

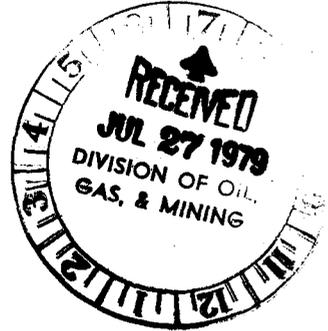
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File AET/807/006-



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
POST OFFICE BLDG. RM. 270
1823 STOUT STREET
DENVER, COLORADO 80202

July 25, 1979



Ron Daniels
Coordinator of Mined Land Development
Department of Natural Resources
1588 N. West Temple
Salt Lake City, Utah 84116

Dear Mr. Daniels:

Enclosed please find copies of Notice of Violation which were issued to mining companies within your State during this offices recent on-site inspections conducted on Star Point Mine, July 11, 1979. If you have any questions or problems, please contact this office.

Mine inspection reports for all of the operations inspected during the above time frame, and within your State, will be sent to you as soon as they are processed.

Sincerely,

Murray T. Smith
Federal Lands Coordinator

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

NOTICE(S) OF VIOLATION NO. 79-V-3-27

To the Following Permittee or Operator:

Name Platero Mining Company
Mine Star Point Surface Mine Underground Mine Other
County and State Carbon County, Utah Tel.# (801) 637-2875
Mailing Address P.O. Box 539, Price, Utah 84501
OSM Mine # _____ State Permit # ACT/007/006 MSHA I.D.# 42-00171

Date of Inspection: 11 July, 19 79

Time of Inspection: from 9:15 a.m. to _____ a.m.
 p.m. to 1:30 p.m.

Name of Operator (if other than permittee) _____

Mailing Address _____

Person Served with Notice Steve Rigby (Mine Engineer)
Print Name and Title

Signature SW Rigby 7-11-79

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201), the undersigned authorized representative of the Secretary of the Interior 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) described 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.

This notice shall remain in effect until it expires as provided below or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. 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.

IMPORTANT — PLEASE READ CAREFULLY

1. Review. You may apply for review of this Notice by submitting an application for review, within 30 days of receipt of this Notice by you or your agent to:

Hearings Division
Office of Hearings and Appeals
U.S. Department of the Interior
4015 Wilson Boulevard
Arlington, Virginia 22203

2. Minesite Hearing. In addition to the review mentioned in paragraph 1, an informal public hearing at or near the minesite may be provided if this notice requires cessation of mining. The authorized representative finds that cessation of mining is is not expressly or implicitly required by this Notice. If cessation of mining is required, this Notice will expire within 30 days of actual notice to you unless an informal public hearing is held at or near the minesite. Such a hearing is not required if the violation(s) have been abated or if the hearing has been waived. If this Notice expires, you will still be liable for any penalties assessed with regard to the 30-day period.

3. Penalties. Section 723.16 of the regulations allows you to submit information in writing pertaining to the violation(s) covered by this Notice within 10 days of the date that it is served on you or your agent. This information will be considered in determining the facts surrounding the violation and the amount of the penalty. If you wish to submit this information, you should send it to the U.S. Department of the Interior, Office of Surface Mining, Assessment Office, Washington, D.C. 20240.

For each violation covered by this Notice, a penalty of up to \$5000 may be assessed for each day during which that violation continues.

If you fail to abate any of the violations within the time set for abatement or to meet any interim step, you must be assessed a minimum penalty of no less than \$750 for each day during which the violation continues beyond the time set for abatement, and you must be issued a cessation order requiring you to cease surface coal mining operations on the portions relevant to the violations.

4. Effect on Permit. In addition, if it is determined that a pattern of violations of any requirement of the Act, the regulations, or permit conditions exists with respect to this mine, and that the violations were caused by unwarranted failure to comply or were willful, your permit may be suspended or revoked.

Date of Service 11 July 1979 Signed: [Signature]

(Authorized Representative)

I.D.# 13

NOTICE OF VIOLATION(S) NO. ²⁹ 79-V-3-~~24~~ PAGE. 2 OF 2

Violation(s) No. 1

Nature of the Violation(s)

Failure to dispose of spoil within permit area or in an area approved by the regulatory authority.

Provisions of the Regulations, Act or Permit Violated

30 CFR 510.717.15, 30 CFR 211.40 (B)

Portion of the Operation to which Notice Applies

The upper disposal area constructed for access road and belt system base material.

Remedial Action Required

Supply information requested within Interim Order Cause No. ACT/007/006, Interim Order, 2, No. 7 and 8 Rule MC 717.15 page 3 and 4, as ordered on the 27th day of June, 1979.

Time for Abatement (including interim steps, if any)

Supply information requested no later than 7 August 1979.

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Modification of Notice or Order

To the Following Permittee or Operator:

Name PLATEAU MINING COMPANY

Mailing Address P.O. Box 539, Price, Utah 84501

State Permit No. ACT/007/006

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-830 U.S.C. 1201), with respect to:

Notice of Violation No. N79-V-3-27 dated 11 July, 1979 or

Cessation Order No. C _____ dated _____, 19__:

Violation No. 1 is modified as follows: Violation Number changed to:
79-V-3-28

The reasons for this modification are as follows: Number originally used
is duplicate.

Violation No. ___ is modified as follows:

The reasons for this modification are as follows:

Violation No. ___ is modified as follows:

The reasons for this modification are as follows:

Date of Service 12 July 1979

D. L. DARRAU #13
Signature of Authorized Representative

Time of Service or Mailing 12 N a.m. p.m.

D. L. DARRAU #13
Name and I.D. No.