

10-11-88

0020



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

NO. N 88-30-2-1

notice of violation

To the following Permittee^s or Operator^s

Name KAISER COAL CORPORATION / Environmental Power Corp

Mine SUNNYSIDE Surface Underground Other

County CARBON State UT Telephone 801-888-4421

Mailing Address P.O. Box 10, SUNNYSIDE, UT 84539

State Permit No. ACT/007/007

Ownership Category State Federal Fee Mixed

Date of inspection OCTOBER 6, 1988

Time of inspection 3:00 a.m. p.m. to 4:00 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 Oct. 6, 1988

Time of service/mailing 4:00 a.m. p.m.

Permittee/Operator representative

MINE MANAGER

(left @ mine office) Signature

Mailed to Environmental Power 10-11-88: ATTN Robert E. Barton Project director

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

RECLAMATION SPECIALIST

Signature

#30 Identification Number

SEE REVERSE SIDE

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

3002



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

BORROW AREA EAST OF EAST SLURRY POND.

Remedial action required (including any interim steps)

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

(2) CONSTRUCT BORROW AREA SEDIMENTATION POND.

Abatement time (including interim steps)

(1) RESPOND BY NOVEMBER 7, 1988

(2) CONSTRUCT POND BY NOVEMBER 15, 1988