

0014

Document Information Form

Mine Number: C/007/013

File Name: Incoming

To: DOGM

From:

Person N/A

Company U.S Department of the Interior

Date Sent: N/A

Explanation:

NOTICE OF VIOLATION

cc:

File in:
C/007, 013, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

U.S. DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement
NOTICE OF VIOLATION
Permanent Regulatory Procedures

1. Notice of Violation Number
89-02-370-006

TV **2**

2. Name Permittee No Permit
Kaiser Coal Corp. (Expired - listed in old permit)

Originating Office Address
O.S.M.
625 Silver SW, Suite 310
Alb., NM 87102

3. Mailing Address
P.O. Box 1107, Raton, NM 87740

4. Name of Mine Surface Other (Specify) Underground
Horse Canyon

5. Telephone Number

6. County
Carbon

State
Utah

Telephone Number
505-766-1486

7. Operator's Name (If other than permittee)
Same

9. Date of Inspection
12/8/89

8. Mailing Address

10. Time of Inspection
 From **8:00** p.m. To **12:00** a.m.

11. State Permit Number
INA 007/013

12. NPDES Number

13. MSHA ID Number
42-00100

14. OSM Mine Number

UNDER THE AUTHORITY OF THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (P.L. 95-87; 30 U.S.C. 1201), THE UNDERSIGNED AUTHORIZED REPRESENTATIVE OF THE SECRETARY OF THE INTERIOR has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violation(s) within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

THE UNDERSIGNED AUTHORIZED REPRESENTATIVE HEREBY FINDS THAT THIS NOTICE DOES NOT DOES REQUIRE CESSATION OF MINING EXPRESSLY OR IN PRACTICAL EFFECT. Therefore, you are are not entitled to an informal public hearing on request, within 30 days after service of this notice (30 CFR 843.15).

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for correction may be extended by an authorized representative for good cause. If you need additional time to correct the violation(s), please contact the field office named above.

IMPORTANT—Please Read Information

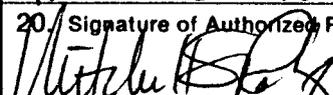
15. Print Name of Person Served

18. Date of Inspection
 Refer to Record No **0014** Date
 In C/ **007**, **013**, Incoming

16. Print Title of Person Served

19. Print Name of Authorized Representative
MICHAEL J. RULLING

17. Signature of Person Served

20. Signature of Authorized Representative


ID Number
370

File in:
 Confidential
 Shelf
 Expandable
 For additional information

U.S. DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement
NOTICE OF VIOLATION
Permanent Regulatory Procedures

1. Notice of Violation Number
89-02 -370 -006
 TV **2**

2. Name Permittee No Permit
Kaiser Coal Corp. (Expired - listed in old permit)

Originating Office Address
O.S.M.
625 Silver SW, Suite 310
Alb., NM 87102

3. Mailing Address
P.O. Box 1107, Raton, NM 87740

4. Name of Mine Surface Other (Specify) Underground
Horse Canyon

5. Telephone Number

6. County
Carbon

State
Utah

Telephone Number
505-766-1486

7. Operator's Name (If other than permittee)
Same

9. Date of Inspection
12/8/89

8. Mailing Address

10. Time of Inspection
 From **8:00** ^{am} p.m. To **12:00** ^{am} p.m.

11. State Permit Number
INA 007/013

12. NPDES Number

13. MSHA ID Number
42-00100

14. OSM Mine Number

UNDER THE AUTHORITY OF THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (P.L. 95-87; 30 U.S.C. 1201), THE UNDERSIGNED AUTHORIZED REPRESENTATIVE OF THE SECRETARY OF THE INTERIOR has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violation(s) within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

THE UNDERSIGNED AUTHORIZED REPRESENTATIVE HEREBY FINDS THAT THIS NOTICE DOES NOT DOES REQUIRE CESSATION OF MINING EXPRESSLY OR IN PRACTICAL EFFECT. Therefore, you are are not entitled to an informal public hearing on request, within 30 days after service of this notice (30 CFR 843.15).

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for correction may be extended by an authorized representative for good cause. If you need additional time to correct the violation(s), please contact the field office named above.

IMPORTANT—Please Read Information on the Back of this Page

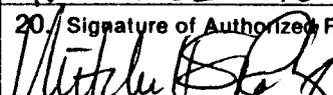
15. Print Name of Person Served

18. Date of Service

16. Print Title of Person Served

19. Print Name of Authorized Representative
MICHAEL S. ROLLINGS

17. Signature of Person Served

20. Signature of Authorized Representative


ID Number
370

NOTICE OF VIOLATION (CONTINUATION)

NATURE OF PERMIT CONDITION VIOLATED, PRACTICE OR VIOLATION

Failure to provide a spillway or combination of spillways for a sedimentation pond.

