

Jdk



3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

NO. N 98-47-1-1

To the following Permittee or Operator:

Name Mountain Coal Company

Mine Gordon Creek #2, #7, & #8 Surface Underground Other

County Carbon State Utah Telephone (435) 448-2669

Mailing Address PO Box 719 Helper, Utah 84526

State Permit No. ACT/007/016

Ownership Category State Federal Fee Mixed

Date of inspection: September 30, 1998, 1998

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

Operator Name (other than Permittee) Dan Guy, Blackhawk Engineering

Mailing Address 214 East 1st North Price, Utah 84501

notice of violation

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.

Date of service/ mailing 10/14/98

Time of service/ mailing 8:00 a.m. p.m.

Chris Hansen
Permittee/Operator representative

Environmental Engineer
Title

Mailed From SLC DOGM Office
Signature

David Darby
Division of Oil, Gas & Mining representative

Senior Reclamation Specialist
Title

David Darby
Signature

47
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N 98-47-1-1

Violation No. 1 of 1

Nature of violation

Failure to conduct coal mining and reclamation operations as in the approved application.

Provisions of act, regulations or permit violated

R645-300-142

Portion of operation to which notice applies

1. Surface on #2 mine pad and access road.
2. Undisturbed channels accross #2 mine pad.
3. Jacob's Pond Embankment.
4. Exposed coal embankment along main channel.

Remedial action required (including any interim steps)

1. Grade and roughen surface of #2 mine pad and access road to capture and hold runoff and prevent erosion.
2. Reconstruct undisturbed channels crossing #2 mine pad to conform to performance standards for permanent structures.
3. Excavate and reconstruct Jacob's Pond embankment with proper material to prevent short circuiting.
4. Excavate coal fines from main stream embankment, replace void with fill material, cover with topsoil.
5. Revegetate all barren sites on #2 mine pad and access road.

Abatement time (including interim steps)
October 31, 1998 5:00 p.m.