

0055



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

OUTGOING

(007000)

Michael O. Leavitt
Governor

Robert L. Morgan
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
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UTAH DIVISION OF OIL, GAS & MINING FACSIMILE COVER SHEET

DATE June 20, 2003

FAX (859) 253-~~9~~44

ATTENTION: Blaine Early

COMPANY Stites & Harbison

DEPARTMENT

NUMBER OF PAGES: (Including this one) 8

FROM VICKIE SOUTHWICK DIVISION OIL, GAS & MINING (801) 538-5304

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5304.
We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGE:

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June 20, 2003

FACSIMILE
(859) 223-3793

Certified Mail
7099 3400 0016 8895 6856

William Bishop, Lodestar Chapter 11 Trustee
2525 Harrodsburg Road, Suite 235
Lexington, Kentucky 40504

Re: Three Cessation Orders for Imminent Dangers to the Public, White Oak Mine, & Loadout, C/007/001

Dear Mr. Bishop:

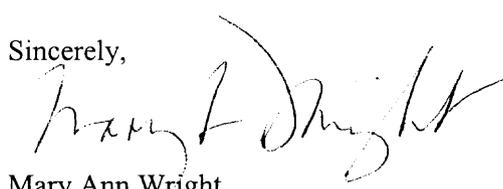
Enclosed are three Cessation Orders being issued for imminent danger to the public, in existence at the White Oak Mine and Loadout, in Carbon County, Utah. The three imminent public safety issues are:

1. Open mine portals,
2. Dangerous highwalls, and
3. Dangerous structures and equipment.

These dangers are located across from two summer youth camps.

Please take measures to abate these safety hazards immediately.

Sincerely,


Mary Ann Wright
Associate Director, Mining

vs
cc: Mark Wayment
Bill Gorton, Stites & Harbison
Jim Fulton, Office of Surface Mining
Blaine Early, Stites & Harbison
Wayne Western
Price field Office

Enclosure
P:\GROUPS\COAL\WP\007001.WO\Bankruptcy\William Bishop .doc



cessation order

PORTALS

NO. C03-42-1-1

To the following Permittee or Operator:

Name William Bishop, Chapter II Trustee, Lodestar Energy, Inc.

Mine White Oak #1 & #2 Surface Underground Other

County Carbon State Utah Telephone (859) 223-7959

Mailing Address 2525 Harrodsburg Road, Suite 235, Lexington, KY 40504

State Permit No. C/007/001

Ownership Category State Federal Fee Mixed

Date of inspection June 12, 2003, 19__.

Time of inspection 11:00 a.m. p.m. to 1:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

Under authority of the Utah Coal Mining & 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 that a Cessation Order must be issued with respect to each of the conditions, practices or violations listed in the attachment(s). This order constitutes a separate Cessation Order for each condition, practice or violation listed.

In accordance with Section 40-10-22, *Utah Code Annotated*, you are ordered to **cease immediately** the operations described in the attachment(s) and to perform the affirmative obligations described in the attachment(s) within the designated time for abatement. Reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **this order does** **does not** **require cessation of mining** expressly or in practical effect. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This order 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 Division of Oil, Gas & Mining.

Fax (859) 223-3793

Date of service/mailling June 20, 2003

Time of service/mailling _____ a.m. p.m.

Permittee/Operator representative _____

Title _____

Signature _____

Wayne Western
Division of Oil, Gas & Mining representative

Sr. Reclamation Specialist
Title

Signature

#42
Identification Number

SEE REVERSE SIDE

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

PORTALS

CESSATION ORDER NO. C 03-42-1-1

Violation No. 1 of 1

Nature of condition, practice or violation

Imminent danger to the health and safety of the public by permittee's failure to construct permanent seals of three underground openings.

Provisions of act, regulations or permit violated

UCA 40-10-18 (4)
UCA 40-10-18 (10)
UAC R645-301-551
UAC R645-301-513

Check appropriate box

- Condition, practice or violation is creating an imminent danger to health or safety of the public.
- Permittee/Operator is/has been conducting mining activities without a permit.
- Condition, practice or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources.
- Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation No. N. _____ within time for abatement originally fixed or subsequently extended.

Operation(s) to be ceased immediately

Portals 14, 15, 16 at White Oak #1 & #2 Mine (Whiskey Creek Mine)

Affirmative obligation(s) and abatement time (if applicable)

Permanently seal portals in accordance with all state and federal regulations by July 15, 2003.

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



cessation order

HIGHWALLS

NO. C 03-42-1-2

To the following Permittee or Operator:

Name William Bishop, Chapter II Trustee, Lodestar Energy, Inc.

