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COMPANY/MINE CENTENNIAL PROJECT NOV/CO # 95-39-3-1
PERMIT # ACT/007/019 VIOLATION # 1 OF 1

HINDRANCE TO ENFORCEMENT VIOLATIONS INSPECTOR'S STATEMENT

A. Hindrance To Enforcement (Answer for hindrance violations only such as violations concerning record keeping, monitoring, plans and certification.)

1. Describe how violation of this regulation actually XX or potentially (check one) hindered enforcement by DOGM and/or the public and explain the circumstances.

**The permittee did not notify the public of shooting a charge greater than 5 lbs. within 10 days of the blast in the newspaper as required by the regulations.

B. Degree Of Fault (Only one question applies to each violation, check and discuss.)

()

No Negligence

If you think this violation was not the fault of the operator (due to vandalism or an act of God), explain. Remember the permittee is considered responsible for actions of all persons working on the mine site.

(XX)

Ordinary Negligence

If you think this violation was a result of not knowing DOGM regulations, indifference to DOGM regulations or the lack of diligence or reasonable care. Explain.

**The permittee had stated within the blasting amendment that they would notify the public of the blast. This was a lack of diligence to submit this information to the newspaper.

()

Recklessness

If the actual or potential environmental harm or harm to the public should have been evident to an operator, describe the situation and what if anything, the operator did to correct it prior to being cited.

COMPANY/MINE CENENNIAL PROJECT NOV/CO # 95-39-3-1
PERMIT # ACT/007/019 VIOLATION # 1 OF 1

() Knowing and Willful Conduct

Was the operator in violation of a specific permit condition? Did the operator receive prior warning of noncompliance by State or Federal inspectors concerning this violation? Has DOGM or OSM cited the violation in the past? If so, give the dates and the type of warning or enforcement action taken.

Good Faith

1. In order to receive good faith for compliance with an NOV or CO the violation must have been abated before the abatement deadline. If you think this applies, describe how rapid compliance was achieved (give dates) and describe the measures the operator took to comply as rapidly as possible.

**NO, THERE WAS NO ABATEMENT.

2. Explain whether or not the operator had the necessary resources on site to achieve compliance.

**THERE WAS NO ABATEMENT, IT WAS AFTER THE FACT.

3. Was the submission of plans prior to physical activity required by this NOV? Yes No XX If yes, explain.

October 18, 1995
DATE


AUTHORIZED REPRESENTATIVE



UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

gh

VACATION/TERMINATION OF
NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

VENDOR: 006350

ANDALEX
RESOURCES, INC.

TOWER DIVISION
10 MILES EAST OF AIRPORT
P.O. BOX 902 • PRICE, UTAH 84501

Nov file

CHECK NO. 128354

VOUCHER NO.	INVOICE NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
017676	17676	03/23/95	200.00	200.00	.00	200.00
					Check Total	200.00
N94-39-4-1						
ACT/007/019						

CHECK NO.	CHECK DATE	VENDOR NO.
128354	04/20/95	006350

ANDALEX
RESOURCES, INC.

TOWER DIVISION
10 MILES EAST OF AIRPORT
P.O. BOX 902
PRICE, UTAH 84501

CHECK NO. 128354 73-165
839

PNC Bank, Kentucky, Inc.
Louisville, Kentucky 40296



TWO HUNDRED AND 00/100 DOLLARS

CHECK AMOUNT
*****200.00

PAY
TO THE
ORDER OF

DIVISION OF OIL, GAS & MINING
355 WEST NORTH TEMPLE
#3 TRIAD CENTER, SUITE 350
SALT LAKE CITY UT 84180-1203
USA

Alden O. Whitehead
Samuel D. Jorgensen

⑈ 128354 ⑈ ⑆083901650⑆ ⑆9552 3790⑈



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

January 9, 1996

CERTIFIED RETURN RECEIPT
P 074 979 423

Mike Glasson
Sr. Geologist
Andalex Resources, Inc.
6750 Airport Road
P. O. Box 902
Price, Utah 84501

Re: Proposed Assessment for State Violation No. 95-39-3-1, Andalex Resources, Inc., Centennial Project Mine, Mine, ACT/0act/007/019, Folder #5, Carbon County, Utah

Dear Mike:

The undersigned has been appointed by the Board of Oil, Gas and Mining as the Assessment Officer for assessing penalties under R645-401.

