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United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

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June 16, 1980

Mr. Ron Daniels
Coordinator of Mined Land Development
Department of Natural Resources
1588 West North Temple
Salt Lake City, Utah 84116

Dear Mr. Daniels:

Enclosed please find copies of Notice of Violation #80-5-3-9, which were issued to mining companies within your State during this offices recent on-site inspections conducted on Gordon Creek #2. If you have any questions or problems, please contact this office.

Mine inspection reports for all of the operations inspected during the above time frame, and within your State, will be sent to you as soon as they are processed.

Sincerely,

Thomas E. Ehmett, Acting Chief
Division of Inspection & Enforcement

RECEIVED
JUN 18 1980

DIVISION OF
OIL, GAS & MINING

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Region V
1823 Stout Street
Denver, Colorado 80202
Telephone: (303) 837-5511
(303) 837-5701

NOTICE OF VIOLATION NO. N 80-5-3-9 5
TV

To the Following Permittee or Operator:

Name Beaver Creek Coal Company

Mine Gordon Creek #2 Surface Underground Other _____

County and State Carbon County, Utah Telephone (801) 637-5050

Mailing Address 1109 S. Carbon Ave., Paick, Utah 84501

OSM Mine No. _____ State Permit No. ACT/007/016 MSHA I.D. No. 42-00125

Date of Inspection 3 JUNE, 19 80

Time of Inspection: from 8:30 a.m. to 4:30 a.m.
 p.m. to _____ p.m.

Name of Operator (if other than permittee) _____

Mailing Address _____

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 violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned authorized representative finds that cessation of mining 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 minesite.

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 abatement may be extended by an authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 3 JUNE 1980 Al J. Daman
Signature of Authorized Representative

Time of Service 4:45 a.m. D. L. DARRALL # 13
Name and I.D. No.
 p.m.

Person Served with Notice DAN GUY (Chief Engineer)
Print Name and Title

Signature Dan M. Guy

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE

Notice of Violation No. N 80-5-3-9

Violation No. 1 of 5

Nature of the Violation

operating without a permit

Provision(s) of the Regulations, Act, or Permit Violated

~~Public Law 95-87~~
Public Law 95-87 Sec 502(a)

Portion of the Operation to which Notice Applies

- 1) Road construction and culvert installation, northwest of the west portals, located within SW 1/4 Sec. 18-T13S-R8E, Carbon County, Utah.
- 2) FAN portal area located within the NE 1/4, SE 1/4 Sec. 18-T13S-R8E, Carbon County, Utah.

Remedial Action Required (including interim steps, if any)

Submit proposed mining plans to the state regulatory authority and to OSM. Proposed plans must be complete and adequate or must be supplemented or modified as determined by the state regulatory authority or OSM. Plans must be implemented immediately upon approval.

Time for Abatement (including time for interim steps, if any)

Submit proposed plans no later than 7 July 1980.
Plans must be implemented immediately upon approval.

Notice of Violation No. N 80-5-3-9

Violation No. 2 of 5

Nature of the Violation

Failure to pass surface drainage from the
disturbed area through sedimentation ponds

Provision(s) of the Regulations, Act, or Permit Violated

30 CER 717.17 (a)

30 CER 211.40 (b)

Portion of the Operation to which Notice Applies

DRAINAGE from the surface facilities areas.

Remedial Action Required (including interim steps, if any)

Pass all drainage from affected areas through
sedimentation structures.

Time for Abatement (including time for interim steps, if any)

No later than 7 July 1980

Notice of Violation No. N 80-5-3-9

Violation No. 3 of 5

Nature of the Violation

Failure to meet effluent limitations

Provision(s) of the Regulations, Act, or Permit Violated

~~7-1-79~~

30 CFR Sec. 717.17 (a)

30 CFR 211.40 (b)

Portion of the Operation to which Notice Applies

Water samples taken 17 April 1980 and
2 May 1980 from surface water monitoring
point 2-2-W, south and west of the
surface facilities area.

Remedial Action Required (including interim steps, if any)

NONE

Time for Abatement (including time for interim steps, if any)

NONE

Notice of Violation No. N 80-5-3-9

Violation No. 4 of 5

Nature of the Violation

Failure to design, construct and maintain temporary or permanent diversion structures to prevent additional contributions of suspended solids to stream flow.

Provision(s) of the Regulations, Act, or Permit Violated

30 CER Sec. 717.17 (c)(3)

30 CER 211.40 (b)

Portion of the Operation to which Notice Applies

Diversion of natural drainage of Bryner Canyon

Remedial Action Required (including interim steps, if any)

Maintain diversion structure to prevent additional contributions of suspended solids to the natural stream flow.

Time for Abatement (including time for interim steps, if any)

No later than 7 July 1980.

Notice of Violation No. N 80-5-3-9

Violation No. 5 of 5

Nature of the Violation

Failure to maintain access and haulroads so
as to prevent additional contributions of
suspended solids to streamflow.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR Sec. 717.17 (j)(1)

30 CFR 211.40 (b)

Portion of the Operation to which Notice Applies

Access and haulroads within the permit area.

Remedial Action Required (including interim steps, if any)

Maintain access and haulroads to prevent
additional contributions of suspended solids
to the natural stream flow.

Time for Abatement (including time for interim steps, if any)

No later than 7 July 1980