Mine White Oak #1 & #2 Surface Underground Other

County Carbon State Utah Telephone (859) 223-7959

Mailing Address 2525 Harrodsburg Road, Suite 235, Lexington, KY 40504

State Permit No. C/007/001

Ownership Category State Federal Fee Mixed

Date of inspection June 12, 2003, 19__

Time of inspection 11:00 a.m. p.m. to 1:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

Under authority of the Utah Coal Mining & 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 that a Cessation Order must be issued with respect to each of the conditions, practices or violations listed in the attachment(s). This order constitutes a separate Cessation Order for each condition, practice or violation listed.

In accordance with Section 40-10-22, *Utah Code Annotated*, you are ordered to **cease immediately** the operations described in the attachment(s) and to perform the affirmative obligations described in the attachment(s) within the designated time for abatement. Reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **this order does** **does not** **require cessation of mining** expressly or in practical effect. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This order 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 Division of Oil, Gas & Mining.

Fax (859) 223-3793

Date of service/mailling June 20, 2003 Time of service/mailling _____ a.m. p.m.

Permittee/Operator representative _____

Title _____

Signature _____

Wayne Western
Division of Oil, Gas & Mining representative

Sr. Reclamation Specialist
Title

Wayne Western
Signature

#42
Identification Number

SEE REVERSE SIDE

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



HIGHWALLS

CESSATION ORDER NO. C03-42-1-2

Violation No. 1 of 1

Nature of condition, practice or violation

Imminent danger to public safety created by permittee's failure to backfill and grade highwalls.

Provisions of act, regulations or permit violated

UAC R645-301-553
UCA 40-10-18 (10)

Check appropriate box

- Condition, practice or violation is creating an imminent danger to health or safety of the public.
- Permittee/Operator is/has been conducting mining activities without a permit.
- Condition, practice or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources.
- Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation No. N _____ within time for abatement originally fixed or subsequently extended.

Operation(s) to be ceased immediately

All highwalls at White Oak #1 & #2 Mine (Whiskey Creek Mine).

Affirmative obligation(s) and abatement time (if applicable)

By July 21, 2003 eliminate all highwalls.



cessation order

LOADOUT

NO. C03-42-1-3

To the following Permittee or Operator:

Name William Bishop, Chapter II Trustee, Lodestar Energy, Inc.

Mine White Oak #1 & #2 Surface Underground Other

County Carbon State Utah Telephone (859) 223-7959

Mailing Address 2525 Harrodsburg Road, Suite 235, Lexington, KY 40504

State Permit No. C/007/001

Ownership Category State Federal Fee Mixed

Date of inspection June 12, 2003, 19

Time of inspection 11:00 a.m. p.m. to 1:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

Under authority of the Utah Coal Mining & 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 that a Cessation Order must be issued with respect to each of the conditions, practices or violations listed in the attachment(s). This order constitutes a separate Cessation Order for each condition, practice or violation listed.

In accordance with Section 40-10-22, *Utah Code Annotated*, you are ordered to **cease immediately** the operations described in the attachment(s) and to perform the affirmative obligations described in the attachment(s) within the designated time for abatement. Reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **this order does** **does not** **require cessation of mining** expressly or in practical effect. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This order 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 Division of Oil, Gas & Mining.

Fax (859) 223-3793

Date of service/ mailing June 20, 2003 Time of service/ mailing _____ a.m. p.m.

Permittee/Operator representative _____

Title _____

Signature _____

Wayne Western
Division of Oil, Gas & Mining representative

Sr. Reclamation Specialist
Title

Wayne Western
Signature

#42
Identification Number

SEE REVERSE SIDE

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



LOADOUT

CESSATION ORDER NO. 03-42-1-3

Violation No. 1 of 1

Nature of condition, practice or violation

Imminent danger due to the failure of the permittee to eliminate conditions which constitute a hazard to the health and safety of the public.

Provisions of act, regulations or permit violated

UCA 40-10-17 (2) (P)

UCA 40-10-18 (10)

UAC R645-300-145

Check appropriate box

- Condition, practice or violation is creating an imminent danger to health or safety of the public.
- Permittee/Operator is/has been conducting mining activities without a permit.
- Condition, practice or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources.
- Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation No. N _____ within time for abatement originally fixed or subsequently extended.

Operation(s) to be ceased immediately

All buildings and structures at the White Oak (Valcam) loadout.

Affirmative obligation(s) and abatement time (if applicable)

By July 15, 2003 eliminate all buildings and structures.

TRANSACTION REPORT

P. 01

JUN-20-2003 FRI 02:54 PM

FOR: OIL, GAS & MINING

801 359 3940

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
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C/007/001*

UTAH DIVISION OF OIL, GAS & MINING FACSIMILE COVER SHEET

DATE June 20, 2003

FAX (859) 253-~~9144~~

ATTENTION: Blaine Early

COMPANY Stites & Harbison

DEPARTMENT

NUMBER OF PAGES: (Including this one) 8

FROM VICKIE SOUTHWICK DIVISION OIL, GAS & MINING (801) 538-5304

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