

0034

DOG/M/NOV-1

84-6-6-5

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

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

NAME Beaver C K coal Co

MINE Gorden CK #2 (#7) SURFACE UNDERGROUND OTHER

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. _____ MSHA I.D. NO. _____

COUNTY AND STATE Carbon County TELEPHONE _____

MAILING ADDRESS: P.O. Box 40 Price

DATE OF INSPECTION 5/30/84, 19 84

TIME OF INSPECTION: FROM 1201 a.m. to 4 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 June 6 1984 SIGNATURE OF AUTHORIZED REPRESENTATIVE Barton D. Kale

Time of Service four p.m. a.m. p.m. NAME AND I. D. NO. Barton D. Kale #6

Person Served with Notice Dan Gey Mining Engineer PRINT NAME AND TITLE

Signature _____

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

CHARLES R. HENDERSON
Chairman

CLEON B. FEIGHT
Director

DIVISION OF OIL, GAS, AND MINING

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

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Modification of Notice or Order

To the Following Permittee or Operator:

Name Bear Creek Coal Company
Mailing Address Box AU Price Utah 84501
State Permit No. ACT/007/01C

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 84-6-5-1 Y TV dated April 17, 1984.

Cessation Order No. C _____ Y TV dated _____, 19____.

Violation No. 1 is modified as follows: To July 1 pending the decision to evaporate or decant ponds
The reason for this modification are as follows:

Violation No. _____ is modified as follows:
The reasons for this modification are as follows:

Violation No. _____ is modified as follows:
The reasons for this modification are as follows:

Date of Service May 18 1984 _____
Signature of Authorized Representative Barton D Ksle

Time of Service or Mailing _____ a.m. _____ p.m. _____
Name and I.D. No. Barton D Ksle #6



STATE OF UTAH

Notice of Violation No. N 846-6-5

Violation No. 1 of 3

Nature of the Violation

*Failure to mine in accordance with an approved
expansion plan*

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

UMC 77C-15

UCA 40-10-9

Portion of the Operation to which Notice Applies

*Road construction and associated power poles, to # 7explos. etc.
Portion of road, topsoil stockpile and diversion which are
constructed beyond the approved plan boundary*

Remedial Action Required (including interim steps, if any)

- 1) Re-submit plans for approval of the road and appropriate areas listed above including maps.*
- 2) Construct and implement perimeter markers along disturbance boundary*

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

2 weeks



STATE OF UTAH

Notice of Violation No. N 84-6-6-5

Violation No. 2 of 5

Nature of the Violation

Failure to maintain design and construct sediment ponds to prevent short circuiting to the extent possible. Failure to construct sediment pond free of frozen soil.

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

*UML 817.46(e)
UML 817.46(o)*

Portion of the Operation to which Notice Applies

Sediment pond at #7 Area

Remedial Action Required (including interim steps, if any)

① *Maintain sediment pond to prevent short circuiting* ② *Pending results of stop run compaction tests insure that design and construction of the pond and materials of the sediment pond is free of rocks, large roots, other large vegetative matter, and frozen soil. If compaction tests show the need of reconstruction - submit plans for approval*

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

① *Immed.* ② *2 weeks*



STATE OF UTAH

Notice of Violation No. N 84-6-6-5

Violation No. 3 of 3

Nature of the Violation

Failure to divert overland flow in a manner that prevents erosion and contribution of sediment to streamflow or runoff outside the permit area.

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

*UML 815.15g (1)(2)
815.15(j)
817.45 (i), (ii), (d), (e)*

Portion of the Operation to which Notice Applies

Diversions (undisturbed) around the sediment pond and topsoil stockpile.

Remedial Action Required (including interim steps, if any)

submit plans for reconstruction and maintenance of the existing diversion ditch

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

2 weeks



STATE OF UTAH

Notice of Violation No. N

84-6-6-5

Violation No.

4 of 5

Nature of the Violation

Failure to prevent additional contributions of suspended solids to streamflow off the permit area

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

§15.15 3(iii)
§15.15 (g)(2)

Portion of the Operation to which Notice Applies

Undisturbed drainage below road and new pad at #7 area

Remedial Action Required (including interim steps, if any)

- ① Refrain from any further deposition of additional TSS down slope into the ephemeral drainage associated with the exploration site.
- ② Finish construction of the storm pond in accordance with the approved plan including the implementation of the silt fence. Implement straw bales in the drainage where needed.

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

- ① 1 week
- ② 2 weeks



STATE OF UTAH

Notice of Violation No. N 84-6-6-3

Violation No. 5 of 5

Nature of the Violation

Failure to remove, protect and stockpile topsoil

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

UAC 815.15 (e)
817.21

Portion of the Operation to which Notice Applies

Area affected by additional road and pad development

Remedial Action Required (including interim steps, if any)

Refrain from further construction activities that disturb natural topsoil placement.
② Submit adequate documentation that topsoil saved is adequate for reclamation.

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

① Immed. ② 2 weeks