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NO. N 95-32-3-2

notice of violation

To the following Permittee or Operator:

Name WHITE OAK MINING & CONSTRUCTION CO. INC.

Mine WHITE OAK COMPLEX Surface Underground Other

County CARBON State UT. Telephone (801) 448-9420

Mailing Address SCOFIELD RT., HELPER, UT. 84528

State Permit No. ACT/007/001

Ownership Category State Federal Fee Mixed

Date of inspection June 28 95

Time of inspection 2:30 a.m. p.m. to 3:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in 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 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 mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

CERTIFIED RETURN RECEIPT P 074 976 213

Date of service/mailling ~~XXXX~~ 7/12/95

Time of service/mailling ~~XXXX~~ 3:30 a.m. p.m.

STEVE TANNER
Permittee/Operator representative

ENVIRONMENTAL COORDINATOR
Title

Signature

HENRY SAUER
Division of Oil, Gas & Mining representative

SENIOR RECLAMATION SOILS SPECIALIST
Title

Henry Sauer
Signature

#32
Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 95-32-3-2, 1 of 2

Violation No. 1 of 2

Nature of violation

Failure to comply with the terms and conditions of the approved permits, all applicable performance standards and requirements of the State Program. Failure to submit to the Division of Oil, Gas, and Mining discharge monitoring reports for January, February, and March 1995 for UPDES outfalls at the WHITE OAK COMPLEX, ACT/007/001.

Provisions of act, regulations or permit violated

R645-301-143.

R645-301-731.

Portion of operation to which notice applies

UPDES point discharge outfalls.

Remedial action required (including any interim steps)

Submit, to the Division of Oil, Gas and Mining discharge monitoring reports for January, February and March, 1995 for UPDES outfalls at the White Oak Complex ACT/007/001

Abatement time (including interim steps)

No later than 5:00 P.M. July 24, 1995



NOTICE OF VIOLATION NO. N 95-32-3-2, 2 of 2

Violation No. 2 of 2

Nature of violation

FAILURE TO DEMONSTRATE COMPLIANCE WITH R645-301-526 et seq. and R645-301-536 et. seq.

Provisions of act, regulations or permit violated

R645-301-526 et. seq.
R645-301-536 et. seq.

Portion of operation to which notice applies

COAL MINE WASTE (TEMPORARY) STORAGE AREA.

Remedial action required (including any interim steps)

Comply with THE REQUIREMENTS OF R645-301-536 et. seq.

Abatement time (including interim steps)

STEP #1) SUBMIT INFORMATION AND PLANS AS REQUIRED BY R645-301-536 et. seq. BY NO LATER THAN 5:00 P.M. JULY 24, 1995.
STEP #2) OBTAIN APPROVAL OF PLANS SUBMITTED UNDER STEP #1 BY NO LATER THAN 5:00 P.M. AUGUST 7, 1995.
STEP #3) IMPLEMENT APPROVED PLANS BY NO LATER THAN 5:00 PM AUGUST 21, 1995.

WHITE-DOGMA YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE