

From: Stephanie Dunlap
To: Dale Harber
Date: 5/17/2006 10:59:10 AM
Subject: Skyline Mine (N06-39-3-1) DOGM Violation

Attached you will find the state violation that was issued by DOGM staff.

Skyline Mine, C/007/005, 05/01/2006, N06-39-3-1.

Failure to...submit all required water quality information within 90 days for 2nd, 3rd, and 4th quarters of 2005.

If you need a signed hard copy of any violation, please do not hesitate to contact me. Thank you.

Stephanie Dunlap
(435) 613-1146 x 200
stephaniedunlap@utah.gov

CC: Carter Reed; Daron Haddock; James Kohler; Pam Grubaugh-Littig; Robert Herbert; Sheila Morrison; Walter Baker



3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

Page 1 of 2

NO. N 06-39-2-1

notice of violation

To the following Permittee or Operator:

Name Canyon Fuel Co LLC

Mine Stylene Mine Surface Underground Other

County Carbon State Utah Telephone 435-448-2636

Mailing Address HC 35 Box 280 Helper, Utah 84526

State Permit No. C/002/005

Ownership Category State Federal Fee Mixed

Date of inspection 4/25/06, 19__

Time of inspection 11:00 a.m. p.m. to 1:00 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.

Date of service/ mailing 5/1/06 Time of service/ mailing 11:30 a.m. p.m.

Chris Hanson
Permittee/Operator representative

Environmental Coordinator
Title

Chris Hanson
Signature

Stephen J Demczak
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

Stephen J Demczak
Signature

39
Identification Number

SEE REVERSE SIDE

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

DOG M/NOV-1

an equal opportunity employer

Rev. 5/92



NOTICE OF VIOLATION NO. N 06-39-3-1

Violation No. 1 of 1

Nature of violation

The permittee failed to submit within 90 days all required water quality information for 2nd, 3rd and 4th Quarter of 2005 by using the Division's web site. The following water monitoring sites have incomplete submittal of information. (See attachment).

Provisions of act, regulations or permit violated

R645-300.143 Failed to complete the requirements of permit condition # 1,

R645-301.731.212 Ground Water

R645-301.731.223 Surface Water

Portion of operation to which notice applies

See attachment for portion of operation

Remedial action required (including any interim steps)

Submit information, if possible. If water information is not available submit letter stating water information is not available.

Abatement time (including interim steps)

MAY 5, 2005

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

Parameters missing from the Skyline Mine water monitoring data (for second quarter, 2005) as of the end of business on 4/14/06.

See MRP pages 2-36, incorporated Dec. 2, 2005; 2-36a, and 2-36b incorporated August 9, 2005 (superseded August 29, 2005); pages 2-37, and 2-37a incorporated January 6, 2005; and page 2-39-aa incorporated April 24, 2001 for protocols and requirements.

3-290 dissolved iron dissolved manganese	Protocol A 1,2 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes both dissolved iron and dissolved manganese as laboratory parameters for Apr.-Jun. sampling
S10-1 dissolved iron dissolved manganese	Protocol A 1,2
S12-1 dissolved iron dissolved manganese	Protocol A 1,2
S13-2 dissolved iron dissolved manganese	Protocol A 1,2
S13-7 dissolved iron dissolved manganese	Protocol A 1,2
S14-4 dissolved iron dissolved manganese	Protocol A 1,2
S17-2 dissolved iron dissolved manganese	Protocol A 1,2
S22-11 dissolved iron dissolved manganese	Protocol A 1,2
S22-5 dissolved iron dissolved manganese	Protocol A 1,2

WQ4-12 dissolved iron dissolved manganese	Protocol A 1,2
CS-16 dissolved iron dissolved manganese	Protocol A 1,2
CS-17 dissolved iron dissolved manganese	Protocol A 1,2
CS-18 dissolved iron dissolved manganese	Protocol A 1,2
CS-19 dissolved iron dissolved manganese	Protocol A 1,2
CS-20 dissolved iron dissolved manganese	Protocol A 1,2
CS-7 dissolved iron dissolved manganese	Protocol A 1,2
CS-8 dissolved iron dissolved manganese	Protocol A 1,2
UP&L-10 dissolved iron dissolved manganese	Protocol A 1,2
CS-21 dissolved iron dissolved manganese	Protocol A 1,2

VC-6 dissolved iron dissolved manganese	Protocol A' 1, 2, 3, 6, 7, 9 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes both dissolved iron and dissolved manganese as laboratory parameters for Apr.-Jun. sampling
CS-1 dissolved iron dissolved manganese	Protocol A 1, 2, 6, 7 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes both dissolved iron and dissolved manganese as laboratory parameters for Apr.-Jun. sampling
CS-11 dissolved iron dissolved manganese	Protocol A 1, 2, 6, 7
CS-3 dissolved iron dissolved manganese	Protocol A 1, 2, 6, 7
CS-4 dissolved iron dissolved manganese	Protocol A 1, 2, 6, 7
CS-9 dissolved iron dissolved manganese nitrate	Protocol A 1, 2, 6, 7
F-10 dissolved iron dissolved manganese	Protocol A 1, 2, and C 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes both dissolved iron and dissolved manganese as laboratory parameters for Apr.-Jun. sampling
92-91-03 lab specific conductivity	Protocol listed in Table 2.3.7-5 specific conductivity required as a lab measurement in addition to the field measurement

UT0023540-002

UPDES permit calls for weekly monitoring, still missing 1st and 3rd week of April. If the entire month were "no flow," then one sample stating that it was no flow, with 1 month as the flow period would suffice but the site flowed the last week of March and during the fourth week of April and the other "no flow" samples do not indicate that they include the first or 3rd week.

