

0061



TONY ANAYA
GOVERNOR

STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT

525 Camino de los Marquez
Santa Fe, New Mexico
87501

July 24, 1985

*orig mine file
cc R. Daniels
for response*

*ACT / 007 / 007
#7*

RECEIVED

JUL 29 1985

DIVISION OF OIL
GAS & MINING

Dr. Diane Neilson, Ph.D.
Division of Oil, Gas and Mining
Department of Natural Resources
State of Utah
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Dr. Neilson:

The regulations of the New Mexico Coal Surfacing Commission require applicants for coal surface mining permits to report, in the application, if any suspension, revocation or forfeiture of a permit has occurred and a listing of each violation received by the applicant during the three year period before the application date.

Kaiser Coal Corporation, a recently formed corporation under the management of Perma Mining Corporation, has filed an application for an underground mining permit for the proposed Cimarron Mine in Colfax County, New Mexico. The permit application contains a statement that neither the applicant, nor any of its subsidiaries or affiliates has had a permit suspended or revoked in the last five years. The application also contains a listing of violations received by Perma in the State of Utah since October, 1981. A copy of this list is enclosed.

We would appreciate you reviewing this list for completeness and accuracy and correcting this list as necessary. Please respond by August 23, 1985, if possible.

Thank you for your cooperation.

Sincerely,

Joe Preston for

ED KELLEY, Ph.D., Director
Mining and Minerals Division

EK:BB:ag

cc: Thomas Ehmett, OSM-AFO
Mel Granberg OSM-WTC

OFFICE OF THE SECRETARY
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(505) 827-5925

CONSERVATION & MANAGEMENT DIVISION
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MINING & MINERALS DIVISION
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RESOURCE & DEVELOPMENT DIVISION
(505) 827-5900

OIL CONSERVATION DIVISION
(505) 827-5800

Land Office Building, P.O. Box 2088, Santa Fe, New Mexico 87501

SUNNYSIDE MINES
Division of Oil, Gas and Mining
Department of Natural Resources
State of Utah

- A. NOTICE OF VIOLATION 10/29/81 NOV #81-3-19-1
Part 1 of 1 Failure to maintain sediment control facility.
Sediment control facility constructed along ditch.
Violation abated; \$240 assessment paid.
- B. NOTICE OF VIOLATION 10/29/81 NOV #81-3-19-1
Part 1 of 1 Failure to maintain sediment control facility.
Sediment control facility constructed along ditch.
Violation abated; \$240 assessment paid.
- C. NOTICE OF VIOLATION 11/06/81 NOV #81-3-21-1
Part 1 of 1 Failure to comply with board order stipulations
5-81-1 and 5-81-3.
Board order stipulations 5-81-1 and 5-81-3 brought
into compliance.
- D. NOTICE OF VIOLATION 01/26/82 NOV #82-3-1-2
Part 1 of 2 Failure to protect topsoil from
disturbance.
Disturbed area repaired.
Part 2 of 2 Failure to maintain drainage ditch.
Drainage ditch repaired.
Violation abated (Parts 1 and 2);
\$540 assessment paid.
- E. NOTICE OF VIOLATION 02/19/82 CO# 82-4-1-2
Part 1 of 2 Failure to obtain permit for construction of haul
road.

Part 2 of 2 Failure to protect topsoil.

Topsoil pile established.

Violation abated (Parts 1 and 2);
\$380 assessment paid.

F. NOTICE OF VIOLATION 03/01/82 NOV #82-4-3-3

Part 3 of 3 Failure to maintain sediment control structures.

Sediment control structures repaired or
reconstructed.

Violation abated;
No assessment paid

G. NOTICE OF VIOLATION 04/21/82 CO #82-4-2-1

Part 1 of 1 Failure to abate #1 violation of 82-4-3-3.

Sediment control structure constructed.

Violation abated; no assessment paid.

H. NOTICE OF VIOLATION 02/08/82 NOV #82-6-1-1

Part 1 of 1 Failure to maintain appropriate sediment control
measures, failure to maintain sediment ponds to
prevent short circuiting.

Civil Penalty \$480; NOV terminated 3/8/83

I. NOTICE OF VIOLATION 01/11/83 NOV #83-6-2-3

Part 1 of 3 Failure to operate with an approved plan, failure to
design, construct, and maintain sediment controls.

Civil Penalty \$880; NOV terminated 4/29/83

Part 2 of 3 Failure to protect topsoil stockpile.

Civil Penalty \$340; NOV terminated 4/12/83

Part 3 of 3 Failure to conduct operations to minimize water
pollution, failure to meet water quality standards,
failure to pass drainage from a disturbed area
through a treatment facility before leaving permit
area.

Civil Penalty \$460; NOV terminated 4/29/83

J. NOTICE OF VIOLATION 04/12/84 NOV #84-6-4-1

Nature: Failure to pass disturbed area runoff through sediment or water treatment before engaging undisturbed drainage.

Remedial

Action: 1) Repair berm
2) Remove contaminants that have settled out in the undisturbed drainage.

Civil Penalty \$220; NOV terminated 4/26/84

K. NOTICE OF VIOLATION 08-10-84 NOV #84-6-9-1

Nature: Failure to mine in accordance with approved plan.

Remedial

Action: Cessation of mine water discharged into No. Canyon Wash.

No Penalty Assessed