

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

NOTICE OF VIOLATION NO. N 82-4-12-2

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

NAME Price River Coal Company
 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 Utah TELEPHONE 801/472-3411
 MAILING ADDRESS: P. O. Box 629 Helper, Utah 84526
 DATE OF INSPECTION Oct. 7, 8, 13, 1982
 TIME OF INSPECTION: FROM 1:40pm - 5pm to 9:15am - 4:15pm
 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 Oct. 15, 1982 David Lee
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 2:53 a.m. p.m. DAVID LEE #1
NAME AND I. D. NO.

Person Served with Notice ROBERT WILEY
PRINT NAME AND TITLE

Signature ISSUED FROM OFFICE

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE

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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- -2

Violation No. 1 of 2

Nature of the Violation

Failure to pass all surface drainage from the disturbed area through a sedimentation pond, series of sedimentation ponds, or a treatment facility before leaving the permit area.

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

UCA 1953 40-10-18(2)(i)
UMC 817.41
UMC 817.42(a)(1)
UMC 817.43(c)
UMC 817.45

Portion of the Operation to which Notice Applies

Hurdscrabble Canyon: (1) berm adjacent to the primary undisturbed stream channel just south of the maintenance office trailer, (2) western half of the pod area associated with the #4 mine.

Remedial Action Required (including interim steps, if any)

Maintain all surface drainage diversions such that all surface drainage from the disturbed area is passed through a sedimentation pond, series of ponds, or a treatment facility prior to leaving the permit area.

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

No later than 8:00 am November 8, 1982



STATE OF UTAH

Notice of Violation No. N 82-4-12-2

Violation No. 2 of 2

Nature of the Violation

Failure to maintain diversions in accordance with Umc 817.43 such that: ① diversion ditches operate as intended and according to plans submitted and approved by the Division, ② contributions of suspended solids to stream flow and runoff outside the permit area is prevented.

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

UCA 1953 40-10-18 (2)(i)(ii)
Umc 817.43 (c) and (f)
Umc 817.45
Umc 771.19

Portion of the Operation to which Notice Applies

Crandall Canyon: ① diversion ditch north of the #1 shaft which carries muck water from the # shaft to the lower sediment pond. ② the undisturbed diversion ditch southeast of the hoist house for the #1 shaft.

Remedial Action Required (including interim steps, if any)

maintain surface drainage diversions such that: ① diversion ditches operate as intended and according to plans submitted and approved by the Division, ② contributions of suspended solids to stream flow and runoff outside the permit area is prevented, ③ Remove underground development waste from south slope of the undisturbed stream channel.

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

No later than 8:00 am November 15, 1982



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

Account No. ACT/007/004

NAOC No. 82-4-9-3

Notice of Area of Concern: 1 of 3

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: Passing all surface drainage from the disturbed area through a treatment facility before leaving the permit area. Maintenance of diversions in accordance with 817.43(c)

Pertinent Regulation of Permit Condition:

- 40-10-18 (2)(i) UCA 1953
- UMC 817.42 (a)(1)
- UMC 817.43 (c)
- UMC 817.45

Portion of Operation to which Notice Applies: Handscrabble Canyon; berm west of warehouse building adjacent to primary undisturbed stream channel.

Compliance Action Required: maintain berm such that all surface drainage from the disturbed area is contained on site, and passed through a treatment facility.

Deadline: No later than 8:00 am November 8, 1982

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

Signature of Authorized Representative:

David [Signature]
DAVID [Signature] #1

Date: Oct 15, 1982

Signature of Operator: Issued from office

Date: 10-15-82



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4241 STATE OFFICE BUILDING, SALT LAKE CITY, UTAH 84114 (801) 533-5771

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STATE OF UTAH

Account No. ACT/007/004

NAOC No. 82-4-9-3

Notice of Area of Concern: 2 of 3

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: Maintenance of diversions in accordance with UMC 817.43(c)

Pertinent Regulation of Permit Condition:

UCA 40-10-18(2)(i)
UMC 817.43 (c)

Portion of Operation to which Notice Applies: Hardscrabble Canyon's primary stream channel conveying undisturbed drainage at south end of culvert under road going to # 4 mine area

Compliance Action Required: Assure that the undisturbed stream channel is maintained in accordance with UMC 817.43(c)

Deadline: No later than 8:00 am November 8, 1982

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

Signature of Authorized Representative:

David Hof
DAVID HOF #1

Date: Oct 15, 1982

Signature of Operator: Issued from office

Date: 10-15-82



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4241 STATE OFFICE BUILDING, SALT LAKE CITY, UTAH 84114 (801) 533-5771

56 64 17

STATE OF UTAH

Account No. ACT/007/004
NAOC No. 82-4-9-3

Notice of Area of Concern: 3 of 3

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: Design, construction and maintenance of sediment control structures to ensure that structures are adequate to prevent additional contributions of suspended sediments to runoff outside the permit area.

Pertinent Regulation of Permit Condition:

UCA 1953 40-10-15 (2)(ii)
UMC 817.41 (d), UMC 817.42 (a)(1), UMC 817.43(c)
UMC 817.45

Portion of Operation to which Notice Applies: (1) Area west of the water treatment plant and north of the clean coal stockpile, (2) sediment 012

Compliance Action Required: submit plans addressing those areas which may be inadequately designed and constructed to ensure proper conveyance and treatment of disturbed area runoff. Implement the plans immediately upon approval by the Division.

Deadline: No later than Oct

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

Signature of Authorized Representative:

Date: OCT 15 1982

Signature of Operator: Issued from office

Date: 10-15-82