

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

7

NOTICE OF VIOLATION NO. N 82-4-17-2

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME PRICE RIVER COAL CO.

MINE PRICE RIVER COAL COMPLEX SURFACE UNDERGROUND OTHER _____

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. ACT/007/004 MSHA I.D. NO. _____

COUNTY AND STATE CARBON COUNTY UT TELEPHONE _____

MAILING ADDRESS: P.O. Box 629 HELPER, UT 84526

DATE OF INSPECTION DEC. 22, 19 82

TIME OF INSPECTION: FROM 11:00 a.m. to 4:00 a.m.
 p.m. to p.m.

NAME OF OPERATOR (if other than permittee) _____

MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining 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 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 Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service Dec. 23, 1982 David Loef
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 8:30 a.m. DAVID LOEF #1
 p.m. NAME AND I. D. NO.

Person Served with Notice ROBERT L. WILEY - ENVIRONMENTAL ENGINEER
PRINT NAME AND TITLE

Signature R. L. Wiley

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE

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Date of Service DEC. 23, 1982 David Lof
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 8:30 a.m. DAVID LOF #1
 p.m. NAME AND I. D. NO.

Person Served with Notice ROBERT L. WILEY - ENVIRONMENTAL ENGINEER
PRINT NAME AND TITLE

Signature R. L. Wiley

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IMPORTANT — PLEASE READ CAREFULLY

1. PENALTIES.

(1) **Proposed assessment.** The Board of Oil, Gas & Mining assesses fines based upon the proposed assessment recommended by the Assessment Officer. You may submit information in writing to the below address pertaining to the violation(s) covered by this Notice within 15 days of the date that the Notice or Order is served on you or your agent. This information will be used by the Assessment Officer in establishing a proposed assessment and will be submitted to the Board for consideration in determining the facts surrounding the violation and the amount of the penalty. The Division or the authorized representative shall serve the proposed assessment on you or your agent within 30 days of the issuance of the Notice or Order by the authorized representative.

(2) **Assessment.** Within 15 days of receipt of the proposed assessment, you or your agent must file a written request for an informal hearing before the Assessment Officer or the penalty will be assessed as proposed.

For each violation included in this Notice, a penalty of up to \$5,000 may be assessed for each day during which the violation continues.

If you fail to abate any of the violations within the time set for abatement or for meeting any interim step you shall be assessed a minimum penalty of \$750 for each day of continuing violation beyond the time set for abatement and you shall be issued a cessation order requiring you to cease surface coal mining operations.

2. INFORMAL PUBLIC HEARING. An informal public hearing will be held at or near the minesite if this Notice requires cessation of mining, expressly or in practical effect. See UMC/SMC 843.15(a). On the reverse of this page, the authorized representative has made a finding as to whether or not this Notice requires cessation of mining. Please review this finding and inform the authorized representative if you disagree with it.

If this Notice requires cessation of mining, it will expire within 30 days from the date you have actual notice of this Notice, unless an informal public hearing is held or waived, or the violation is abated, within the 30-day period. You will be notified of the date, time and location of the hearing.

3. FORMAL REVIEW. You may apply for review of this Notice or the assessment before the Board of Oil, Gas & Mining by submitting an application for hearing, within 30 days of receipt of this Notice or the assessment by you or your agent, to:

Secretary of the Board
Board of Oil, Gas & Mining
1588 West North Temple
Salt Lake City, Utah 84116

If you apply for a formal Board hearing, you may request temporary relief from this Notice. Your request must be filed at the above address prior to a decision in the hearing. Procedures for obtaining a formal Board hearing are set forth in the Board's Rules of Practice and Procedure and UMC/SMC Rule 900(b) (ix).

4. EFFECT ON PERMIT. If it is determined that a pattern of violations of the Act, regulations, or permit conditions exists, and that the violations were caused by unwarranted failure to comply, or were willful, procedures will be initiated to suspend or revoke your permit to mine.

FOR FURTHER INFORMATION, PLEASE CONSULT Section 40-10-20, 21, 22 and 23, Utah Code Annotated, UMC/SMC Parts 843, 845 and 900, or contact the Division at (801) 533-5771.



STATE OF UTAH

Notice of Violation No. N 82-4-17-2

Violation No. 1 of 2

Nature of the Violation

FAILURE TO POST BUFFER ZONE MARKERS ALONG STREAMS IN ORDER TO PREVENT DISTURBANCE OF THE STREAM BY SURFACE OPERATIONS AND FACILITIES

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

UMC 817.11 (a)(1) AND (e)

Portion of the Operation to which Notice Applies

WEST OF THE NEW STACKING TUBE PAD ALONG THE PRICE RIVER

Remedial Action Required (including interim steps, if any)

POST BUFFER ZONE MARKERS AS REQUIRED BY THE ABOVE MENTIONED REGULATIONS AND UMC 817.57

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

JAN. 22, 1982 (30 DAYS)



STATE OF UTAH

Notice of Violation No. N 82-4-17-2

Violation No. 2 of 2

Nature of the Violation

FAILURE TO PASS ALL SURFACE DRAINAGE FROM THE DISTURBED
AREA THROUGH A SEDIMENTATION POND OR A TREATMENT FACILITY
BEFORE LEAVING THE PERMIT AREA.
FAILURE TO MAINTAIN ~~SEDIMENT~~ SEDIMENT CONTROL STRUCTURES

