



NO. N 96-26-4-3

notice of violation

To the following Permittee or Operator:

Name Horizon Coal Corporation

Mine Horizon Mine Surface Underground Other

County Carbon State _____ Telephone 303-989-4242

Mailing Address 1131 South Dover Street (80232) Lakewood, Colorado

State Permit No. Act 007/020

Ownership Category State Federal Fee Mixed

Date of inspection 10/31/96, 19____

Time of inspection 1 a.m. p.m. to 4:30 a.m. p.m.

Operator Name (other than Permittee) Same As Above

Mailing Address Same As Above

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 31, 1996

Time of service/mailling 3:45 a.m. p.m.

BRADLEY J. BOURQUIN
Permittee/Operator representative

Project Manager
Title

Bradley J Bourquin
Signature

Wm. J Malencik
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

Wm. J Malencik
Signature

26
Identification Number

SEE REVERSE SIDE 10/31/96

WHITE-DOG M YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 96-26-4-3

Violation No. 1 of 3

Nature of violation

Failure to park vehicles only in designated approved areas

Provisions of act, regulations or permit violated

R645-300-141

Portion of operation to which notice applies

Undisturbed permit area

Remedial action required (including any interim steps)

• Cease parking in unauthorized areas

Abatement time (including interim steps)

Immediately - At time of the inspection all vehicles were parked in the disturbed areas

Consultant informed the DOGM inspector of the parking issue and facts relating to the issue.

No reclamation required since the area involves the realigned Canyon County Road

WHITE-DOGMI YELLOW-OSM PINK-PERMITTEE OPERATOR GOLDENROSE-NOV FILE



NOTICE OF VIOLATION NO. N 96-26-4-3

Violation No. 2 of 3

Nature of violation

Storage of mine related materials outside the designated permit area as approved by the Division of Oil, Gas & Mining.

Provisions of act, regulations or permit violated

Utah Coal Rules R645-300-141

Portion of operation to which notice applies

Surface Estate As Noted In The Permit (DOGSM) and associated MRP documents

Remedial action required (including any interim steps)

- (1) Remove mine related materials from the unauthorized storage area
- (2) Store materials within the disturbed area within the approved (DOGSM) storage area.

Abatement time (including interim steps)

November 1, 1996, 5p.m.



NOTICE OF VIOLATION NO. N 96-26-4-3

Violation No. 3 of 3

Nature of violation

Failure to conduct top soil storage according to the MRP.
Failure to protect the topsoil from potential contaminants

Provisions of act, regulations or permit violated

- (1) R 645-300-143
- (2) ~~R 645-234-220~~ R 645-301-234.220

Portion of operation to which notice applies

Disturbed permit area / topsoil storage area

Remedial action required (including any interim steps)

- (1) Followup MRP on topsoil storage procedure
- (2) Area was cleaned of fuel on 10/31/96
* Operator estimated fuel from a hose containing less than a quart of fuel was inadvertently drained into the topsoil. The contaminated soil was removed and disposed in accordance with DEQ guidelines.

Abatement time (including interim steps)

- (1) Immediately
- (2) no followup abatement required