



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
SUITE 310
625 SILVER AVENUE, S.W.
ALBUQUERQUE, NEW MEXICO 87102



In Reply Refer To:

P. Gumbough letter

0072

November 20, 1991

PERMIT DEFECT
TEN-DAY LETTER

CERTIFIED RETURN RECEIPT NO. P 965 799 087

Dr. Dianne R. Nielson, Director
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, UT 84180-1203

TDL No. 91-02-244-6
Permit No. ACT/007/005
County Carbon
Mine Name Skyline

Dear Dr. Nielson:

This letter serves as notification to your agency that the Office of Surface Mining Reclamation and Enforcement (OSM) has reason to believe that a violation of the Utan program exists. The alleged violation is based on a procedural or substantive deficiency (permit defect) identified during the review of ACT/007/005 held by Coastal States Energy. The nature of this deficiency and the reasons it constitutes a permit defect are explained below.

R614-301.742.223. Failure to have a combination of principal and emergency spillways on a sediment pond that will safely discharge a 25-year, 6-hour precipitation event. (Mine water pond.)

Your agency is being provided a period of ten calendar days after your receipt of this letter to respond to this office in writing showing that appropriate action has been taken to correct the permit defect or showing that good cause exists for not taking appropriate action. If, upon expiration of the ten day period, a response is not received in this office, or if your response indicates that your agency has not taken appropriate action to cause the permit defect to be corrected or shown good cause for not taking appropriate action, Federal action under 30 CFR Parts 842.732 or 733, as appropriate, will be initiated.

RECEIVED

NOV 22 1991

DIVISION OF
OIL GAS & MINING

Dr. Dianne R. Nielson, Director

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Failure to respond within 10 days of your receipt of this letter constitutes a waiver of your right to request an informal review under 30 CFR Parts 842.11 (b) (1) (iii).

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Fritz", with a stylized flourish at the end.

Gary L. Fritz
Reclamation Specialist

UNITED STATES DEPARTMENT OF THE INTERIOR

NOV 22 1991 Office of Surface Mining
Reclamation and Enforcement

TEN-DAY NOTICE

DIVISION OF
OIL GAS & MINING

Number: X - 91 - 02 - 244 - 9 TV 1

Originating Office:
Albuquerque Field Office
625 Silver Ave, SW
Suite 310
Albuquerque, New Mexico
Telephone Number: 505 8702 766 1486

Ten-Day Notice to the State of Utah

You are notified that, as a result of oversight inspection (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: <u>Coastal States Energy</u> <small>(Or Operator if No Permit)</small>	County: <u>Carbon</u>	<input type="checkbox"/> Surface
Mailing Address: <u>P.O. Box 719 ; Helper, Utah 84527</u>		<input checked="" type="checkbox"/> Underground
Permit Number: <u>ACT/007/005</u>	Mine Name: <u>Skyline</u>	<input type="checkbox"/> Other

NATURE OF VIOLATION AND LOCATION: Failure to divert runoff from areas above the pile and from the surface of the pile into stabilized diversion channels to pass runoff from a 100 yr 6 hr event (waste rock pile)

Section of State Law, Regulation or Permit Condition believed to have been violated: R 614 301 - 746, 212

NATURE OF VIOLATION AND LOCATION: _____

Section of State Law, Regulation or Permit Condition believed to have been violated: _____

NATURE OF VIOLATION AND LOCATION: _____

Section of State Law, Regulation or Permit Condition believed to have been violated: _____

Remarks or Recommendations: _____

Date of Notice: <u>November 20</u> <u>P 965 799088 1991</u> <u>Certified mail #</u>	Signature of Authorized Rep.: <u>Gary Fritz</u> Print Name and ID: <u>Gary Fritz #244</u>
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