0078

UTAH NATURAL RESOURCES
Oil, Gas & Mining

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

notice of violation

NO. N 89-26-10-1

To the following Permittee or Operator:

Name Sunnyside Reclamation & Salvage, Inc.

Mine Sunnyside ☐ Surface ☒ Underground ☐ Other

County Carbon State Ut Telephone 888 4421

Mailing Address P.O. Box 99

State Permit No. ACT/007/007

Ownership Category ☐ State ☒ Federal ☐ Fee ☐ Mixed

Date of inspection 3/28-29/89 (10am-4:30pm; 7am-4pm; respectively) 19 ____.

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 PO 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.

Identification Number

SEE REVERSE SIDE

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

DOGM/NOV-1

an equal opportunity employer

11/85

Revised 3/30/89 &
Supersedes page 2 dated 3/29/

UTAH
NATURAL RESOURCES
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NOTICE OF VIOLATION NO. N89-26-101

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 - Perennial 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
Item 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
5. Continue to sample discharge [illegible] as necessary and specified in a meeting of 3/29/89.

Abatement time (including interim steps)

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 by necessity for success may requiring staging and separate notices to proceed.

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

DOGM/NOV-2

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4-10

Karl.
FYI
Please put in file
Thanks.
Bill

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 28TH 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

[signature]
Permittee/Operator representative

ENGINEER
Title

MAILED FROM D.O.G.M. OFFICE
Signature

BILL MALENCIK
Division of Oil, Gas & Mining

RECLAMATION SPECIALIST #26
Title

[signature]
Signature

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

DOGM/MVC-1

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Rev. 12/86 001059

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VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Sunnyside Reclamation & 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 NA dated NA, 19 ____.

Part 1 of 1 is ☐ vacated ☒ terminated because emulsion leak was stopped and the discharge from outfall 002 was brought into compliance by water quality results i.e., 3-31-89 Sample 5.41 mg/l of oil and grease. 4-2-89 sample, 7.18 mg/l of oil & grease; 4-6-89 9.53 mg/l of oil & grease.

~~Part ____ of ____ is ☐ vacated ☐ terminated because~~

Current permit allows 10.0 mg/l of oil & grease

Part ____ of ____ is ☐ vacated ☐ terminated because NA.

Date of service ~~/mailing~~ April 12, 1989 Time of service/mailing 3 ☐ a.m. ☒ p.m.

Karl Hawkins
Permittee/Operator representative

Environ Tech
Title

Karl R. Hawkins
Signature

Wm J Malencik
Division of Oil, Gas & Mining

Rec Spec #26.
Title

Wm J Malencik
Signature
4/12/89.

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

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5/85