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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

*Fill Copy - Broyles  
Rt a copy.*

September 28, 1979



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

Dear Mr. Daniels:

Enclosed please find copies of Notice of Violation which were issued to mining companies within your State during this offices recent on-site inspections conducted on September 21, 1979. 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,

A handwritten signature in cursive script, appearing to read "Murray T. Smith".

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. N79-5-5-32  TV

To the Following Permittee or Operator: BRAZTAN CORPORATION

Mine Braztan No. 5  Surface  Underground  Other

County and State Carbon County - UTAH Telephone (801) 472-3411

Mailing Address P.O. Box 599, Helper - UTAH 84526

OSM Mine No. \_\_\_\_\_ State Permit No. ACT/007/004 MSHA I.D. No. 42-01202

Date of Inspection 21 SEPT, 19 79

Time of Inspection: from 8:30  a.m. to 2:00  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 Sept 21, 1979 Gary J. Fritz  
Signature of Authorized Representative

Time of Service \_\_\_\_\_  a.m.  p.m.  
Gary L. Fritz II-15  
Name and I.D. No.

Person Served with Notice Ken B. Hutchinson Chief Engineer.  
Print Name and Title

Signature K. Hutchinson

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE

Notice of Violation No. N 79-5-5-32

Violation No. 1 of 3

Nature of the Violation

FAILURE TO PASS A SURFACE DRAINAGE FROM A  
DISTURBED AREA THROUGH A SEDIMENTATION POND.

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

Sec. 30 CFR 717.17(a) OF THE RULES AND REGULATIONS  
PL 95-87 Sec 516 (9)

Portion of the Operation to which Notice Applies

Surface Facilities on the east side  
of the Canyon  
Access Roads

Remedial Action Required (including interim steps, if any)

- 1) SUBMIT A SEDIMENTATION CONTROL PLAN TO THE REGULATORY  
AUTHORITY FOR APPROVAL SHOWING THE DESIGN AND  
LOCATION OF ALL METHODS AND STRUCTURES TO BE USED FOR  
COLLECTION AND TREATMENT OF ALL SURFACE WATER.
  - 2) IMPLEMENT THE APPROVED SEDIMENT CONTROL PLAN.
  - 3) Implement temporary sediment control  
measures within 60 (sixty) days.
- 1) Submit a sedimentation control plan within  
60 (sixty) days.
- 2) Implement the approved sediment  
control plan immediately.
- 3) Implement temporary sediment control  
measures within 60 (sixty) days. 19257
- PERMITTEE/OPERATOR  
State

Notice of Violation No. N 79-5-5-32

Violation No. 2 of 3

Nature of the Violation

Failure to have an approved ground water monitoring plan. *added*

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

Sec 30 CFR 717.17 of the Federal Regulations.  
PL 95-87 Sec 516

Portion of the Operation to which Notice Applies

ENTIRE OPERATION

Remedial Action Required (including interim steps, if any)

- 1) Submit a program which monitoring plan for approval to the regulatory authority
- 2) Implement the approved ground water monitoring program

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

- 1) Submit a ground water monitoring plan to the regulatory authority for approval within 30 (THIRTY) days
- 2) Implement the approved ground water monitoring program immediately

Notice of Violation No. N 79-5-5-32

Violation No. 3 of 3

Nature of the Violation

*Failure to have an approved*  
FAILURE TO HAVE AN APPROVED SURFACE  
WATER MONITORING PROGRAM

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

SEC 30 C.F.R. 717.17 OF THE RULES AND  
REGULATIONS PL 95-87 SECTION 516

Portion of the Operation to which Notice Applies

ENTIRE OPERATION

Remedial Action Required (including interim steps, if any)

SUBMIT A SURFACE WATER MONITORING PROGRAM FOR  
APPROVAL TO THE REGULATORY AUTHORITY

IMPLEMENT THE APPROVED SURFACE WATER MONITORING  
PLAN

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

SUBMIT THE SURFACE WATER MONITORING PROGRAM FOR  
APPROVAL TO THE REGULATORY AUTHORITY WITHIN 30 DAYS  
AND IMPLEMENT THE SURFACE WATER MONITORING PLAN  
IMMEDIATELY