



NO. N 94-41-3-1

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. ACT/007/004

Ownership Category State Federal Fee Mixed

Date of Inspection AUGUST 12, 1994, 19 94

Time of inspection 8:30 a.m. p.m. to 2:30 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 074 978 426

Date of ~~service~~/mailing 8/24/94

Time of ~~service~~/mailing 3:00 a.m. p.m.

LONNIE MILLS

Permittee/Operator representative

SR. ENVIRONMENTAL ENGINEER

Title

Signature

PAUL BAKER

Division of Oil, Gas & Mining representative

SR. RECLAMATION BIOLOGIST

Title

Signature

Identification Number 41

SEE REVERSE SIDE

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



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NOTICE OF VIOLATION NO. N 94-41-3-1

Violation No. 1 of 1

Nature of violation

Failure to design, locate, construct and maintain a diversion to be stable, to minimize adverse impacts to the hydrologic balance within the permit and adjacent areas, 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; R645-301-752;
R645-301-742.300; R645-301-732.300; R645-301-742.100

Portion of operation to which notice applies

Diversion CGD-5, and the portion of the side of Barn Canyon into which water from this diversion flows.

Remedial action required (including any interim steps)

- 1. Submit plans addressing pertinent regulatory requirements for CGD-5 and the slope in Barn Canyon into which water from this diversion flows.**
- 2. Implement the plan after approval.**

Abatement time (including interim steps)

- 1. September 19, 1994 - 4:00 p.m.**
- 2. November 17, 1994 - 4:00 p.m.**