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STATE OF UTAH  
NATURAL RESOURCES  
Division of Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

NO. N 94-41-4-1

notice of violation

To the following Permittee or Operator:

Name AMAX COAL COMPANY

Mine CASTLE GATE  Surface  Underground  Other

County CARBON State UTAH Telephone (801) 637-2875

Mailing Address P. O. DRAWER PMC, PRICE, UTAH 84501

State Permit No. AGC/007/004

Ownership Category  State  Federal  Fee  Mixed

Date of inspection AUGUST 19, 1994, 1994

Time of inspection 9:00  a.m.  p.m. to 1:00  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.

**CERTIFIED RETURN RECEIPT**

**P 074 978 427**

Date of service/ mailing ~~XXXXX~~ AUGUST 30, 1994 Time of service/ mailing ~~XXXXX~~ 10:30  a.m.  p.m.

**LONNIE MILLS**

Permittee/Operator representative

Signature

**SR. ENVIRONMENTAL ENGINEER**

Title

**PAUL BAKER**

Division of Oil, Gas & Mining representative

Signature

**SR. RECLAMATION BIOLOGIST**

Title

**#41**

Identification Number

**SEE REVERSE SIDE**

WHITE-DOG M YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



**NOTICE OF VIOLATION NO. N 94-41-4-1**

Violation No. 1 of 1

Nature of violation

**Failure to design, locate, construct and maintain diversions to be stable, to minimize adverse impacts to the hydrologic balance within the permit area, and to minimize erosion to the extent possible.**

Provisions of act, regulations or permit violated

**R645-301-746.200; R645-301-746.330; R645-301-750; R645-301-753;  
R645-301-742.300; R645-301-732.300; R645-301-742.100**

Portion of operation to which notice applies

**Diversions CGD-7 (lower) CGD-19**

Remedial action required (including any interim steps)

- 1. Submit plans addressing regulatory requirement to design CGD-19 to safely pass runoff from the 100-year, 6-hour precipitation event.**
- 2. After approval of designs for CGD-19, implement the designs.**
- 3. Maintain diversion CGD-7 (lower) to conform with designs in the approved Mining and Reclamation Plan.**

Abatement time (including interim steps)

- 1. September 30, 1994 - 12:00 p.m.**
- 2. October 31, 1994 - 12:00 p.m.**
- 3. September 30, 1994 - 12:00 p.m.**