

NO. N 94-45-1.1

notice of violation

To the following Permittee or Operator:

Name MOUNTAIN COAL CO.

Mine GORDON CREEK 2,7 & 8 Surface Underground Other

County CARBON State Utah Telephone (303) 929-5015

Mailing Address P.O. Box 591 SOMERSET, COLORADO 81434

State Permit No. Act/007/016

Ownership Category State Federal Fee Mixed

Date of inspection 8/23 & 24, 19 94

Time of inspection 9:00 & 8:00 a.m. p.m. to 5:00 & 12:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in 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 mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

CERTIFIED RETURN RECEIPT P 074 976 136

Date of service/ mailing 8/25/94 Time of service/ mailing 5:00 ^{8/25/94} a.m. p.m.

Permittee/Operator representative _____ Title _____

Signature Scott Milovich Title RECLAMATION SPECIALIST

Division of Oil, Gas & Mining representative _____

Signature [Signature] Identification Number # 45

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 94.45.1.1

Violation No. 1 of 1

Nature of violation

FAILURE TO PROVIDE SEDIMENT CONTROL FOR DRAINAGE FROM A DISTURBED AREA.

Provisions of act, regulations or permit violated

R645.301.740

R645.301.752

Portion of operation to which notice applies

OLD FAN PORTAL ROAD & PAD AREA, OUTSLOPE OF ROAD & PAD AREA

Remedial action required (including any interim steps)

1. PROVIDE INTERIM SEDIMENT CONTROL.
2. SUBMIT DESIGNS FOR SEDIMENT CONTROL FOR THE AFFECTED AREA OR DEMONSTRATE THAT IT MEETS EFFLUENT LIMITATIONS WITH OUT USING FTCA.
3. IMPLEMENT APPROVED DESIGNS

Abatement time (including interim steps)

1. TEN DAYS FROM DATE OF SERVICE (9/7)
2. THIRTY DAYS FROM DATE OF SERVICE (9/26)
3. THIRTY DAYS FROM APPROVAL (10/26)