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NO. N 97-39-2-1

notice of violation

To the following Permittee or Operator:

Name White Oak Mining and Construction

Mine White Oak Mines Surface Underground Other

County Carbon State Utah Telephone (801)448-9413

Mailing Address Scofield Route, Helper, Utah 84526

State Permit No. ACT/007/001

Ownership Category State Federal Fee Mixed

Date of inspection May 27, 1997, 19

Time of inspection 8:00 a.m. p.m. to 12:00 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.

Date of service/ mailing June 3, 1997

Time of service/ mailing 3:00 a.m. p.m.

~~Permittee/Operator representative~~ Mark Wayment
Permittee/Operator representative

Mine Manager
Title

Mailed from DOGM Price Field Office
Signature

Stephen J. Demczak
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

Stephen J. Demczak
Signature

#39
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N 97-39-2-1

Violation No. 1 of 1

Nature of violation

Failure to certify and follow requirements for the yearly inspection of impoundments.

Provisions of act, regulations or permit violated

R645-301-514.300 through R645-301-514.312

Portion of operation to which notice applies

All Impoundments

Remedial action required (including any interim steps)

Certify yearly impoundment inspection and follow R645-301-514.312.

Abatement time (including interim steps)

June 30, 1997



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

1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

May 2, 1997

Mark Wayment, Mine Manager
White Oak Mining and Construction Co. Inc.
Scofield Route
Helper, UT 84526

Re: Amending Plan to Allow Mining in Lease Modification, White Oak Mining and Construction Company Inc., White Oak Mines, ACT/007/001, Folder #3, Carbon County, Utah

Dear Mr. Wayment:

On April 30, 1997 the Division received a map from Denise Dragoo which showed the location of your planned lease modification. Thank you for this information. It will be useful in keeping us up to speed on the proposed project.

Once the lease has been modified, amendment of your Mining and Reclamation Plan will be necessary in order to allow mining to take place as shown on the map. We look forward to working with you on this project.

If you have any questions or need assistance, please call.

Sincerely,

A handwritten signature in cursive script that reads "Daron R. Haddock".

Daron R. Haddock
Permit Supervisor