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

UMC 817.42 (a)(1)
UMC 817.45

Portion of the Operation to which Notice Applies

A. CASTLEGATE PREPARATION PLANT

- ① BERM WEST OF NEW COAL STACKING TUBE
- ② UNDISTURBED DIVERSION NORTH OF NEW COAL STACKING TUBE

B. SOWBELLY CANYON

- ① UNDISTURBED DIVERSION ON WEST SIDE OF SITE JUST SOUTH OF WAREHOUSE #5

Remedial Action Required (including interim steps, if any)

A. ① BRING SNOW, COAL & SOIL MATERIALS BACK AWAY FROM RIVER AND REESTABLISH PRE-EXISTING BERM

- ② ~~REMOVE~~ REMOVE SNOW FROM ^{DISTURBED AREA} UNDISTURBED DIVERSION

B. ① REMOVE DISTURBED AREA SNOW FROM UNDISTURBED DIVERSION

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

A. ① DEC. 30, 1982

- ② DEC. 30, 1982

B. ① DEC. 30, 1982



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

CHARLES R. HENDERSON
Chairman

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

Modification of Notice or Order

To the Following Permittee or Operator:

Name PRICE RIVER COAL CO.

Mailing Address P.O. Box 629 NEPPER, UT

State Permit No. ACT/007/004

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 82-4-14-1 Y TV dated Nov. 15, 1982.

Cessation Order No. C _____ Y TV dated _____, 19____.

Violation No. 1 is modified as follows: TIME FOR ABATEMENT: IMPLEMENTATION SHALL BE COMPLETED NO LATER THAN ~~2/13/82~~ FEB. 13, 1983.

The reason for this modification are as follows:
Violation No. _____ is modified as follows:
The reasons for this modification are as follows: REASON: NEW ABATEMENT DEADLINE PROPERLY CORRESPONDS TO 90 DAY MAXIMUM FOR TIME TO ABATE A VIOLATION. SEE UMC 8-13.12(C)

Violation No. _____ is modified as follows:
The reasons for this modification are as follows:
Date of Service DEC. 22, 1982 _____
Signature of Authorized Representative David Lof

Time of Service or Mailing 11:00 X a.m. _____ p.m. _____
Name and I.D. No. DAVID LOF #4

FILE ACT/007/004



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
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E. STEELE McINTYRE

CLEON B. FEIGHT
Director

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name PRICE RIVER COAL CO.

Mailing Address P.O. Box 679 HELPER, UT 84526

State Permit No. ACT/007/004

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 82-4-4-2 Y TV dated MARCH 16, 1982

Cessation Order No. C _____ Y TV dated _____, 19____

Violation No. 1 is hereby Terminated EFFECTIVE 3/16/82 _____ Vacated because:

Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Date of Service DEC 6, 1982 _____
Signature of Authorized Representative David Lof

Time of Service or Mailing 4:00 a.m. p.m. DAVID LOF #4
Name and I.D. No.

NOTE: THE ISSUING INSPECTOR DID CONFIRM THE COMPLETION OF THE REMEDIAL ACTIONS REQUIRED ON MARCH 16, 1982 BUT FORGOT TO ISSUE TERMINATION NOTICE UNTIL NOW.

FILE ACT/007/004
PRICE RIVER COAL CO.



DEPARTMENT OF NATURAL RESOURCES - DIVISION OF OIL, GAS, AND MINING
4241 STATE OFFICE BUILDING, SALT LAKE CITY, UTAH 84114 (801) 533-5771

56 64 17

STATE OF UTAH

ACT
~~Account~~ No. ACT/007/004
NAOC No. 82-4-11-1

Notice of Area of Concern:

This notice is intended to inform the operator of a condition or practice which may result in a violation of the performance standards promulgated under Title 40, Chapter 10, UCA 1953. Failure to comply with this notice by the agreed deadline may result in issuance of a Notice of Violation.

Nature of Concern: ENSURE THAT APPROPRIATE SEDIMENT CONTROL STRUCTURES ARE CONSTRUCTED TO PREVENT TO THE EXTENT POSSIBLE, ADDITIONAL CONTRIBUTIONS OF SEDIMENT TO STREAMFLOW OR TO RUNOFF OUTSIDE THE PERMIT AREA.

Pertinent Regulation of Permit Condition:

UMC 817.42(a)(1)
UMC 817.45

Portion of Operation to which Notice Applies: THE WEST SIDE OF THE NEW CONVEYOR BELT BEING CONSTRUCTED FROM THE NEW CLEAN COAL STOCKPILE TO THE RAILROAD LOADOUT. (CASTLEGATE PREP PLANT)

Compliance Action Required: CONSTRUCT A BERM SEPARATING THE DISTURBED AREA FROM THE RAILROAD TRACKS.

Deadline: CONSTRUCTION MUST BE COMPLETED PRIOR TO COMPLETION AND IMPLEMENTATION OF THE CONVEYOR

The undersigned hereby agree that the above-mentioned measures should be accomplished prior to the mutually agreed deadline.

Signature of Authorized Representative:

David Loe #4
R. Wiley

Date: DEC 22 1982

Signature of Operator:

Date: DEC 22 1982