Enclosed is the proposed civil penalty assessment for the above-referenced violation. The violation was issued by Division Inspector, Stephen J. Demczak on October 17, 1995. Rule R645-401-600 et. Sec. Has been utilized to formulate the proposed penalty. By these rules, any written information which was submitted by you or your agent, within fifteen (15) days of receipt of the Notice of Violation, has been considered in determining the facts surrounding the violation and the amount of the penalty.

Under R645-401-700, there are two informal appeal options available to you:

1. If you wish to informally appeal the fact of this violation, you should file a written request for an Informal Conference within 30 days of receipt of this letter. This conference will be conducted by the Division Director. This Informal Conference is distinct from the Assessment Conference regarding the proposed penalty.

3. What is the extent of actual or potential damage?

RANGE 0 - 25*

*In assigning points, consider the duration and extent of said damage or impact, in terms of area and impact on the public or environment.

ASSIGN DAMAGE POINTS 0

PROVIDE AN EXPLANATION OF POINTS

B. Hindrance Violations MAX 25 PTS

1. Is this a potential or actual hindrance to enforcement?

Actual hindrance

RANGE 0 - 25

Assign points based on the extent to which enforcement is actually or potentially hindered by the violation.

ASSIGN HINDRANCE POINTS 15

PROVIDE AN EXPLANATION OF POINTS

The permittee did not notify the public of shooting a charge greater than five pounds within ten days of the blast in the newspaper as required by the regulations.

TOTAL SERIOUSNESS POINTS (A OR B) 15

III. NEGLIGENCE MAX 30 PTS

A. Was this an inadvertent violation which was unavoidable by the exercise of reasonable care? **IF SO - NO NEGLIGENCE;**
OR Was this a failure of a permittee to prevent the occurrence of a violation due to indifference, lacks of diligence, or lack of reasonable care, or the failure to abate any violation due to the same? **IF SO - NEGLIGENCE;**
OR Was this violation; the result of reckless; knowing or intentional conduct? **IF SO - GREATER DEGREE OF FAULT THAN NEGLIGENCE.**

No Negligence	<u>0</u>
Negligence	<u>1-15</u>
Greater Degree of Fault	<u>16-30</u>

STATE DEGREE OF NEGLIGENCE

Ordinary

ASSIGN NEGLIGENCE POINTS 10

PROVIDE AN EXPLANATION OF POINTS

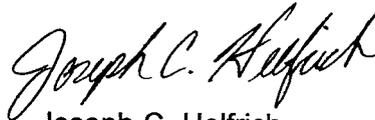
The permittee had stated in the last amendment that he would notify the public.

Page 2
N-95-39-3-1
ACT/007/019
January 9, 1996

2. If you wish to review the proposed penalty assessment, you should file a written request for an Assessment Conference within 30 days of receipt of this letter. If you are also requesting a review of the fact of violation, as noted in paragraph 1, the Assessment Conference will be scheduled immediately following that review.

If a timely request for review is not made, the fact of violation will stand, the proposed penalty(ies) will become final, and the penalty(ies) will be due and payable within thirty (30) days of the proposed assessment. Please remit payment to the Division, mail c/o Vicki Bailey.

Sincerely,



Joseph C. Helfrich
Assessment Officer

mt
Enclosure
cc: James Fulton, OSM
a:007019.pl

WORKSHEET FOR ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Andalex Resources, Inc., / Centennial Project Mine, NOV #N-95-39-3-1

PERMIT # ACT/007/019

VIOLATION 1 OF 1

ASSESSMENT DATE 11/03/95

ASSESSMENT OFFICER Joseph C. Helfrich

I. HISTORY MAX 25 PTS

- A. Are there any previous violations which are not pending or vacated, which fall within one year of today's date?

ASSESSMENT DATE 11/03/95

EFFECTIVE ONE YEAR TO DATE 11/03/94

PREVIOUS VIOLATIONS

EFFECTIVE DATE

POINTS

— One point; for each past violation; up to one year.
 — Five points, for each past violation in a CO, up to one year.
 — No pending notices will be counted.

TOTAL HISTORY POINTS 0

II. SERIOUSNESS (either A OR B)

NOTE: For assignment of points in Parts II and III, the following applies. Based on the facts supplied by the inspector, the Assessment Officer will determine within which category, the Assessment Officer will adjust the points up or down, utilizing the inspector's and operator's statements as guiding documents.

Is this an Event (A) or Hindrance (B) violation? Hindrance

A. Event Violations Max 45 PTS

1. What is the event which the violated standard was designed to prevent?
2. What is the probability of the occurrence of the event which a violated standard was designed to prevent?

