



NO. N 96-35-1-2

notice of violation

To the following Permittee or Operator:

Name HORIZON COAL CORPORATION

Mine HORIZON COAL MINE Surface Underground Other

County CARBON State UTAH Telephone (540) 679-0804

Mailing Address PO BOX 2560 WISE VA 24273

State Permit No. ACT/007/020

Ownership Category State Federal Fee Mixed

Date of inspection OCTOBER 30, 19 96

Time of inspection 11:00 a.m. p.m. to 2:00 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.

CERTIFIED RETURN P 074 977 695

Date of ~~send~~/mailing NOVEMBER 1, 1996

Time of ~~send~~/mailing 10:00 a.m. p.m.

OLIVER GUSHEE
Permittee/Operator representative

RESIDENT AGENT
Title

MAILED FROM SIC OFFICE
Signature

SUSAN WHITE
Division of Oil, Gas & Mining representative

RECLAMATION SPECIALIST III
Title

Susan White
Signature

35
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N~~96-35-1-2~~

Violation No. 1 of 2

Nature of violation

FAILURE TO CONTROL OR PREVENT ADDITIONAL CONTRIBUTIONS OF SUSPENDED SOLIDS TO STREAM FLOW OR RUNOFF OUTSIDE THE PERMIT AREA.

Provisions of act, regulations or permit violated

R645-301-752.220

Portion of operation to which notice applies

LOWER JEWKES CREEK AREA ON WEST SIDE OF COUNTY ROAD.

Remedial action required (including any interim steps)

INSTALL SILT FENCE, STRAW BALES, OR OTHER SEDIMENT CONTROL MEASURES AS NECESSARY AND IN ACCORDANCE WITH THE PLAN TO TREAT ALL DISTURBED AREA RUNOFF.

Abatement time (including interim steps)

NOVEMBER 4, 1996

PERFORMANCE STAN. B-1



NOTICE OF VIOLATION NO. N 96-35-1-2

Violation No. 2 of 2

Nature of violation

FAILURE TO FOLLOW APPROVED PLAN

Provisions of act, regulations or permit violated

R645-301-750

R645-301-746.120

Portion of operation to which notice applies

PORTAL CANYON DRAINAGE - OPERATOR PLACED COAL WASTE INTO PROPOSED RECLAMATION DRAINAGE LOCATION IN PORTAL CANYON.

Remedial action required (including any interim steps)

- 1. PROVIDE COMPLETE AND ADEQUATE MAP SHOWING THE PLACEMENT OF WASTE MATERIALS IN THE PORTAL CANYON DRAINAGE AREA.**
- 2. PROVIDE A COMPLETE AND ADEQUATE PLAN FOR IDENTIFICATION AND REMOVAL OF COAL WASTE MATERIALS DURING RECLAMATION OF THE PORTAL CANYON DRAINAGE.**

Abatement time (including interim steps)

~~XXXXXXSUBMIT AMENDMENTS BY NOVEMBER 26, 1996XXXXXX~~

- 1. SUBMIT AMENDMENTS BY NOVEMBER 26, 1996**

~~PERFORMANCE STAND. F3~~

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE, \$300

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.

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

OIL GAS & MINING

1592 W NORTH TEMPLE STE 1210

BOX 145801

LAKE CITY UT 84114-5801

PSNEN: 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:
OLIVER GUSHEE
HORIZON COAL
PO BOX 2560
WISE VA 24273

4. Article Number
P 074 977 695

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

6. Signature - Agent
X *Oliver Gushee*

7. Date of Delivery
11-6-96

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