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RVS



UTAH
NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

NO. N 89-26-19-1

notice of violation

To the following Permittee or Operator:

Name Kaiser Coal Corp.

Mine Horse Canyon Surface Underground Other

County Carbon State Ut Telephone 505-445-2395

Mailing Address P.O. Box 1107, Raton, N.M., 87740

State Permit No. ACT 1007/013

Ownership Category State Federal Fee Mixed

Date of inspection July 26, 1989 ~~7/27/89~~ 19 89

Time of inspection 10am a.m. p.m. to 5 a.m. p.m.

Operator Name (other than Permittee) John M Palfy - Consultant

Mailing Address Same As Above

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/ mailing July 27, 1989 Time of service/ mailing 1 a.m. p.m.

John M Palfy
Permittee/Operator representative

CONSULTANT, NORTH AMERICA CONSULTANTS, INC.
Title

John M. Palfy
Signature

Wm J. Malencik
Division of Oil, Gas & Mining representative

Rec. Spec.
Title

Wm J. Malencik
Signature
7/27/89

26
Identification Number

SEE REVERSE SIDE

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

NOTICE OF VIOLATION NO. N 89-26-19-1

Violation No. 1 of 1

Nature of violation

Failure to provide sediment control measures on small disturbed areas noted below that drain runoff into Horse Canyon, an ephemeral stream.

Provisions of act, regulations or permit violated

UMC 817.45 - Sediment Control Measures
UMC 817.42 (a) 1 & 2 - Water Quality & Effluent Limitations

Portion of operation to which notice applies

Within permit and disturbed area more particularly described as follows:
(1) Water Tank & Access Road; Also Road Drainage On Kaiser Road (Main Road)
(2) Powder Storage Area
(3) North Inlet/Woodland Portal Area, Reclaimed Road Adjacent To Ignition Bldg.
(4) Landfill & Road Junction Refuse Pile

Remedial action required (including any interim steps)

I Install new sediment control measures
II Repair two silt fences that last weeks storms cause runoff to end new silt fences.

Abatement time (including interim steps)

I 5pm September 15, 1989
II 5pm August 11, 1989