

0018



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertor

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

October 11, 1988

CERTIFIED RETURN RECEIPT REQUESTED  
P879 596 433

Mr. Robert E. Barton  
Project Director, Engineering  
and Construction  
Environmental Power Corporation  
2920 N. Academy Blvd. Suite 201  
Colorado Springs, CO 80907

Dear Mr. *Ed* Barton:

Re: Notice of Violations N88-30-2-1, Sunnyside Borrow Area Sediment  
Pond, Sunnyside Mine Refuse Area, ACT/007/007, Folder #5, Carbon  
County, Utah

Attached please find the above referenced Notice of Violation  
that has been issued jointly to Kaiser Coal Corporation and  
Environmental Power Corporation.

Please feel free to contact me or John Whitehead of my staff if  
you should have any questions on this matter.

Best regards,

A handwritten signature in cursive script that reads "Dianne".

Dianne R. Nielson  
Director

c1  
Attachment  
cc: J. Whitehead  
WPOB46/13



NOTICE OF VIOLATION NO. N 88-30-2-1

Violation No. 1 of 1

Nature of violation

FAILURE TO PASS DISTURBED AREA DRAINAGE  
THROUGH A SEDIMENTATION POND AND/OR  
FAILURE TO DEMONSTRATE DISTURBED AREA  
DRAINAGE QUALIFIES FOR A SMALL AREA  
EXEMPTION. FAILURE TO OPERATE IN ACCORDANCE WITH  
APPROVED PLAN (DIVISION APPROVAL LETTER 8/23/88).

Provisions of act, regulations or permit violated

UMC 817.42 & UMC 771.19

Portion of operation to which notice applies

BOLLON AREA EAST OF EAST SUPPLY POND.

Remedial action required (including any interim steps)

(1) RESPOND TO CONDITIONS IN DIVISION LETTER  
OF 8/23/88

(2) CONSTRUCT BOLLON AREA SEDIMENTATION  
POND.

Abatement time (including interim steps)

(1) RESPOND BY NOVEMBER 7, 1988

(2) CONSTRUCT POND BY NOVEMBER 15, 1988



NO. N 88-30-2-1

To the following Permittee or Operator:

Name Edo Mountain Power Corp

Mine Edo Mountain Power Co. Subside  Surface  Underground  Other

County CACHE State UT Telephone \_\_\_\_\_

Mailing Address 2730 N. Academy Blvd. Suite 201 Salt Lake City, Utah 84107

State Permit No. ACT 1007/007

Ownership Category  State  Federal  Fee  Mixed

Date of inspection 10-6-88, 19\_\_\_\_

Time of inspection 3:00  a.m.  p.m. to 7:00  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 10-11-88

Time of service/ mailing \_\_\_\_\_  a.m.  p.m.

Robert E. Barton  
Permittee/Operator representative

Project Director  
Title

(Signature)  
Signature

William A. Warner  
Division of Oil, Gas & Mining representative

Reclm Specialist  
Title

William A. Warner  
Signature

#30  
Identification Number

**SEE REVERSE SIDE**

WHITE-DOGM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE

notice of violation