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DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

November 10, 2015

Boyd Brothersen
22 West Main
Mount Pleasant, Utah 84647

Subject: Enforcement of Small Mine Rules in Sanpete County, Boyd Brothersen, New Start Mine, S/039/0024, Sanpete County, Utah

Dear Mr. Brothersen:

In light of a general lack of understanding about mining rules among mine operators in Sanpete county, and considering some of the unique situations associated with landscape rock mining, the Division of Oil, Gas and Mining is sending this letter to all known landscape rock producers in Sanpete county in an effort to clarify some of the operation and reclamation requirements of its rules.

The Division intends to more diligently enforce the following rules, particularly as they relate to mining of landscape boulders in Sanpete county.

1) R647-3-107.5 "Soils – Suitable soil material shall be removed and stored in a stable condition where practical so as to be available for reclamation."
2) R647-3-107.6 "Concurrent Reclamation – During operations, disturbed areas shall be reclaimed when no longer needed…"
3) R647-3-109.5 "Land Use – The operator shall leave the on-site area in a condition which is capable of supporting the postmining land use."
4) R647-3-109.12 "Topsoil Redistribution – After final grading, soil materials shall be redistributed on a stable surface, so as to minimize erosion, prevent undue compaction and promote revegetation."
5) R647-3-109.14 "Where reseeding has occurred and the vegetation has survived one growing season, the reseeded area shall not be included for purposes of determining whether a mining operation is a small mining operation."

The complete set of rules for small minerals mines (R647-3) can be found at http://www.rules.utah.gov/publicat/code/r647/r647-003.htm. Please note that these are the rules associated with the Mined Land Reclamation Act, and they do not include requirements of the Division of Water Quality or local entities, such as Sanpete County.

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UTAH DNR OIL, GAS & MINING

Failure to comply with any of these rules will be grounds for enforcement action. The Division may approve variances to individual rules, based on site-specific conditions and alternate methods. Contact the Division to discuss the requirements for proposing a variance to these or other rules.

Please contact Peter Brinton at 801-538-5258 or me at 801-538-5261 if you have questions about his letter or if you would like to discuss its implications for your specific site.

Sincerely,

Paul B. Baker
Mining Program Manager

PBB: pnb: eb
cc: Scott Olsen, Sanpete County; solsen@sanpetecounty-ut.gov
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