PROVISION(S) OF THE REGULATIONS, ACT OR PERMIT VIOLATED

UMC 817.46 (i)

PORTION OF THE OPERATION TO WHICH NOTICE APPLIES

The pond to the west of the entrance road immediately before the railroad bridge. This bridge is labeled 64 on the map titled, "Facilities Map Horse Canyon Mine." This is Plate II-1B.

CORRECTIVE ACTION REQUIRED (Including Interim Steps, if Any)

- ① Submit designs that are in compliance with the UMC regulations pertaining to sedimentation ponds.
- ② Diligently pursue approval of the required designs and complete reconstruction in accordance with the approved designs.

Submit the designs for approval to:
Utah Natural Resources
Division of Oil, Gas, and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Also submit a copy to:
DOI-OSM
625 Silver SW, Suite 310
Albuquerque, NM 87102
Attn: Mitch Rollings

TIME FOR ABATEMENT (Including Time for Interim Steps, if Any)

- ① complete by 1/12/89 at 8:00 am
- ② complete by 3/14/89 at 8:00 am

NOTICE OF VIOLATION (CONTINUATION)

NATURE OF PERMIT CONDITION VIOLATED, PRACTICE OR VIOLATION

Failure to properly construct sedimentation pond embankments.

PROVISION(S) OF THE REGULATIONS, ACT OR PERMIT VIOLATED

UMC 817.46 (2)

PORTION OF THE OPERATION TO WHICH NOTICE APPLIES

These are five pond locations that this notice applies to. Due to lack of adequate space on this form, the locations are specified in the narrative report that accompanies this Notice.

CORRECTIVE ACTION REQUIRED (Including Interim Steps, if Any)

- ① Submit designs that are in compliance with the UMC regulations pertaining to sedimentation ponds
- ② Diligently pursue approval of the required designs and complete reconstruction in accordance with the approved designs

Submit the designs for approval to:
Utah Natural Resources
Division of Oil, Gas, and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Also submit a copy to:
DOI-OSM
625 Silver SW, Suite 310
Albuquerque, NM 87102
Attn: Mitch Rollings

TIME FOR ABATEMENT (Including Time for Interim Steps, if Any)

step ① complete by 1/12/89 at 8:00 am
step ② complete by 3/14/89 at 8:00 am

U.S. DEPARTMENT OF THE INTERIOR
 Office of Surface Mining Reclamation and Enforcement
MODIFICATION OF NOTICE OF VIOLATION OR CESSATION ORDER

| | | | | |
|---|----------------------------|--|--|--|
| 1. Name <i>Kaiser Coal Corp.</i> | | <input type="checkbox"/> Permittee <input checked="" type="checkbox"/> No Permit <i>expired</i> | Originating Office Address <i>O.S.M. 625 Silverwood, Suite 30 Albq., NM 87102</i> | |
| 2. Mailing Address <i>P.O. Box 1107, Raton, NM 87740</i> | | | | |
| 3. Name of Mine <i>Horse Canyon</i> | | <input type="checkbox"/> Surface <input checked="" type="checkbox"/> Underground | <input type="checkbox"/> Other (Specify) _____ | |
| 4. Telephone Number <i>505-445-2395</i> | 5. County <i>Carbon</i> | State <i>Utah</i> | Telephone Number <i>505-766-1486</i> | |
| 6. Operator's Name <i>Same</i> | | 8. Date of Inspection 12/8/89 ADMINISTRATIVE <i>12/13/89</i> | | |
| 7. Mailing Address | | 9. Time of Inspection From _____ a.m. To _____ a.m. p.m. p.m. | | |
| 10. State Permit Number <i>WA 007/013</i> | 11. NPDES Number | 12. MSHA ID Number <i>42-00100</i> | 13. OSM Mine Number | |

ACTIONS TAKEN

Authority: Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201) the following action is taken:

| | | | |
|--|--------------------------|-------------------------------------|-------|
| 14. Notice of Violation Number <i>89-02-370-006</i> | Dated <i>12/12/89</i> | 15. Cessation Order Number - - - | Dated |
|--|--------------------------|-------------------------------------|-------|

16. VIOLATION 142 OF 2 IS MODIFIED: (Describe Action and Justify)
*The abatement date year is incorrect. The correct date is:
 step 1 complete by 1/12/90 at 8:00 am
 step 2 complete by 3/14/90 at 8:00 am*

17. VIOLATION _____ OF _____ IS MODIFIED: (Describe Action and Justify)

18. VIOLATION _____ OF _____ IS MODIFIED: (Describe Action and Justify)

| | |
|--|-------------------------------------|
| 19. Print Name of Authorized Representative <i>MITCHELL S. ROLLINGS</i> | Identification Number <i>370</i> |
| 20. Signature of Authorized Representative <i>[Signature]</i> | Effective Date <i>12/13/89</i> |