PROBABILITY	RANGE
None	0
Unlikely	1-9
Likely	10-19
Occurred	20

ASSIGN PROBABILITY OF OCCURRENCE POINTS

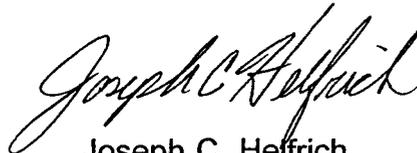
PROVIDE AN EXPLANATION OF POINTS

Page 2
N-95-41-2-1
ACT/007/019
November 8, 1995

2. If you wish to review the proposed penalty assessment, you should file a written request for an Assessment Conference within 30 days of receipt of this letter. If you are also requesting a review of the fact of violation, as noted in paragraph 1, the Assessment Conference will be scheduled immediately following that review.

If a timely request for review is not made, the fact of violation will stand, the proposed penalty(ies) will become final, and the penalty(ies) will be due and payable within thirty (30) days of the proposed assessment. Please remit payment to the Division, mail c/o Vicki Bailey.

Sincerely,



Joseph C. Helfrich
Assessment Officer

mt
Enclosure
cc: James Fulton, OSM
a007019.pal

**WORKSHEET FOR ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Andalex Resources, Inc.

NOV #N95-39-3-1

PERMIT # ACT\007\019

VIOLATION 1 OF 1

ASSESSMENT DATE 11-03-95

ASSESSMENT OFFICER Joseph C. Helfrich

I. HISTORY MAX 25 PTS

- A. Are there any previous violations which are not pending or vacated, which fall within one year of today's date?

ASSESSMENT DATE 11-03-95

EFFECTIVE ONE YEAR TO DATE 11-03-94

PREVIOUS VIOLATIONS

EFFECTIVE DATE

POINTS

1 point for each past violation, up to one year;
5 points for each past violation in a CO, up to one year;
No pending notices shall be counted.

TOTAL HISTORY POINTS 0

II. SERIOUSNESS (either A or B)

NOTE: For assignment of points in Parts II and III, the following applies. Based on the facts supplied by the Inspector, the Assessment Officer will determine within which category, the Assessment Officer will adjust the points up or down, utilizing the inspector's and operator's statements as guiding documents.

Is this an Event (A) or Hindrance (B) violation? Hindrance

A. Event Violations Max 45 PTS

1. What is the event which the violated standard was designed to prevent?

2. What is the probability of the occurrence of the event which a violated standard was designed to prevent?

.... PROBABILITY	RANGE
.... None	0
.... Unlikely	1-9
.... Likely	10-19
.... Occurred	20

ASSIGN PROBABILITY OF OCCURRENCE POINTS ____

PROVIDE AN EXPLANATION OF POINTS

An underground mine scoop was torn down on the south side of the machine shop allowing oil to permeate into the soil. Also, leaks in the used oil recycling system went unchecked.

- 3. What is the extent of actual or potential damage? RANGE 0 - 25*
No damage occurred as a result of violation.

*In assigning points, consider the duration and extent of said damage or impact, in terms of area and impact on the public or environment.

ASSIGN DAMAGE POINTS 0

PROVIDE AN EXPLANATION OF POINTS

No damage occurred as a result of this violation.

B. Hindrance Violations MAX 25 PTS

- 1. Is this a potential or actual hindrance to enforcement? potential
RANGE 0 - 25

Assign points based on the extent to which enforcement is actually or potentially hindered by the violation.

ASSIGN HINDRANCE POINTS 12

PROVIDE AN EXPLANATION OF POINTS

The inspector statement indicated that a condition allowing Andalex to construct a fan portal and associated facilities in the Left Fork of Deadman Canyon required them to submit 10 complete and coherent copies of the amendment. The amendment had been received in several parts and would have been difficult to compile. It was for this reason that the Division required complete copies and ample numbers for distribution to other agencies. At the time the copies were submitted, Andalex had not begun construction. Therefore, this is considered a potential hindrance.

.... **TOTAL SERIOUSNESS POINTS** (A or B) 12

III. NEGLIGENCE MAX 30 PTS

- A. Was this an inadvertent violation which was unavoidable by the exercise of reasonable care? **IF SO - NO NEGLIGENCE;**
 OR Was this a failure of a permittee to prevent the occurrence of a violation due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any violation due to the same? **IF SO - NEGLIGENCE;**
 OR Was this violation the result of reckless, knowing, or intentional conduct? **IF SO - GREATER DEGREE OF FAULT THAN NEGLIGENCE.**

.... No Negligence	0
.... Negligence	1-15
.... Greater Degree of Fault	16-30

STATE DEGREE OF NEGLIGENCE Ordinary negligence
ASSIGN NEGLIGENCE POINTS 8

PROVIDE AN EXPLANATION OF POINTS

The inspector's statement indicated that the operator did not fully understand the requirement to submit complete copies of the amendment.

