



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

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September 18, 1997

Vicky Bailey  
Horizon Coal Company  
7324 South Union Park Avenue  
Midvale, Utah 84047

Re: Topsoil Placement, NOV N-97-45-1-1, ACT/007/020, File Folder #~~4~~ and #5, Carbon County, Utah

Dear Ms. Bailey:

As a result of my onsite inspection dated September 9, 1997, and review of Horizon Coal Company's Mining and Reclamation Plan, I am issuing the enclosed Notice of Violation. The violation is being issued based on the following:

- The approved Mining and Reclamation Plan (MRP) does not address the importation of soil material from an outside sources.
- The existing MRP does not address the effectual status of the disturbed topsoil stockpile in terms of resulting deficits or excess volumes of soil resources.
- The above activities have altered the structural integrity of the approved MRP for the reestablishment of drainage ways by removal and ultimate placement of construction fills.

As a matter of clarification, the Division's concern rests with the fact that the permitting requirements associated with these activities are not contemplated in the approved Mining and Reclamation Plan. We support your efforts in taking the opportunity to initiate reclamation. However, all permitting facets associated with these activities needed prior approval before commencement.

I look forward to your quick response in resolving this matter.

Sincerely,

Robert Davidson  
Senior Reclamation Specialist

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Enclosure

cc: Joe Helfrich, DOGM  
Bill Malencik, DOGM

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