



NO. N 92-40-11-1

notice of violation

To the following Permittee or Operator:

Name Sunmyrside Coal Company

Mine Sunmyrside Mine Surface Underground Other

County Carbon State Utah Telephone (801) 888-4421

Mailing Address PO Box 99, Highway 123, Sunmyrside, Utah 84539

State Permit No. ACT/007/007

Ownership Category State Federal Fee Mixed

Date of inspection 11 November, 19 92

Time of inspection 8:00 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 11 November 1992 Time of service/ mailing 4:00 a.m. p.m.

PETE HESS
Permittee/ Operator representative

ENVIRONMENTAL COORDINATOR
Title

Peter Hess
Signature

HUGH KLEIN
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

HG Klein
Signature

#40
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N 92-40-11-1

Violation No. 1 of 1

Nature of violation

For failure to maintain a sediment pond as designed.

Provisions of act, regulations or permit violated

RG45-301-742.221.3 and RG45-301-742.221.33

Portion of operation to which notice applies

Sediment Pond

Remedial action required (including any interim steps)

Maintain or reconstruct the 48-inch spillway so the pond functions as designed. Sample discharge from the 48-inch spillway as per the requirements set forth in the pond's UPDES permit.

Abatement time (including interim steps)

Maintenance or reconstruction of the ~~spillway~~ spillway is to be completed no later than 5 PM, 2 December 1992.