



NO. N97-41-1-3

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 JANUARY 3, 19 97

Time of inspection 10:00  a.m.  p.m. to 4:00  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**

P 074 977 723

Date of ~~XXXXX~~/mailing JANUARY 7, 1997

Time of ~~XXXXX~~/mailing 2:00  a.m.  p.m.

JOHNNY PAPPAS  
Permittee/Operator representative

ENVIRONMENTAL ENGINEER  
Title

MALLED FROM SLC OFFICE  
Signature

PAUL BAKER  
Division of Oil, Gas & Mining representative

RECLAMATION BIOLOGIST  
Title

[Signature]  
Signature

41  
Identification Number

SEE REVERSE SIDE

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

P 074 977 723

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

~~JOHNNY PAPPS~~

Sent to  
**AMAX COAL CO**

Street  
**PO DRAWER PMC**

**PRICE UT 84501**

P O , State and ZIP Code

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing  
to whom and Date Delivered

Return Receipt showing to whom,  
Date and Address of Delivery

TOTAL Postage and Fees

\$

Postmark or Date

PS Form 3800, June 1985

BB D~~XXXX~~ AGT/007/004 FLD 5 N97-41-1-3 1/7/97



**NOTICE OF VIOLATION NO. N 97-41-1-3**

Violation No. 1 of 3

Nature of violation

**FAILURE TO LOCATE, MAINTAIN, AND CONSTRUCT SEDIMENT CONTROL MEASURES ACCORDING TO THE PLANS AND DESIGNS IN THE MINING AND RECLAMATION PLAN. FAILURE TO DESIGN, CONSTRUCT AND MAINTAIN ROAD DRAINAGE TO HAVE ADEQUATE DRAINAGE CONTROL AND TO PREVENT UNCONTROLLED DRAINAGE OVER THE ROAD SURFACE.**

Provisions of act, regulations or permit violated

**R645-301-732.300**

**R645-301-742.300**

**R645-301-752**

**R645-301-742.423**

**R645-301-732.400**

Portion of operation to which notice applies

**DISTURBED AREA DIVERSIONS WITHIN THE CASTLE GATE PREPARATION PLANT AREA. IN PARTICULAR, CGC-9, CGD-12, CGD-13, CGD-14 AND CGD-15 INCLUDING THE INLET TO POND 11.**

Remedial action required (including any interim steps)

**1. MAINTAIN DISTURBED AREA DIVERSIONS ACCORDING TO DESIGNS IN THE MINING AND RECLAMATION PLAN, INCLUDING REMOVAL OF OBSTRUCTIONS.**

Abatement time (including interim steps)

**JANUARY 15, 1997, 8:00 A.M.**

*Performance Standard Code I 3*



**NOTICE OF VIOLATION NO. N 97-41-1-3**

Violation No. 2 of 3

Nature of violation

**FAILURE TO PLACE NONCOAL WASTE IN A CONTROLLED MANNER IN A DESIGNATED PLACE IN THE PERMIT AREA.**

Provisions of act, regulations or permit violated

**R645-301-521.165**

**R645-301-528.330**

**R645-301-747**

Portion of operation area to which notice applies

**VARIOUS AREAS AT THE CASTLE GATE PREPARATION PLANT.**

Remedial action required (including any interim steps)

**PLACE NONCOAL WASTE IN A CONTROLLED MANNER IN DESIGNATED PORTIONS OF THE PERMIT AREA.**

Abatement time (including interim steps)

**JANUARY 15, 1997, 8:00 A.M.**

*Performance Standard Code N*



**NOTICE OF VIOLATION NO. N 97-41-1-3**

Violation No. 3 of 3

Nature of violation

**FAILURE TO CONDUCT COAL MINING AND RECLAMATION OPERATIONS TO MINIMIZE DISTURBANCES TO THE HYDROLOGIC BALANCE WITHIN THE PERMIT AND ADJACENT AREAS.**

Provisions of act, regulations or permit violated

**R645-301-750**

Portion of operation to which notice applies

**DISCHARGE THROUGH OR UNDER A SILT FENCE SOUTHEAST OF THE OUTLET OF CGC-8.**

Remedial action required (including any interim steps)

- 1. PROPERLY MAINTAIN TWO OR MORE SILT FENCES WITH OIL-ABSORBENT MATERIAL BETWEEN THEM.**
- 2. BUILD A TEMPORARY SEDIMENT TRAP TO RETAIN WATER AWAY FROM THE SILT FENCE.**
- 3. CHECK THE SILT FENCES AND OIL-ABSORBENT DEVICE AT LEAST EVERY 2 HOURS DURING PERIODS OF RAIN OR SNOWMELT TO BE SURE IT IS FUNCTIONING PROPERLY. THIS NEEDS TO OCCUR UNTIL POND 12B AND ASSOCIATED DIVERSIONS ARE FUNCTIONING.**

Abatement time (including interim steps)

- 1. JAN 9, 1997, 8:00 AM**
- 2. JAN 9, 1997, 8:00 AM**
- 3. BEGIN IMMEDIATELY. COMPLETED WHEN POND IS COMPLETED MARCH 6, 1997.**

*Performance Standard Code B1*

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  
**JOHNNY PAPPAS**  
**AMAX COAL CO**  
**PO DRAWER PMC**  
**PRICE UT 84501**

4. Article Number  
**P 074 977 723**

Type of Service:  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address  
**X** *[Signature]*

6. Signature - Agent  
**X**

7. Date of Delivery  
**01-09-97**

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**



PENALTY FOR PRIVATE USE, \$300

**SENDER INSTRUCTIONS**  
 Print your name, address and ZIP Code in the space below.  
 • Complete items 1, 2, 3, and 4 on the reverse.  
 • Attach to front of article if space permits, otherwise affix to back of article.  
 • Endorse article "Return Receipt Requested" adjacent to number.

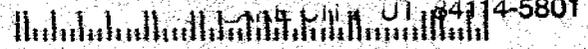
**RETURN TO** Print sender's name, address, and ZIP Code in the space below.

*Div State of Oil & Gas*

**DIVISION**

**OIL MINING**

159 **NOTE 1210**



BB D091 ACT/007/004 FLD 5 N97-41-1-3 1/7/97

P 074 977 723

RECEIPT FOR CERTIFIED MAIL  
 NO INSURANCE COVERAGE PROVIDED  
 NOT FOR INTERNATIONAL MAIL

<b>JOHNNY PAPPAS</b> <b>AMAX COAL CO</b> <b>PO DRAWER PMC</b> <b>PRICE UT 84501</b>		P.O. State and ZIP Code	
Postage	\$	Return Receipt showing to whom and Date Delivered	\$
Certified Fee		Return Receipt showing to whom, Date and Address of Delivery	
Special Delivery Fee		TOTAL Postage and Fees	
Restricted Delivery Fee		Postmark or Date	

PS Form 3800, June 1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

- If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (an extra charge).
- If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, detach and retain the receipt, and mail the article.
- If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
- If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
- Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable boxes in Item 1 of Form 3811.
- Save this receipt and present it if you make a claim.

U.S.G.P.O. 1988-217-132