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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Mine file  
ACT/007/007  
Folder # 5

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October 27, 1993

TO: Mine File

FROM: Lowell P. Braxton *LAB*

RE: Notice of Violation N93-32-2-5 (2 of 5) and NOV 93-32-3-8 (2 of 8 and (8 of 8), Sunnyside Coal Company, Sunnyside Mine, ACT/007/007, Carbon County, Utah

On October 19, 1993, a fax was received from Sunnyside Coal Company (SCC) requesting an extension in abatement dates for the above-cited NOV's. Abatement of these violations is dependent upon acquisition of new aerial photographic coverage by SCC and the subsequent preparation, certification, and approval of maps and designs.

The abatement history of these violations has been protracted by the inability of SCC to acquire photography from the flying contractor, thus precluding SCC's ability to produce the requisite maps and designs.

On October 20, I met with Gary Gray and reviewed the status of the mapping. SCC is in possession of new, high quality, expanded scale aerial photographic coverage of the mine, and has rough draft maps prepared for many of the areas needed to abate the referenced violations.

Failure to complete the mapping prior to the October 22, 1993 abatement date is a function of SCC's contractor's inability to acquire adequate vertical control requisite to complete the base mapping. Lack of adequate photographic control from the contractor prevented completion of the maps and designs by SCC. This circumstance is contemplated at R645-400-327.1, which allows extensions of abatement beyond 90 days "... for reasons not within the control of the permittee." SCC's actions subsequent to acquisition of the photography indicates diligence in attempting to abate the violations.

Modification of the above-cited NOV's to November 22, 1993, is justified and recommended.

vb  
cc: G. Grey, SCC  
P. Grubaugh-Littig  
J. Helfrich  
H. Sauer

sccnov

