



0025

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Julie
Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

September 5, 1985

CERTIFIED RETURN RECEIPT REQUESTED
P 402 457 714

Mr. Keith Zobell
Utah Fuel Company
P. O. Box 719
Helper, UT 84526

Dear Mr. Zobell;

RE: NOV #N85-2-18-2, Skyline Mine, ACT/007/005, Folder #7, Carbon County, Utah

Enclosed is NOV #N85-2-18-2 which also results from an inspection conducted on August 28, 1985. This enforcement action was delayed by my further review of the mine permit and recent modifications and by consultations with Joe Helfrich, Lowell Braxton, and Dianne Nielson. This action was discussed with you over the phone today, September 5, 1985.

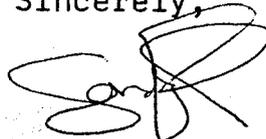
In regard to NOV #2 of 2, you described a phone conversation between yourself and Lowell Braxton on August 23, 1985, which did not correspond with Lowell Braxton's documentation of that phone conversation or his recollections as described to me on August 30, 1985. I advised you to contact Lowell to clear up the matter. Let me know what is resolved. Also I recommended that you maintain a log of phone conversations, particularly those concerning permits or enforcement action.

In regard to NOV #1 of 2, issued for the unpermitted mine discharge directly into Eccles Creek, I recommended that you contact Rick Summers, the hydrologist currently assigned to the Skyline Mine, to determine what is necessary to obtain the required approval from the Division of Oil, Gas and Mining (DOGGM) in order to continue the direct discharge into Eccles Creek. It is possible, depending upon the extent of mine water treatment provided underground, that conditional approval could be granted by DOGGM immediately.

Page 2
Keith Zobell
September 5, 1985

If there are problems in obtaining DOGM approval quickly, I advised you to file for temporary relief from the NOV in accordance with UCA 40-10-22(3)(c). Please contact Joe Helfrich if you need assistance.

Sincerely,



Sandy Pruitt
Mining Field Specialist

sp
enclosure
cc: Dianne Nielson
Lowell Braxton
Joe Helfrich
John Whitehead
Rick Summers
0347Q-2-3

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO. N 85-2-18-2

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME Utah Fuel Co.
MINE Skyline SURFACE UNDERGROUND OTHER
CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED
OSM MINE NO. _____ STATE PERMIT NO. ACT/007/005 MSHA I.D. NO. _____
COUNTY AND STATE Carbon UT TELEPHONE 637-7925
MAILING ADDRESS: PO Box 719 Helper UT 84526
DATE OF INSPECTION 8/28, 19 85
TIME OF INSPECTION: FROM 11:30 a.m. to 5:30 p.m.
NAME OF OPERATOR (if other than permittee) _____
MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the 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 minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 9/5/85 
SIGNATURE OF AUTHORIZED REPRESENTATIVE
Time of Service 11:30 a.m. p.m. Jerry Pruitt #2
NAME AND I. D. NO.
Person Served with Notice Keith Zibell by certified mail
PRINT NAME AND TITLE
P402 457 714
Signature _____

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 85-2-18-2

Violation No. 1 of 2

Nature of the Violation

Failure to conduct mining activities in accordance with the terms and conditions of the permit. Conducting mining operations without a permit.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 771.19
UCA 40-10-9 (1)

Portion of the Operation to which Notice Applies

Mine water discharged directly into Eccles Creek.

Remedial Action Required (including interim steps, if any)

Cease mine discharge into Eccles Creek until DDM approval is obtained.

Time for Abatement (including time for interim steps, if any)

Immediately ~~upon receipt of violation~~ upon receipt of violation.



STATE OF UTAH

Notice of Violation No. N 85-2-18-2

Violation No. 2 of 2

Nature of the Violation

Conducting mining operations without a permit.
Failure to comply with terms and conditions
of the permit.

Provision(s) of the Regulations, Act, or Permit Violated

UCA 40-10-9(1)
UCA 40-10-17(2)(j)(iii)
UMC 771.19
Condition #3 of the Conditional Approval dated 8/19/85

Portion of the Operation to which Notice Applies

Disposal of accumulated sediment, from the mine
sediment pond, at the Scofield Waste Rock
disposal pit.

Remedial Action Required (including interim steps, if any)

Submit complete and adequate plans for
disposal of sediments at the Scofield
Waste Rock Disposal pit. Obtain DORM
approval.

Time for Abatement (including time for interim steps, if any)

Two weeks or no later than 9/19/85