

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 85-4-15-1

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

NAME SOLDIER CREEK COAL COMPANY

MINE SOLDIER CANYON MINE SURFACE UNDERGROUND OTHER _____

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. ACT/007/018 MSHA I.D. NO. _____

COUNTY AND STATE CARBON COUNTY, UTAH TELEPHONE _____

MAILING ADDRESS: P.O. Box I, PARK, UTAH 84501

DATE OF INSPECTION APRIL 18, 19 85.

TIME OF INSPECTION: FROM 12:30 a.m. to 4:00 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 MAY 2, 1985 David Lof
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 9:00 a.m. p.m. DAVID LOF #4
NAME AND I. D. NO.

Person Served with Notice DAVE SPILLMAN, MINE ENGINEER
PRINT NAME AND TITLE

Signature ISSUED FROM DIVISION OFFICES

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 85-4-15-1

Violation No. 1 of 1

Nature of the Violation

FAILURE TO MINE IN ACCORDANCE WITH AN APPROVED INTERIM PERMIT.
FAILURE TO CONSTRUCT AND MAINTAIN THE SEDIMENT POND EMBANKMENT
TO ENSURE THE PROPER TOP WIDTH
FAILURE TO CONSTRUCT AND MAINTAIN THE SEDIMENT POND EMBANKMENT
TO ENSURE PROPER SIDE SLOPE GRADIENTS

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

UCA 40-10-22 (1) (C)
UMC 771.19
UMC 817.46 (1)
UMC 817.46 (m)

Portion of the Operation to which Notice Applies

SEDIMENT POND EMBANKMENT

Remedial Action Required (including interim steps, if any)

- A. SUBMIT ~~BE~~ COMPLETE PLANS TO THE DIVISION TO BRING THE SEDIMENT
POND INTO COMPLIANCE WITH UMC 817.46 (1) AND UMC 817.46 (m).
- B. IMPLEMENT SAID PLANS UPON DIVISION APPROVAL

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

- A. MAY 20, 1985
- B. COMPLETE THE IMPLEMENTATION OF APPROVED PLANS WITHIN 30 DAYS OF
RECEIPT OF APPROVAL FROM THE DIVISION