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# State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

C0070011  
Outgoing  
#4728  
#4729

February 24, 2015

CERTIFIED MAIL

7013 2250 0000 2310 3092

Charles Reynolds, P.E., Mine Manager  
Hiawatha Coal Company  
PO Box 1240  
Huntington, Utah 84528

Subject: Decision regarding NOVs 14148 and 14149, Hiawatha Coal Company, Hiawatha Mine, C/007/0011

Dear Mr. Reynolds:

On February 20, 2015, the Division received your letter asking for a review of the fact of violation for the referenced Notices of Violation issued on November 25, 2014 at the Hiawatha Mine.

As a result of reviewing the citation and your letter, it is my opinion that for the referenced violation, the actions or lack of action by the operator did not rise to a level necessitating the issuance of a Notice of Violation. The action or condition for which the NOV was written was such a minor deficiency in the context of the operations that it does not constitute a violation of the MRP and did not justify an NOV being issued. The matter would have been more properly addressed by a communication from the inspector to the operator about conditions that the operator should attend to in order to avoid a future violation that would be justified if the conditions were to worsen.

**The NOVs 14148 and 14149 for the Hiawatha Mine are hereby vacated.**

Pursuant to Utah Admin. Code R645-401-800, you may make a written appeal of this Decision to the Board of Oil, Gas, and Mining. Your written appeal may be filed with Julie Ann Carter, Board Secretary, P.O. Box 145801, Salt Lake City, Utah 84114-5801. If you have questions regarding the filing, she can be contacted at [juliecarter@utah.gov](mailto:juliecarter@utah.gov) or (801) 538-5277.



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Charles Reynolds, P.E.  
Hiawatha Coal Company  
C/007/0011  
February 24, 2015

If you have questions or concerns please contact me at (801) 538-5320.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Dean', with a large, sweeping flourish extending to the right.

Dana Dean, P.E.  
Associate Director, Mining

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Letter Dated 2/24/2015  
Charles Reynolds  
NOVs 14148, 14149  
Hiawatha Coal Company

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