

4-7-8-1917

0077



UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

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

NO. N 89-26-16-1

notice of violation

To the following Permittee or Operator:

Name Sunnyside Reclamation & Salvage, Inc. (Not Coal Mine)

Mine Sunnyside  Surface  Underground  Other

County Carbon State Ut Telephone 888 4421

Mailing Address P.O. Box 99

State Permit No. Act 1004/1007 none

Ownership Category  State  Federal  Fee  Mixed

Date of inspection 3/28-29/89 (10a.m.-4:30pm; 7a.m.-4pm; respectively) 1989

Time of inspection see above  a.m.  p.m. to  a.m.  p.m.

Operator Name (other than Permittee) Bill Balaz, Karl Housekeeper

Mailing Address P.O. Box 99

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 March 29, 1989

Time of service/ mailing 2  a.m.  p.m.

Karl Housekeeper  
Permittee/Operator representative

Environmental Specialist  
Title

Karl R. Housekeeper  
Signature

Wm. J. Malencik  
Division of Oil, Gas & Mining representative

Reclam Specialist  
Title

Wm. J. Malencik  
Signature  
3/29/89.

26.  
Identification Number

SEE REVERSE SIDE

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

5-03



NOTICE OF VIOLATION NO. N 89-26-1

Violation No. 1 of 1

Nature of violation

Failure to maintain water quality/effluent in accordance with UPDES permit on the discharge pond 002 also known as the Whitmore Mine water discharge pond.

Provisions of act, regulations or permit violated

817.97- Protection of Fish Wildlife, and Related Environmental values  
817.50- Hydrologic Balance; Underground Mine Discharge

Portion of operation to which notice applies

Mine Water Discharge System  
Whitmore Mine Water Pond  
Grassy Trail- Terrestrial Stream

Remedial action required (including any interim steps)

1. Continue to treat mine water so that water quality discharge will meet UPDES permit
2. Take further in mine preventative measures
3. Restore Grassy Trail Stream habitat
4. Restock trout in Grassy Trail

Step 3 & 4 will be implemented by the operator based on a habitat and trout restoration plan as provided by the Utah Division of Wildlife Resources and specified in a meeting of 3/29/89.

1. Mine operator is taking all necessary steps within his power and its difficult to set a date; however, visual observations today reveal that Grassy trail is relatively clear.
2. April 7, 1989

3 & 4 - Ninety days after the Division of Oil Gas & Mining issues a notice to proceed and/or implement the plan as coordinated with the Utah Division of Wildlife Resources the operator must complete the project. The work ~~may~~ by necessity for success may require staging and separate notices to proceed.



48-7175

### MODIFICATION OF NOTICE OF VIOLATION / CESSATION ORDER

To the following Permittee or Operator:

Name SUNNYSIDE RECLAMATION AND SALVAGE INC.

Mailing Address P.O. Box 99

State Permit No. none

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 89-26-1-1 dated MARCH 29, 19 89.

Cessation Order No. C \_\_\_\_\_ dated \_\_\_\_\_, 19 \_\_\_\_\_.

Part 1 of 1 is modified as follows: THE NATURE OF THE VIOLATION IS: FAILURE TO PROTECT FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES, AND MAINTAIN

Reason for modification is WATER QUALITY EFFLUENT.

THE REMEDIAL ACTION REQUIRED IS TO PROTECT FISH, WILDLIFE AND RELATED

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: ENVIRONMENTAL VALUES AND MAINTAIN WATER QUALITY EFFLUENT BY CESSATION OF OIL SPILLAGE AND WATER SAMPLING.

Reason for modification is THE TIME FOR ABATEMENT FOR PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES IS IMMEDIATELY. THE TIME FOR ABATEMENT

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: FOR MAINTAINING WATER QUALITY EFFLUENT IS 22 DAYS, NO LATER THAN APRIL 28<sup>TH</sup> 1989 BASED UPON REPRESENTATIVE SAMPLING.

Date of service/ mailing 4/6/89

Time of service/ mailing 3:00  a.m.  p.m.

Date of inspection 3/29/89

William P. Bolae  
Permittee/Operator representative

ENGINEER  
Title

Mailed from D.O.G.M. office  
Signature

Bill Malencik  
Division of Oil, Gas & Mining

Reclamation Specialist #26  
Title

Joseph C. Ruffin  
Signature