



[Handwritten signature]

NO. N 92-32-12-1

notice of violation

To the following Permittee or Operator:

Name Sunnyside Coal Company

Mine SUNNYSIDE Surface Underground Other

County CARBON State UT. Telephone 888-4421

Mailing Address P.O. Box 99 STATE HIGHWAY 123, 84539

State Permit No. ACT/007/007

Ownership Category State Federal Fee Mixed

Date of inspection 9/22/92 through 9/25/92, 1992

Time of inspection a.m. p.m. to 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 9/25/92

Time of service/mailling _____ a.m. p.m.

Permittee/Operator representative PETER HESS

Title ENVIRONMENTAL COORDINATOR

Signature [Signature]

Division of Oil, Gas & Mining representative HENRY SAUER

Title Senior Reclamation Spills Specialist

Signature [Signature]

Identification Number #32

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 92-32-12-1

Violation No. 1 of 1

Nature of violation

Failure to maintain diversions and their appurtenant structures so as to maintain stability.

Provisions of act, regulations or permit violated

RG45-301-742.312.

RG45-301-742.312.1

Portion of operation to which notice applies

The surface diversion ditch between culvert C-5 and C-7

Remedial action required (including any interim steps)

Construct and stabilize diversions and appurtenant structures.

Abatement time (including interim steps)

No later than 5:00 P.M. October 16, 1992.