 12/2/88 in regard to the berm problem. The main concern had been corrected. Another smaller hole could not be inspected due to snow cover. No activity noted during this inspection but recent activity had taken place probably within 24-48 hours. No environmental health or safety problems were noted.

December 6, 1988	Memo to file - Brief stop made by Holland Shepherd at the mine site. Berm had been repaired, snow cover prevented eastern berm to be inspected.
February 3, 1989	Letter to Robert Steele requesting 1988 annual reports.
November 13, 1989	Received letter from Deseret Bank stating new LOC #118 in place for $15,600. Expires 2/11/91.
November 14, 1989	Letter to Tony Peck stating new LOC #118 received from Bank.
January 5, 1990	Letter to Robert Steele requesting 1989 annual report.
January 29, 1990	Received annual report for 1989.
December 27, 1990	Letter to Robert Steele requesting 1990 annual report.
February 28, 1991	Received annual report for 1990.
April 24, 1991	Memo to file - Phone call made to Deseret Bank in Lehi telling them no renewal was made on the LOC which expired 2/11/91. Mrs. Peck had called bank a couple of weeks prior and told them that the mine was no longer active. Sterling Orton released the surety to Pecks. The bank was formerly Deseret Bank but is now First Security.
May 3, 1991	Certified letter to Thomas J. Peck stating that the surety release was made without Division concurrence and that immediate reinstatement of surety must be made in the amount of $15,900. Deadline of 5/10/91 given.
May 20, 1991	Irrevocable Standby Letter of Credit dated 5/16/91 for $15,900 in place. Expires 5/9/92.
October 7, 1991	Letter to Thomas J. Peck regarding permit transfer and release of $15,900 surety. Permit to be transferred to Jack Dansie (operator - obtained lease from Robert Steele). Transfer form and Reclamation Contract sent along with

	letter. Surety cannot be released until new forms and surety are in place.
January 13, 1992	Letter to Robert Steele requesting annual report for 1991.
January 14, 1992	Letter from First Security Bank stating that LOC for $15,900 will not be renewed. Will expire 5/9/92.
January 21, 1992	Certified letter to Thomas J. Peck stating the First Security Bank will not renew LOC, and a replacement surety must be in place before the LOC expires 5/9/92. Deadline of 5/1/92 given.
February 14, 1992	Received annual report for 1991.
April 28, 1992	Letter to Anthony Peck - Reclamation estimate of $17,900 enclosed along with Reclamation Contract. LOC will be acceptable as long as it follows DOGM format (copy of format enclosed). Copy of letter sent to First Security Bank.
May 7, 1992	Letter to Anthony Peck - Transfer form sent.
May 13, 1992	Received Irrevocable Standby Letter of Credit from First Security Bank for $17,900. Expires 5/8/92. Anthony Peck posted surety.
October 9, 1992	Letter to Mrs. Thomas Peck regarding verbal request to transfer mine permit to another operator - (Probably Anthony Peck or Jack Dansie, current operator of mine). Also a letter (drafted by DOGM) asking for Division help in getting the mine transferred, which Mrs. Peck could just sign, was enclosed. Another reminder that until the transfer is complete and a new surety in place and approved, the reclamation responsibility is still under Thomas J. Peck and Sons.
October 9, 1992	Division received letter from Mr. Tom Peck, representing Thomas J. Peck and Sons. The letter formally states that Thomas J. Peck and Sons no longer operates the Nephi

	Gypsum site. The letter asks that the current operator is Jack Danzie/Robert Steele.
December 11, 1992	The Division sent a letter to Mr. Anthony Peck (individual who has posted the current surety for the mine). The letter stated that Thomas J. Peck and Sons had requested that the operator responsibilities be transferred to the current operator of the site. A reclamation contract and transfer form was sent along with the letter (the transfer form was already partially filled out by Thomas J. Peck and Sons). A date of January 8, 1993 was established for a response.
January 20, 1993	No response from the operator has been received to this date.

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