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DOGM/NOV-1

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO. N 83-8-2

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME Beaver Creek Coal Company
MINE Garden Creek #2 ☐ SURFACE ☒ UNDERGROUND ☐ OTHER
CATEGORY OF OWNERSHIP: ☐ STATE ☐ FEDERAL ☐ FEE ☒ MIXED
OSM MINE NO. STATE PERMIT NO. ACT/007/016 MSHA I.D. NO.
COUNTY AND STATE Carbon County, UT TELEPHONE 801-637-3050
MAILING ADDRESS: P.O. Box AU Price UTAH 84060
DATE OF INSPECTION July 28, 19 83
TIME OF INSPECTION: FROM 10 ☒ a.m. to 5 ☐ a.m.
☐ p.m. to ☒ p.m.
NAME OF OPERATOR (if other than permittee)
MAILING ADDRESS:

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining 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 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 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 Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service Aug 2 1983 Barton O. Kale
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service Mailed from office ☐ a.m. ☐ p.m. Barton O. Kale #6
NAME AND I. D. NO.

Person Served with Notice Dan Guy Environmental Coordinator
PRINT NAME AND TITLE

Signature

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE

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DEPARTMENT OF NATURAL RESOURCES - DIVISION OF OIL, GAS, AND MINING
1588 West North Temple - Salt Lake City, Utah 84116 - (801) 533-5771

STATE OF UTAH

Notice of Violation No. N 83-6-8-2

Violation No. 1 of 2.

Nature of the Violation

Failure to maintain sediment control measures to prevent to the extent possible additional contributions of sediment to stream flow or to runoff outside the permit area

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

UMC 817.45, 817.41(c)

Portion of the Operation to which Notice Applies

1) Water fill up for Garden 3+6
2) sediment pond waste area

Remedial Action Required (including interim steps, if any)

1) Repair berms, and pad erosion
create barrier between where trucks pull in and pond
2) Maintain and stabilize site such that disturbed area is treated before leaving permit area. Maintain bales along road

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

1) two weeks
2) 30 DAYS

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1588 West North Temple - Salt Lake City, Utah 84116 - (801) 533-5771

STATE OF UTAH

Notice of Violation No. N 83-6-8-[redacted]-2

Violation No. 2 of [redacted] 2.

Nature of the Violation

Failure to protect off site areas and not deposit spoil material or locate any part of the operations or waste accumulations outside the permit area

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

UCA 40-10-17 (2)(U)

Portion of the Operation to which Notice Applies

Area East of sediment pond

Remedial Action Required (including interim steps, if any)

Permit and bond disturbed area, [redacted] submit ~~a~~ detailed map showing disturbed and bonded area of operation for Garden ~~#2~~ (aprox 400 scale)

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

30 days for map
60 days for permitting