

NO. N 91-37-1-3

notice of violation

To the following Permittee or Operator:

Name Soldier Creek Coal Co.

Mine Soldier Canyon Mine Surface Underground Other

County Carbon State UT Telephone (801) 637-6360

Mailing Address PO Box 1 ; PRICE, UT ; 84501

State Permit No. UT/007/018

Ownership Category State Federal Fee Mixed

Date of inspection 1.17.91 1991

Time of inspection 10:00 a.m. p.m. to 3:30 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.

Date of service/mailling 1.30.91 Time of service/mailling 3:00 a.m. p.m.

Permittee/Operator representative _____ Title _____

Signature

Priscilla Burton
Division of Oil, Gas & Mining representative

Reclamation Specialist (Soils)
Title

PRISCILLA W. BURTON
Signature

#37
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N 91-37-1-3

Violation No. 1 of 3

Nature of violation

Failure to operate within the disturbed area boundary as portrayed on maps 4.2-6 submitted and approved as Amendment ACT/007/018/90E on November 1, 1990.

Provisions of act, regulations or permit violated

R 614-300-142

"The permittee will conduct all operations as described in the approved application..."

Portion of operation to which notice applies

Amendment ACT 007/018/90E Stream Culvert Extension

Remedial action required (including any interim steps)

1. Revise maps 4.2-6 to reflect actual ground disturbance. 2. Erect perimeter markers to delineate the disturbance boundary.

Abatement time (including interim steps)

5:00 PM FRIDAY MARCH 1ST, 1991



NOTICE OF VIOLATION NO. N 91-37-1-3

Violation No. 2 of 3

Nature of violation

Failure to place excess spoil within a designated area in the permit.

Provisions of act, regulations or permit violated

R 614-528.310 and R 614-300-142

-300-142 "The permittee will conduct all operations as described in the approved application..."

-528.310 "Excess spoil will be placed within designated disposal areas within the permit area..."

Portion of operation to which notice applies

Accumulation of waste rock on the pad above original culvert extension within ASCA #5

Remedial action required (including any interim steps)

1. Treat spoil to reduce run-off to ASCA #5 trench.
2. Sample all spoil, held \geq 30 days on the surface.
piles
3. Sample spoil piles prior to ^{reusing} use as backfill.
4. Include spoil storage on surface facilities map.
5. Use as backfill is subject to R 614-301-745 and R 614-542.700
Abatement time (including interim steps) inclusive

5:00 PM FRIDA / MARCH 15, 1991

NOTICE OF VIOLATION NO. N 91-37-1-3

Violation No. 3 of 3

Nature of violation

Failure to identify & protect the topsoil resource.

Provisions of act, regulations or permit violated

R 614-300-143 ... "comply with the terms and conditions"
"and all applicable performance standards."

R 614-301-250 "all topsoil, subsoil, + substitutes"
will be removed, maintained + redistributed according
to R 614-301-230 thru 240 (inclusive).

Portion of operation to which notice applies

Excavated earth from streambed and buffer zones
in the culvert extension project.

Remedial action required (including any interim steps)

1. Take several samples of the soil at various
locations. Analyze according to Table 4 of
"the Guidelines"
2. Identify the material w/perimeter markers & a sign
specifying the material as potential topsoil (pending
results of analyses)
3. Protect soil from erosion of wind + water.
4. Locate the soil pile on the appropriate surface map.

5:00 PM FRIDAY MARCH 1ST, 1991