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ph

NO. N 95-32-2-1

notice of violation

To the following Permittee or Operator:

Name SUNNYSIDE COAL COMPANY

Mine SUNNYSIDE MINES Surface Underground Other

County CARBON State UT. Telephone (801) 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 14, 19 95

Time of inspection 8:00 a.m. p.m. to 12:00 NOON 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 RETURN RECEIPT P 074 976 214

Date of service/mailling 7/10/95 7/12/95 Time of service/mailling 10:00 a.m. p.m.

ROBERT BURNHAM
Permittee/Operator representative

PRESIDENT
Title

Signature

HENRY SAUER
Division of Oil, Gas & Mining representative

Senior Reclamation Soils Specialist
Title

Henry Sauer
Signature

#32
Identification Number

SEE REVERSE SIDE

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

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see form)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of form 3811.
6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1988-217-132

P 074 976 214

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SUNNYSIDE COAL CO

Sent to **ROBERT BURNHAM**

1113 SPRUCE STREET

BOULDER CO 80302

P.O., State and ZIP Code

Postage	S
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	S
Postmark or Date	07-12-95 June

BB DGOM ACT/007/007 N95-32-2-1 FLD 5 7/12/95

S Form 3800, June 1985



NOTICE OF VIOLATION NO. N 95-32-221

Violation No. 1 of 1

Nature of violation

Failure to comply with the terms and agreements of the approved mining and reclamation plan. Failure to perform annual subsidence survey.

Provisions of act, regulations or permit violated

R645-300-143.

Portion of operation to which notice applies

Permit # Area

Remedial action required (including any interim steps)

~~Perform~~ *Perform subsidence survey during 1995 and submit results and summary of results to the Director of Oil, Gas and Mining.*

Abatement time (including interim steps)

~~No~~ *No later than 5:00 P.M. September 15, 1995*