

0039



United States Department of the Interior
OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
219 CENTRAL AVENUE, NW
ALBUQUERQUE, NEW MEXICO 87102

August 10, 1983

CERTIFIED MAIL NO. P213300941
RETURN RECEIPT REQUESTED

Dr. Jim Shirazi, Director
Division of Oil, Gas and Mining
4241 State Office Building
Salt Lake City, UT 84114

Subject: Ten-Day Notice 83-II-242-6

Dear Dr. Shirazi:

Attached is the subject Ten-Day Notice that is issued as a result of a Federal oversight inspection conducted on August 2, 1983 at the Gordon Creek #2 Mine.

Please notify the Office of Surface Mining (OSM) within ten days of receipt of this letter as to what action Utah's Division of Oil, Gas and Mining intends to take regarding this matter.

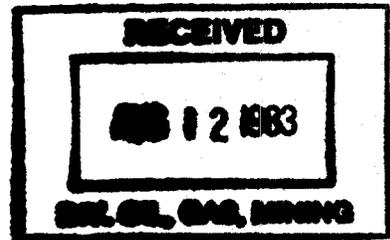
If you have any questions, please contact either Jodie Merriman or myself.

Sincerely,

Robert H. Hagen, Director
Albuquerque Field Office

Attachment

JMerriman/jms



UNITED STATES DEPARTMENT OF THE INTERIOR
 Office of Surface Mining
 Reclamation and Enforcement
TEN-DAY NOTICE

Original Office:
 Office of Surface Mining

219 Central NW, Suite 216

Albuquerque, NM 87102

Number: X - 83 - II - 242 - 6 TV 1

Telephone Number: (505) 766-1486

Ten-Day Notice to the State of Utah

You are notified that, as a result of Federal inspection on 8/2/83 (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: Beaver Creek Coal Company
 (Or Operator if No Permit)

County: Carbon

Surface

Mailing Address: P O Box AU, Price, UT 84501

Underground

Permit Number: ACT/007/016

Mine Name: Gordon Creek #2

Other

NATURE OF VIOLATION AND LOCATION: Sand for road maintenance, performed by the company, is stockpiled off the permit area. No sediment control measures have been installed to prevent uncontrolled runoff from entering Bryner Creek.

Section of State Law, Regulation or Permit Condition believed to have been violated: UCA-40-10-9.

~~NATURE OF VIOLATION AND LOCATION:~~ UCA 40-10-12 (1) (c), UMC 817.181 (a), UMC 817.45 (1)

Section of State Law, Regulation or Permit Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION:

Section of State Law, Regulation or Permit Condition believed to have been violated:

Remarks or Recommendations: 1) Install appropriate sediment control devices to prevent uncontrolled runoff from the sand stockpile into Bryner Creek. 2) Submit necessary plans and maps to the Division to include this area within the permit area.

Date of Notice: August 10, 1983

Signature of Authorized Rep.: Jodie Merriman

Print Name and ID: Jodie Merriman #242