Parameters missing from the Skyline Mine water monitoring data (for third quarter, 2005) as of the end of business on 4/14/06.

See MRP pages 2-36, incorporated Dec. 2, 2005; 2-36a, and 2-36b incorporated August 29, 2005; pages 2-37, and 2-37a incorporated January 6, 2005; and page 2-39-aa incorporated April 24, 2001 for protocols and requirements.

S10-1 dissolved oxygen turbidity	Protocol A 1,2 2 requires "water quality field and operational laboratory measurements" Table 2.3.7-2A incorporated Jan. 6, 2005 includes dissolved oxygen and turbidity as field parameters for Aug.-Sep. sampling
S13-7 dissolved oxygen turbidity	Protocol A 1,2
WQ1-39 dissolved oxygen turbidity	Protocol A 1,2
WQ3-26 dissolved oxygen	Protocol A 1,2
WQ3-41 dissolved oxygen turbidity	Protocol A 1,2
WQ3-43 dissolved oxygen turbidity	Protocol A 1,2
WQ3-6 dissolved oxygen turbidity	Protocol A 1,2
WQ4-12 dissolved oxygen	Protocol A 1,2
S17-2 dissolved oxygen	Protocol A 1,2

S36-12
dissolved oxygen
turbidity

Protocol A 12

S15-3
dissolved oxygen
turbidity

Protocol A 12, 13 (13 Spring and Fall)
12 requires "Field parameters only"
Table 2.3.7-2A incorporated Jan. 6, 2005 includes turbidity
and dissolved oxygen as required field parameters for
Aug.-Sep. sampling

Parameters missing from the Skyline Mine water monitoring data (for fourth quarter, 2005) as of the end of business on 4/14/06.

See MRP pages 2-36, incorporated Dec. 2, 2005; 2-36a, and 2-36b incorporated August 29, 2005; pages 2-37, and 2-37a incorporated January 6, 2005; and page 2-39-aa incorporated April 24, 2001 for protocols and requirements.

CS-4 dissolved iron dissolved manganese	Protocol A 1, 2, 6, 7 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes both dissolved iron and dissolved manganese as laboratory parameters for Oct.-Nov. sampling
CS-3 dissolved manganese	Protocol A 1, 2, 6, 7
CS-9 dissolved manganese	Protocol A 1, 2, 6, 7
CS-11 dissolved manganese	Protocol A 1, 2, 6, 7
CS-7 turbidity	Protocol A 12 12 requires "Field parameters only" Table 2.3.7-2 incorporated Jan. 6, 2005 includes turbidity as a required field parameter for Oct.-Nov. sampling
CS-8 turbidity	Protocol A 12
S15-3 turbidity	Protocol A 12, G 13
S24-12 turbidity	Protocol A 12
S26-13 turbidity	Protocol A 12
S34-12 turbidity	Protocol A 12
S35-8 turbidity	Protocol A 12

WQ3-43 dissolved iron dissolved manganese	Protocol A 1, 2
WQ3-6 dissolved iron dissolved manganese	Protocol A 1, 2
WQ4-12 dissolved iron dissolved manganese	Protocol A 1, 2
CS-19 dissolved iron dissolved manganese	Protocol A 1, 2
CS-20 dissolved iron dissolved manganese	Protocol A 1, 2
CS-21 dissolved iron dissolved manganese	Protocol A 1, 2
VC-9 dissolved manganese total phosphorous	Protocol A' 1, 2, 3, 6, 7, 8, 9 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes dissolved manganese as a laboratory parameter for Oct.-Nov. sampling 8 requires "Also total phosphorous"
VC-6 dissolved manganese	Protocol A' 1, 2, 3, 6, 7, 9 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes dissolved manganese as a laboratory parameter for Oct.-Nov. sampling
2-413 turbidity	Protocol A 12, 13 12 requires "Field parameters only" Table 2.3.7-2 incorporated Jan. 6, 2005 includes turbidity as a required field parameter for Oct.-Nov. sampling
F-9 (October) turbidity	Protocol C 12 12 requires "Field parameters only" Table 2.3.7-2 incorporated Jan. 6, 2005 includes turbidity as a required field parameter for Oct.-Nov. sampling

S24-1 dissolved iron dissolved manganese tritium	Protocol A 1, 2, 13 1 requires "water quality field and operational laboratory measurements" Table 2.3.7-2 incorporated Jan. 6, 2005 includes both dissolved iron and dissolved manganese as laboratory parameters for Oct.-Nov. sampling 13 requires tritium (lab may be behind on processing, but CFC has not indicated that, nor asked for additional time on this one)
MC-1 flow	Protocol A' 4 4 requires "seasonal flow, TDS, TSS, and total phosphorous"
MC-2 flow	Protocol A' 4
MC-3 flow	Protocol A' 4
MC-4 flow	Protocol A' 4
MC-5 flow	Protocol A' 4
MC-6 flow	Protocol A' 4
92-91-03 air temp. lab sp. cond.	Protocol listed in Table 2.3.7-5, air temp. required as a field parameter specific conductivity required as a lab measurement in addition to the field measurement