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MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Horizon Coal Corporation
Mailing Address P.O. Box 599, Helper, Ut. 84526
State Permit No. Act 0071020

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

Notice of Violation No. N 97-26-7-1 dated 8/21/97, 19 ____.
Cessation Order No. C N/A dated _____, 19 ____.

Part 1 of 1 is modified as follows: Submission and field completion
work deadline dates are extended as follows;

Reason for modification is Submit plans and national gas some
October 13, 1997.

Part ____ of ____ is modified as follows: Implement Plans November 7, 1997.

Reason for modification is Letter of 9/18/97, supplemented by phone
request and discussion with Mr. Heltuch

Part ____ of ____ is modified as follows: Date completed 9/23/97

Date of service/ mailing 9/26/97 Time of service/ mailing 4:00 a.m. p.m.

Date of inspection 8/21/97

Vicky Bailey
Permittee/Operator representative

Consultant/Engineer
Title

Mailed
Signature

Wm J Malencik
Division of Oil, Gas & Mining
Wm J Malencik
Signature

Rec. Spec.
Title
#26



MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Horizon Coal Company

Mailing Address P.O. Box 599 Helper, UT 84526

State Permit No. ACT/007/020

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

Notice of Violation No. N 97-26-7-1 dated Aug. 21, 19 97.

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

Part 1 of 1 is modified as follows: Abatement date extended to December 8, 1997.

Reason for modification is Administrative Delay

Part ____ of ____ is modified as follows: _____

Reason for modification is _____

Part ____ of ____ is modified as follows: _____

Date of service/ mailing Nov. 7, 1997 Time of service/ mailing 11:00 a.m. p.m.

Date of inspection Aug. 21, 1997

Vicky Bailey _____
Permittee/Operator representative Title

Mailed From SLC Office
Signature

Joseph C. Helfrich _____
Division of Oil, Gas & Mining Title

Gene W. Kelley for Joseph C. Helfrich
Signature



gph

MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Horizon Coal Corp. / Horizon Mine

Mailing Address P.O. Box 599, Helper, UT 84526

State Permit No. Act 007/020

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

Notice of Violation No. N 97-26-7-1 dated 8/21/97, 19__.

Cessation Order No. C N/A dated _____, 19__.

Part 1 of 1 is modified as follows: Portion of operation to which notice applies:

Reason for modification is FROM: "Jewkes Creek, major portion lying within disturbed area and a small portion within the permit undisturbed area"

Part _____ of _____ is modified as follows: TO: NOV 7-1 includes UC-1 diversion from the outlet of 36" culvert contiguous to the sediment pond thence downgrade to the the culvert lying under the county road. The county culvert is not included in the NOV for obvious reason ie it belongs to and is the responsibility of the county.

Reason for modification is _____

Part _____ of _____ is modified as follows: _____

This modification was necessary as a result of a hearing held 11/14/97 which clarified areas involved in the UC-1 diversion modification

Date of service/mailling 11/21/97 Time of service/mailling 8:00 a.m. p.m.

Date of inspection 8/21/97

Vicky S. Bailey
Permittee/Operator representative

Title

Vicky S. Bailey
Signature

Wm. J. Makencik
Division of Oil, Gas & Mining

Rec. Spec
Title

Wm. J. Makencik
Signature

#26.

gpk

NO. N 97-26-7-1

notice of violation

To the following Permittee or Operator:

Name Horizon Coal Corporation

Mine Horizon Surface Underground Other

County Carbon State Ut Telephone _____

Mailing Address P.O. Box 599, Helper, Ut 84526

State Permit No. Act 007/020

Ownership Category State Federal Fee Mixed

Date of inspection August 21, 1997, 19____.

Time of inspection 10:00 a.m. p.m. to 2:00 a.m. p.m.

Operator Name (other than Permittee) Same As Above

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 August 21, 1997 Time of service/mailling 1:30 a.m. p.m.

Vicky Bailey
 Permittee/Operator representative

Environmental Engineer
 Title

Vicky A. Bailey
 Signature

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

Rec Spec
 Title

Jim J. Malencik
 Signature

#76
 Identification Number

8/21/97

SEE REVERSE SIDE

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

DOGM CODE/ B5

DOGM/NOV-1

an equal opportunity employer

Rev. 5/92



NOTICE OF VIOLATION NO. N97-26-7-1

Violation No. 1 of 1

Nature of violation

Failure to receive Division Oil Gas & Mining approval before modifying an undisturbed diversion

Provisions of act, regulations or permit violated

R645-300-143

Portion of operation to which notice applies

Newkes Creek, masad portion lying within the disturbed area and a small portion within the permit undisturbed area.

Remedial action required (including any interim steps)

- (1) Submit plans on modifying the undisturbed diversion for Division approval (R645-742-323)
- (2) Implement plans as approved by the Division.

Abatement time (including interim steps)

- (1) September 22, 1997
- (2) October 17, 1997.



MODIFICATION OF NOTICE OF VIOLATION / CESSATION ORDER

To the following Permittee or Operator:

Name HORIZON COAL CO.

Mailing Address 7324 SOUTH UNION PARK AVE. MIDVALE, UTAH 84047

State Permit No. Act 1007/1020

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

Notice of Violation No. N -97-26-7-1 dated August 21, 19 97.

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

Part ~~of~~ is modified as follows: THE CESSATION DATE IS EXTENDED TO
JANUARY 12TH, 1998.

Reason for modification is ADMINISTRATIVE DELAY

Part _____ of _____ is modified as follows: _____

Reason for modification is _____

Part _____ of _____ is modified as follows: _____

Date of service/ mailing 12/23/97 Time of service/ mailing 11:15 a.m. p.m.

Date of inspection 8/21/97

Vicky Bailey
Permittee/Operator representative Title

Mailed from Division Office
Signature

Joe Helfrich for William J. Maurek Senior Rec. Spec.
Division of Oil, Gas & Mining Title

Joseph C. Helfrich
Signature

TT DOGM 12/23/97 ACT/007/020 N97-26-7-1 MODIFICATION

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. (Extra charge)
 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
VICKY BAILEY
EARTHFAX
7324 S UNION PARK AVE STE 100
MIDVALE UT 84047

4. Article Number
P 074 977 327

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

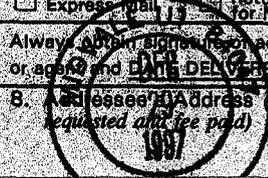
Always obtain signature of addressee or agent and **DATE DELIVERED**

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

5. Signature - Address
 X *[Signature]*

6. Signature - Agent
 X

7. *[Redacted]*



PS For **RECEIPT**

12/23/97 P 074 977 327
RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

VICKY BAILEY
EARTHFAX
7324 S UNION PARK AVE STE 100
MIDVALE UT 84047

PS Form 3800, June 1985 DOGM ACT/007/020 N97-26-7-1

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date	
Return Receipt Date, and Date of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

