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United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
POST OFFICE BLDG. RM. 270
1823 STOUT STREET
DENVER, COLORADO 80202

*File Copy
Route to Joe
& Doug*

January 17, 1980

RECEIVED
JAN 28 1980
DIVISION OF
OIL, GAS & MINING

Mr. Ron Daniels
Coordinator of Mined Land Development
Department of Natural Resources
1588 N. West Temple
Salt Lake City, Utah 84116

Dear Mr. Daniels:

Enclosed please find copies of Notice of Violation Number 79-5-18-7 #1 which were issued to mining companies within your State during this offices recent on-site inspections conducted on Utah # 2 Mine. If you have any questions or problems, please contact this office.

Mine inspection reports for all of the operations inspected during the above time frame, and within your State, will be sent to you as soon as they are processed.

Sincerely,

Murray T. Smith
Chief, Division of Inspection & Enforcement

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Region V
1823 Stout Street
Denver, Colorado 80202
Telephone: (303) 837-5511
(303) 837-5701

NOTICE OF VIOLATION NO. N 79-5-18-7 1
TV

To the Following Permittee or Operator:

Name Valley Camp of Utah, Inc.
Mine Utah #2 Surface Underground Other _____
County and State Carbon, Utah Telephone 801-488-9413
Mailing Address Scotfield Route, Helper Utah 84526
OSM Mine No. _____ State Permit No. UT-22985 MSHA I.D. No. _____
Date of Inspection 1/8, 19 80
Time of Inspection: from 3:30 a.m. to 5:30 a.m.
 p.m. to _____ p.m.

Name of Operator (if other than permittee) _____
Mailing Address _____

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201), the undersigned authorized representative of the Secretary of the Interior has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned authorized representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for abatement may be extended by an authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 1/8/80 Ronald Gregg
Signature of Authorized Representative

Time of Service 5:30 a.m. p.m.
RONALD GREGG V-18
Name and I.D. No.

Person Served with Notice Joe Shoemaker
Print Name and Title

Signature Joe E Shoemaker

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE

Notice of Violation No. N 79-~~5~~-18-7

Violation No. 1 of 1

Nature of the Violation

Failure to maintain culvert
which drains of access road

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR 717.17 (j) (3)(ii)

Portion of the Operation to which Notice Applies

36" Culvert near main fan portal
on Utah #2 mine leading to sediment
pond next to Muddy Creek.

Remedial Action Required (including interim steps, if any)

clean culverts and push snow and
ice away from culvert openings. Continued
maintenance is required.

Time for Abatement (including time for interim steps, if any)

7 days

INSPECTOR'S STATEMENT

- I. (A). Event Violations (go to (B.) if this is an obstruction to enforcement violation)
1. What harmful event was this regulation designed to prevent? (Insert the event listed on the Reference List and remember that the event is not the same as the violation.)
Flooding of access road and partial fan ventilation fan. offsite sedimentation of streams should the embankment fail.
 2. If the event has happened, describe it. If it has not happened, what would cause it to happen and how likely is that? (For example, if there is an area for which no sediment control is provided, has runoff from that area reached a stream? If it hasn't reached a stream, what would cause it to get there and how likely is that to happen?)
The event has not occurred, No runoff has occurred since the culvert has been blocked.
 3. How much damage has already occurred as a result of the violation? Also, is the damage on the permit area or does it extend off the permit area?
No damage has occurred.
 4. How much damage might have occurred if the violation had not been discovered by an OSM Inspector? Describe this potential damage. Would the damage extend off the permit area?
The potential damage would include flooding of the fan partial and potential breaching of the embankment. These events are unlikely except in a large runoff event.
- (B). Obstruction to Enforcement Violations (answer for obstruction violations only, such as violations concerning recordkeeping, monitoring, plans, and certifications).
5. Describe how violation of this regulation actually obstructed enforcement by OSM and/or the public.

- II. Degree of Fault (only one question applies to each violation; first decide which question to answer).
6. If you think this violation was not the fault of the operator (perhaps due to vandalism or an act of God, for example), explain. Remember that the permittee is considered responsible for the actions of all persons working on the minesite.
The contractor who plans show on the fan partial had done this once before and efforts had been made to correct the situation. Another contractor in turn did the same thing causing the viola
 7. If you think this violation was the result of not knowing about OSM regulations, indifference to OSM regulations, or the result of lack of reasonable care, explain.
 8. If the actual or potential environmental harm or harm to the public should have been evident to a careful operator, describe the situation and what, if anything, the operator did to correct it prior to being cited.
 9. Was the operator in violation of a specific permit condition? Did the operator receive prior warning of violation by the State or by OSM concerning this violation? If so, give the dates and the type of warning.

- III. Good Faith
10. In order to receive good faith for compliance with an NOV or CO, an operator must have taken extraordinary measures to comply as rapidly as possible. The violation must have been abated before the time set for abatement. If you think this applies, describe how rapid the compliance was and what extraordinary measures the operator took.
The culvert was cleaned out immediately and good faith points should be given.
- 1/14/80
Date
- Ronald Greig
Authorized Representative