IV. GOOD FAITH MAX 20 PTS. (EITHER A or B) (Does not apply to violations requiring no abatement measures.)

- A. Did the operator have onsite the resources necessary to achieve compliance of the violated standard within the permit area?
 **IF SO - EASY ABATEMENT**
 Easy Abatement Situation
 - **Immediate Compliance -11 to -20***
 (Immediately following the issuance of the NOV)
 - **Rapid Compliance -1 to -10***
 (Permittee used diligence to abate the violation)
 - **Normal Compliance 0**
 (Operator complied within the abatement period required)
 (Operator complied with conditions and/or terms of approved Mining and Reclamation Plan)

* Assign in upper or lower half of range depending on abatement occurring in 1st or 2nd half of abatement period.

B. Did the permittee not have the resources at hand to achieve compliance OR does the situation require the submission of plans prior to physical activity to achieve compliance?

..... **IF SO - DIFFICULT ABATEMENT**

Difficult Abatement Situation

..... **Rapid Compliance -11 to -20***

..... (Permittee used diligence to abate the violation)

..... **Normal Compliance -1 to -10***

..... (Operator complied within the abatement period required)

..... **Extended Compliance 0**

(Permittee took minimal actions for abatement to stay within the limits of the NOV or the violated standard, or the plan submitted for abatement was incomplete)

(Permittee complied with conditions and/or terms of approved Mining and Reclamation Plan)

EASY OR DIFFICULT ABATEMENT? East Abatement

ASSIGN GOOD FAITH POINTS -10

PROVIDE AN EXPLANATION OF POINTS

The operator exercised diligence in abating the violation.

V. ASSESSMENT SUMMARY FOR

N-95-39-3-1

I.	TOTAL HISTORY POINTS	<u>0</u>
II.	TOTAL SERIOUSNESS POINTS	<u>12</u>
III.	TOTAL NEGLIGENCE POINTS	<u>8</u>
IV.	TOTAL GOOD FAITH POINTS	<u>-10</u>
	TOTAL ASSESSED POINTS	<u>10</u>
	TOTAL ASSESSED FINE	<u>\$ 100.00</u>

IV. GOOD FAITH MAX 20 PTS. (EITHER A OR B) (Does not apply to violations requiring any abatement measures.)

A. Did the operator have the onsite resources necessary to achieve compliance of the violated standard within the permit area?

IF SO - EASY ABATEMENT

Easy Abatement Situation

Immediate Compliance -11 to -20*

Immediately following the issuance of the (NOV)

Rapid Compliance -1 to -10*

(Permittee used diligence to abate the violation)

Normal Compliance 0

(The operator complied within the abatement period required)

(The operator complied with conditions and/or terms of approved Mining and Reclamation Plan)

* Assign in upper or lower half of range depending on abatement occurring in first or second half of abatement period.

B. Did the permittee not have the resources at hand to achieve compliance OR does the situation require the submission of plans prior to physical activity to achieve compliance?

IF SO - DIFFICULT ABATEMENT

Difficult Abatement Situation

Rapid Compliance -11 to -20*

(Permittee used diligence to abate the violation)

Normal Compliance -1 to -10*

(The operator complied within the abatement period required)

Extended Compliance 0

(Permittee took minimal actions for abatement to stay within the limits of the NOV or the violated standard, or the plan submitted for abatement was incomplete)

(Permittee complied with conditions and/or terms of approved Mining and Reclamation Plan)

EASY OR DIFFICULT ABATEMENT? _____ **ASSIGN GOOD FAITH POINTS** 0

PROVIDE AN EXPLANATION OF POINTS

There was no abatement required as this was an after the fact violation of the regulations.

V. ASSESSMENT SUMMARY FOR N-95-39-3-1

I.	TOTAL HISTORY POINTS	<u>0</u>
II.	TOTAL SERIOUSNESS POINTS	<u>15</u>
III.	TOTAL NEGLIGENCE POINTS	<u>10</u>
IV.	TOTAL GOOD FAITH POINTS	<u>0</u>
	<u>TOTAL ASSESSED POINTS</u>	<u>25</u>

TOTAL ASSESSED FINE **\$300.00**

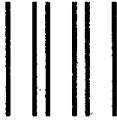
UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN TO



Print Sender's name, address, and ZIP Code in the space below.

