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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangarter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

November 30, 1992

TO: Mine File

FROM: Lowell P. Braxton, Associate Director, Mining *LPB*

RE: Notice of Violation N92-39-7-1, AMAX Coal Company, Castle Gate Mine, ACT/007/004, Folder #5, Carbon County, Utah

This memo provides documentation of modification of a Notice of Violation (NOV) abatement date beyond 90 days per the provisions of R645-400-328.200 and 300.

The above-cited NOV was issued September 17, 1992, for failure to maintain diversions at the Castle Gate Refuse Pile in accordance with the performance standards of the Utah Coal Regulatory Program. Submission of plans and approval of same by the Division of Oil, Gas, and Mining (DOGM) were prerequisites to field construction.

AMAX Coal Company under a letter dated November 10, 1992, asked for a modification in abatement date from November 16, 1992, to January 15, 1993.

The basis for the modification was administrative delay attendant to the review of plans by DOGM. On November 17, 1992, DOGM modified the NOV to reflect an abatement date of January 15, 1993.

**Enclosures**

cc: D. Haddock  
J. Helfrich  
abt90

Original 007/004 #5  
cc: [redacted]  
Daron  
Rick  
Steve

# AMAX COAL COMPANY

A Subsidiary of AMAX Coal Industries, Inc.

RECEIVED

NOV 17 1992

DIVISION OF  
OIL GAS & MINING

BELLE AYR MINE



November 10, 1992

Dianne Nielson, Director  
Utah Division of Oil, Gas & Mining  
3 Triad Center, Suite 350  
Salt Lake City, UT 84180-1203

RE: Notice of Violation 92-39-7-1

Dear Dianne:

Castle Gate Mine received NOV No. 92-39-7-1 on 21 Sept 1992 for failure to maintain the diversions on the Castle Gate Refuse Pile according to performance standards. AMAX submitted designs to address the diversions and ditches pursuant to Division Orders on September 8, 1992. The Division review of the diversion prompted design changes in the refuse pile diversions. EarthFax Engineering redesigned the diversions and submitted them to the Division for review on November 9. The Division staff is currently reviewing the design proposals. Included in the submittal is the redesign of Diversion 7b which is the subject of the referenced NOV.

The NOV abatement must be completed by noon on November 16, 1992. AMAX has issued a purchase order to Siaperas Construction of Price, Utah to reconstruct the diversion. However, AMAX cannot proceed with the construction to abate the violation until approval of the design is received from the Division.

AMAX has applied for and diligently pursued a permit revision to address the deficiencies in the diversions at the Castle Gate Preparation Plant Area including the 7b diversion. The approval of the permit revision which contains the design for diversion 7b has not been, or will be, approved within the abatement time specified in the NOV. Therefore, AMAX is requesting an extension of the abatement time period pursuant to the authority given to the Director in R645-400-327.100.

AMAX will need approximately four weeks to construct the new diversion after the approval is received from the Division. Poor weather and the holiday vacation season will also add to the abatement time. Therefore, AMAX is requesting that the abatement period be extended to January 15, 1993.

Please contact me if you need any further information about this request.

Sincerely,

Richard H. Allison, Jr. P.E.  
Project Supervisor

RHA:vsn

Cert. Mail No. P 114 441 151

cc: Phil Dinsmoor  
Steve Laird  
George Womack

RECEIVED

NOV 17 1992

DIVISION OF  
OIL GAS & MINING



Do abtmt = 90 dya

### MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Amax Coal Company

Mailing Address P.O. Box 3005, Gillette, WY 82717

State Permit No. ACT/007/004

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

Notice of Violation No. N 92-39-7-1 dated Sept 17, 19 92.

Cessation Order No. C \_\_\_\_\_ dated \_\_\_\_\_, 19 \_\_\_\_.

Part 1 of 1 is modified as follows: Abatement time is extended to  
January 15, 1993

Reason for modification is to allow time for review of plans and  
then implementation of those plans once approved.

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: (See operators written request  
dated November 10, 1992)

Reason for modification is \_\_\_\_\_

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: \_\_\_\_\_

Date of service/ mailing \_\_\_\_\_ Time of service/ mailing \_\_\_\_\_  a.m.  p.m.

Date of inspection \_\_\_\_\_

Richard H. Allison  
Permittee/Operator representative

Project Supervisor  
Title

Signature \_\_\_\_\_

Daron R. Haddock  
Division of Oil, Gas & Mining

Permit Supervisor  
Title

Daron R. Haddock  
Signature

LWB