



**Action Taken on Existing Citation
Utah Coal Regulatory Program**

1594 West North Temple, Salt Lake City, UT 84114
Phone: (801) 538 - 5285 Fax: (801) 359-3940

Action on Citation#: **10045**

Permit Number: **C0070013**

Date Cit. Issued:

MODIFICATION of

TERMINATION of

VACATION of

NOTICE OF VIOLATION

CESSATION ORDER (CO)

FAILURE TO ABATE CO

Permittee Name: UtahAmerican Energy Inc.

Inspector Number and ID: **37** **PBURTON**

Mine Name: Horse Canyon Mine

Date and Time of Action: **11/30/2009**

Certified Return Receipt Number: **emailed**

Date and Time of Service: **11/30/2009 1:30 pm**

*In accordance with the provisions of the Utah Coal Mining and Reclamation Act,
Utah Code Ann. § 40-10-1 et. seq. (Act), the above referenced Citation is:*

Modified as follows:

Abatement date is extended to December 22, 2009. All abatement requirements are as initially stated in NOV 10045 dated 9/23/2009, except that the Permittee will not be required to protect remaining undisturbed islands with a 20 ft. buffer zone, but instead will be required to change the narrative of Section 234.200 of the MRP to remove the description of the 20 ft. buffer zone.

Reason for modification:

Permittee requested extension of abatement time by email dated 11/25/2009, based upon the appeal of the fact of violation and assessment. The abatement date of December 22, 2009 is 90 days from the date of issuance (9/23/2009) and is the maximum abatement time allowed by R645-400-324. (The appeal conference date is December 16, 2009.)

The buffer zone commitment was recognized as impractical and was previously addressed by modification dated 11/2/2009.

Terminated because:

Vacated because:

JAY MARSHALL

(Print) Permittee Representative

e-mailed 11.30.09

Permittee Representative's Signature - Date

PRISCILLA BURTON

(Print) DOGM Representative

Priscilla Burton 11/30/09

DOGM Representative's Signature - Date

Refer to the "Citation For Non-Compliance" for additional information