

NO. N 92-28-1-1

To the following Permittee or Operator:

Name AMAX COAL COMPANY

Mine CASTLE GAE MINE  Surface  Underground  Other

County CARBON State UTAH Telephone (307) 687-3404

Mailing Address P. O. BOX 3005, GILLETTE, WYOMING 82717-3005

State Permit No. ACT/007/004

Ownership Category  State  Federal  Fee  Mixed

Date of inspection OCTOBER 24, 1991, 19\_\_\_\_

Time of inspection 4:30  a.m.  p.m. to 5:00  a.m.  p.m.

Operator Name (other than Permittee) \_\_\_\_\_

Mailing Address \_\_\_\_\_

notice of violation

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.

**CERTIFIED RETURN RECEIPT:**

**P 879 596 466**

Date of service/mailling MARCH 9, 1992 Time of service/mailling 3:00  a.m.  p.m.

**RICHARD ALLISON**

Permittee/Operator representative

Signature

**DARON R. HADDOCK**

Division of Oil, Gas & Mining representative

Signature

*Daron R. Haddock*

**PROJECT SUPERVISOR**

Title

**PERMIT SUPERVISOR**

Title

**#28**

Identification Number

**SEE REVERSE SIDE**

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



**NOTICE OF VIOLATION NO. N 92-28-1-1**

Violation No. 1 of 1

Nature of violation

**FAILURE TO CONSTRUCT AND OPERATE IN ACCORDANCE WITH APPROVED PLANS AND**

**REQUIREMENTS FOR SEDIMENT PONDS. AN INSPECTION OF POND 012B BY DIVISION PERSONNEL**

**ON OCTOBER 24, 1991 REVEALED THAT UNAUTHORIZED CONSTRUCTION WAS OCCURRING ON THE POND AND**

**THE SPILLWAYS HAD BEEN REMOVED AND WERE NOT FUNCTIONAL.**

**AS-BUILT DESIGNS SUBMITTED DECEMBER 4, 1991 HAVE NOT DEMONSTRATED COMPLIANCE.**

Provisions of act, regulations or permit violated

**R645(614)-301-750**

**R645(614)-301-732**

Portion of operation to which notice applies

**SEDIMENT POND #012B AND ASSOCIATED SPILLWAYS.**

Remedial action required (including any interim steps)

**1. RECONSTRUCT POND SPILLWAYS.**

**2. SUBMIT AS-BUILT DESIGNS TO VERIFY THAT SEDIMENT POND 012B MEETS THE**

**REQUIREMENTS OF THE ABOVE REGULATIONS.**

**3. DEMONSTRATE THAT AS-BUILT DESIGNS ARE APPROVABLE OR OBTAIN APPROVAL OF REMEDIAL**

**DESIGNS WHICH WHEN IMPLEMENTED WILL BRING POND 12B IN TO COMPLIANCE.**

**4. COMPLETE ANY REMEDIAL CONSTRUCTION NEEDED TO BRING POND 12B IN TO COMPLIANCE.**

Abatement time (including interim steps)

**1. N/A COMPLETED AND VERIFIED ON OCTOBER 29, 1991.**

**2. N/A AS-BUILT DESIGNS WERE SUBMITTED ON DECEMBER 4, 1991.**

**3. BY APRIL 9, 1992**

**4. BY APRIL 28, 1992**