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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 94-41-2-2

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. BOX 449, HELPER, UTAH 84526

State Permit No. ACT/007/004

Ownership Category  State  Federal  Fee  Mixed

Date of inspection June 13 and 15, 19 94

Time of inspection 2:00 & 1:00  a.m.  p.m. to 4:00 and 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.

**CERTIFIED RETURN RECEIPT:**

P 074 978 421

Date of ~~service~~/mailing 6-27-94

Time of ~~service~~/mailing 3  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 94-41-2-2**

Violation No. 1 of 2

Nature of violation

**1) Failure to construct a sediment control structure according to Mining and Reclamation Plan. 2) Failure to construct siltation structures before beginning reclamation operations. 3) Constructing an impounding structure without designs or approval. 4) Failure to follow the sequence of installing sediment control structures outlined in the Mining and Reclamation Plan.**

Provisions of act, regulations or permit violated

**R645-300-142; R645-300-143; R645-301-733; R645-301-742, particularly R645-301-742.212; R645-301-732; R645-301-752; R645-301-753**

Portion of operation to which notice applies

**1) Berm on east side of channel SBRD-1D as shown on Exhibit 3.2-5. 2) Pond 17 and diversions that would direct water to this pond as shown on Exhibit 3.2-5. 3) Portion of channel SBRD-1B that is blocked.**

Remedial action required (including any interim steps)

**1) Construct berm on east side of SBRD-1D as discussed in the Mining & Reclamation Plan. 2) Construct Pond 17 and diversion structures leading to it. 3) Remove spoil that blocks SBRD-1B. 4) Provide interim sediment control measures for areas where drainage would not report to a sedimentation pond. 5) Cease other reclamation activities until siltation structures are in place.**

Abatement time (including interim steps)

**1) 4:00 p.m. - July 5, 1994. 2) 4:00 p.m. - July 15, 1994. 3) 4:00 p.m. - July 5, 1994. 4) 4:00 p.m. - July 5, 1994. 5) Immediately.**



**NOTICE OF VIOLATION NO. N 94-41-2-2**

Violation No. 2 of 2

Nature of violation

**Failure to conduct mining and reclamation operations in accordance with the  
Air Quality Approval Order and regulations promulgated under the Clean Air Act.**

Provisions of act, regulations or permit violated

**R645-301-421**

**R307-1-4.5.4**

Portion of operation to which notice applies

**Areas upon which equipment travels in Sowbelly Gulch.**

Remedial action required (including any interim steps)

**Periodically apply water as required in the Air Quality Approval Order and  
the regulations promulgated under the Clean Air Act.**

Abatement time (including interim steps)

**6/27/94 - 4:00 p.m.**