P 074 979 423 N-95-39-3-1 (MT - DOGM) ACT/007/019

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
MIKE GLASSON SR. GEOLOGIST
ANDALEX RESOURCES, INC
6750 AIRPORT ROAD
P O BOX 902
PRICE, UT 84501

4. Article Number

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
X *Michael W. Glasson*

6. Signature - Agent
X

7. Date of Delivery
JAN 11 1996

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

6. Save this receipt and present it if you make inquiry. * U.S.G.P.O. 1988-217-132
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE
 CHANGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

PS Form 3800, June 1985

SENT TO
MIKE GLASSON

Street and No.
ANDALEX RESOURCES, INC.

P.O., State and ZIP Code
P O BOX 902 PRICE UT 84501

Postage \$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing date to whom sent and date delivered to when sent and date delivered to when received

Return Receipt showing date when sent and date when received

Date and address of delivery

TOTAL POSTAGE AND FEES \$2.75

Postmark or meter

RD. N-95-39-3-1 (MT - DOGM) ACT/007/019

P 074 979 423

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

ACT/007/019



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

January 8, 1996

CERTIFIED RETURN RECEIPT
P 074 979 423

Mike Glasson
Sr. Geologist
Andalex Resources, Inc.
6750 Airport Road
P. O. Box 902
Price, Utah 84501

Re: Proposed Assessment for State Violation No. N-95-39-3-1, Andalex Resources, Inc., Centennial Project Mine, ACT/007/019, Folder #5, Carbon County, Utah

Dear Mr. Glasson:

The undersigned has been appointed by the Board of Oil, Gas and Mining as the Assessment Officer for assessing penalties under R645-401.

Enclosed is the proposed civil penalty assessment for the above-referenced violation. The violation was issued by Division Inspector, Stephen J. Demczak on October 17, 1995. Rule R645-401-600 et. sec. has been utilized to formulate the proposed penalty. By these rules, any written information which was submitted by you or your agent, within fifteen (15) days of receipt of the Notice of Violation, has been considered in determining the facts surrounding the violation and the amount of the penalty.

Under R645-401-700, there are two informal appeal options available to you:

1. If you wish to informally appeal the fact of this violation, you should file a written request for an Informal Conference within 30 days of receipt of this letter. This conference will be conducted by the Division Director. This Informal Conference is distinct from the Assessment Conference regarding the proposed penalty.





UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Indalex Resources, Inc.

Mailing Address P.O. Box 902, Price, Utah 84501

State Permit No. ACT/007/019

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

Notice of Violation No. N 95-39-3-1 dated October 17, 1995, 19 ____.

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

Part 1 of 1 is vacated terminated because no abatement

Part ____ of ____ is vacated terminated because _____

Part ____ of ____ is vacated terminated because _____

Date of service/ mailing October 13, 1995

Time of service/ mailing 12:00 a.m. p.m.

Michael Glasson

Senior Geologist

Permittee/Operator representative

Title

Mailed from DOGM Price Office

Signature

Stephen J. Demczak

Reclamation ~~Specialist~~ Specialist

Division of Oil, Gas & Mining

Title

Signature



notice of violation

NO. N 95-39-3-1

To the following Permittee or Operator:

Name Andalex Resources, Inc.
 Mine Centennial Mine Surface Underground Other
 County Carbon State Utah Telephone *(801) 637-5385
 Mailing Address P.O. Box 902, Price Utah 84501
 State Permit No. ACT/007/019
 Ownership Category State Federal Fee Mixed
 Date of inspection October 11, 1995
 Time of inspection 8:30 a.m. p.m. to 11:30 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 October 17, 1995

Time of service/mailling 12:00 a.m. p.m.

Michael Glasson
Permittee/Operator representative
Mailed from DOGM Price Office

Senior Geologist
Title

Signature
Stephen J. Demczak
Division of Oil, Gas & Mining representative
Stephen J. Demczak
Signature

Reclamation Specialist
Title
#39
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N 95-39-3-1

Violation No. 1 of 1

Nature of violation

Failure to publish the blasting schedules in a newspaper as required by
R645-301-524.451.

Provisions of act, regulations or permit violated

R645-301-524.50.

Portion of operation to which notice applies

New fan installation (pad areas).

Remedial action required (including any interim steps)

None

Abatement time (including interim steps)

None