



NO. N 95-46-2-1

notice of violation

To the following Permittee or Operator:

Name United States Fuel Company

Mine Hiawatha (King 4/5/6) Complex Surface Underground Other

County Carbon State Utah Telephone (801) 444-4444

Mailing Address PO Box 887, Price Utah 84501 637-2252

State Permit No. ACT/007/011

Ownership Category State Federal Fee Mixed

Date of inspection June 5, 7, and 21, 1995, 19__

Time of inspection 8:00 a.m. p.m. to 2:00 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 MAIL **Z 254 438 017** RETURN RECEIPT

Date of service/ mailing June 29, 1995 Time of service/ mailing 10:00 a.m. p.m.

Michael P. Watson
Permittee/Operator representative

President
Title

Mailed from DOGM Price office
Signature

Peter Hess
Division of Oil, Gas & Mining representative

Engineer II
Title

Peter Hess
Signature

#46
Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 95-46-2-1

Violation No. 1 of 1

Nature of violation

Failure to comply with the terms and conditions of the approved permit, ie. exceedances in TDS from UPDES discharge point 001A. The permitted limit for TDS for #UT0023094 is 1000 mg/l. ~~Sample taken June 21, 1994 reports 1,120 mg/l TDS. DMR's for August, September, and October 1994 and March, April, and May 1995 report exceedances ranging from 1080 mg/l to 1,200 mg/l. Exceedances have been self reported to the Division of Water Quality.~~

Provisions of act, regulations or permit violated

UPDES permit # UT0023094 (issued June 1, 1994).

R645-301-730 - Operation Plan

R645-301-731 - General Requirements

R645-301-731.110 - Ground Water Protection

Portion of operation to which notice applies

UPDES discharge point 001A (Mohrland Mine Water Discharge) and the required UPDES permit # UT0023094.

Remedial action required (including any interim steps)

- 1) ~~Modify the operation plan as required by the R645 regulations to include steps/ measures which will be implemented to ensure compliance of all effluent parameters within the UPDES permit, and~~
- 2) ~~Implement steps to reduce the TDS at 001A to less than or equal to 1000 mg/l as required by the current UPDES permit, and/or~~
- 3) ~~Submit an amendment to the Division of Water Quality requesting an increase in allowable TDS for UT0023094 to 1250 mg/l.~~
- 4) Implement all or any of DWQ's recommendations.

Abatement time (including interim steps)

- 1 & 2) Modification of operation plan shall be submitted to DOGM by July 30, 1995.
- 3) Amendment shall be submitted by July 15, 1995.

Implementation shall begin within five (5) days of plan approval by DOGM and DWQ.