



NO. N 92-39-2-1

notice of violation

To the following Permittee or Operator:

Name Amax Coal Company

Mine Castle Gate Mine Surface Underground Other

County Carbon State Utah Telephone (307) 687-3404

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

State Permit No. ACT/007/004

Ownership Category State Federal Fee Mixed

Date of inspection March 30 & 31, 1992, 19

Time of inspection 9:00 a.m. p.m. to 3:00 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

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.

P 734 906 850 CERTIFIED MAIL

Date of service/mailling April 7, 1992 Time of service/mailling 3:00 a.m. p.m.

Richard H. Allison
Permittee/Operator representative

Project Supervisor
Title

Mailed
Signature

Stephen J. Demczak
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

Stephen J. Demczak
Signature

#39
Identification Number

SEE REVERSE SIDE

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

NOTICE OF VIOLATION NO. N 92-39-2-1

Violation No. 1 of 1

Nature of violation

Failure to receive approval from the Division to gravity discharge from Utah Fuel No. 1 Mine and comply with regulation R645-301-731.521.

Provisions of act, regulations or permit violated

R645-301-731.521

R645-301-741

Portion of operation to which notice applies

Utah Fuel #1 travel portal which is presently discharging water.

Remedial action required (including any interim steps)

- (1) Stop discharging or receive the necessary approval from the Division, and if discharging is requested, submit necessary plan and designs and permits to adequately handle the discharge.
- (2) If plans and designs are submitted and approved, begin construction accordingly.

Abatement time (including interim steps)

- (1) Abate remedial action #1 by May 8, 1992 at 12:00 p.m.
- (2) Abate remedial action #2 if construction is required by June 8, 1992 at 12:00p.m.