

**From:** Stephanie Dunlap  
**To:** Dale Harber  
**Date:** 4/11/2005 12:50:05 PM  
**Subject:** Hiawatha (N05-01-01-01) DOGM Violation

Attached you will find the state violation that was issued by DOGM staff.

Hiawatha Complex, C/007/011, 04/08/2005, N05-01-01-01, Failure to...submit quarterly water monitoring information (specifically 4th quarter 2004).

If you need a signed hard copy of any violation, please do not hesitate to contact me. Thank you.

Stephanie Dunlap  
(435) 613-1146 x 200  
[stephaniedunlap@utah.gov](mailto:stephaniedunlap@utah.gov)

**CC:** Carter Reed; James Kohler; Pam Grubaugh-Littig; Randy Taylor; Sheila Morrison;  
Walter Baker

APR-08-2005 FRI 11:22 AM OIL, GAS & MINING

FAX NO. 801 359 3940

P. 03



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notice of violation

NO. N 05-01-01-01

To the following Permittee or Operator:

Name HIAWATHA COAL CO.

Mine HIAWATHA COMPLET  Surface  Underground  Other

County CARBON State UTAH Telephone 435-687-2450

Mailing Address P.O. BOX 12415 HUNTINGTON, UTAH 84628

State Permit No. 205/007/011

Ownership Category  State  Federal  Fee  Mixed

Date of Inspection APRIL 6, 2005, 19\_\_\_\_

Time of Inspection 10:00  a.m.  p.m. to 11:00  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.

Date of service/mailling APRIL 8, 2005

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

MARK ROYCE - RESIDENT AGENT  
Permittee/Operator representative

RESIDENT AGENT  
Title

MAILED FROM D.O.G.M. OFFICE  
Signature

ENVIRONMENTAL SCIENTIST - III  
Title

Joe McLaughlin  
Division of Oil, Gas & Mining representative

#1  
Identification Number

Joseph C. McLaughlin  
Signature

SEE REVERSE SIDE

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

DOGM/NOV-1

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Rev. 5/92

APR-08-2005 FRI 11:21 AM OIL, GAS & MINING

FAX NO. 801 359 3940

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NOTICE OF VIOLATION NO. N 05-01-01-01

Violation No. 1 of 1

Nature of violation  
THE PERMITTEE DID NOT UPDATE THE DIVISION'S WATER QUALITY DATABASE WITH THE DATA (WATER MONITORING), FROM THE 4TH QUARTER, (OCT.-DEC.) 2004.

Provisions of act, regulations or permit violated  
R645-300.143  
R645-301-781.212  
R645-301-781.205

Portion of operation to which notice applies  
PERMIT CONDITION FOR THE HIWATHA PERMIT

Remedial action required (including any interim steps)  
ENTER THE 4TH QUARTER 2004 WATER MONITORING DATA INTO THE DIVISION'S WATER MONITORING DATA BASE.

Abatement time (including interim steps)  
FRIDAY, APRIL 22, 2005 @ 5:00 PM

WHITE-DOGSM YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE

DOGSM/NOV2

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11/85