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NO. N 94-32-1-1

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, SUNNYSIDE, UT 84539

State Permit No. ACT/007/007

Ownership Category  State  Federal  Fee  Mixed

Date of inspection JUNE 20-21, 1994

Time of inspection JUNE 20, 10:00  a.m.  p.m. to JUNE 21 5:00  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.

CERTIFIED RECEIPT REQUESTED  
P 074 976 114

Date of service/mailling 06/28/94

Time of service/mailling 3:00  a.m.  p.m.

ROBERT M. BURMAN  
Permittee/Operator representative

PRESIDENT  
Title

Signature \_\_\_\_\_

HENRY SAUER  
Division of Oil, Gas & Mining representative

Senior Reclamation File Specialist  
Title

Henry Sauer  
Signature

#321  
Identification Number

SEE REVERSE SIDE

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



### NOTICE OF VIOLATION NO. N94-32-1-1

Violation No. 1 of 1

Nature of violation

FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE APPROVE PLAN. FAILURE TO CONDUCT WATER MONITORING AS REQUIRED IN THE APPROVED PLAN.

Provisions of act, regulations or permit violated

R 645-301-143.  
R 645-301-731. 200 et. seq

Portion of operation to which notice applies

1<sup>ST</sup> QUARTER, 1994 UPDES MONITORING (LAB ANALYSES) AND BIOMONITORING FOR #001  
FEBRUARY, 1994 WATER MONITORING LOCATIONS : GT-2 THRU GT-4 ; ICE-1 ;  
NO. 3 SLOPE SUMP ; NO. 1 SLOPE SUMP ; POLE CANYON SHAFT ; 18<sup>TH</sup> LEFT INSIDE  
MANSHAFT DIP SUMP ; 15<sup>TH</sup> RIGHT SUMP.  
MARCH, 1994 WATER MONITORING LOCATIONS : GT-2 THRU GT-4 ; ICE-1

Remedial action required (including any interim steps)

NONE

Abatement time (including interim steps)

NOT APPLICABLE