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UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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gh

MODIFICATION OF NOTICE OF VIOLATION / CESSATION ORDER

To the following Permittee or Operator:

Name Sunnyside Coal Company
Mailing Address P.O. Box 99, Sunnyside, Utah 84639
State Permit No. ACT/007/007

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

Notice of Violation No. N 93-32-38 dated April 28, 19 93.

Cessation Order No. C _____ dated _____, 19 _____.

Part 2 of 8 is modified as follows: abatement date is extended to November 22, 1993, see attached

Reason for modification is memo from Lowell Buxton dated October 27, 1993

Part 8 of 8 is modified as follows: abatement date is extended to November 22, 1993, see attached memo

Reason for modification is from Lowell Buxton dated October 27, 1993.

Part _____ of _____ is modified as follows: _____

Date of service/ mailing 10-28-93 Time of service/ mailing 5:00 a.m. p.m.

Date of inspection _____

Permittee/Operator representative _____ Title _____

Signature PAMELA GRUBBACH-LITTLE Permit Supervisor
Division of Oil, Gas & Mining

Signature Quela Pulgarin-Jettig



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

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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

ACT-007/007 #5
Copy FAM

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

