0015

gch

STATE OF UTAH
NATURAL RESOURCES
Division of Oil, Gas & Mining

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

notice of violation

NO. N 98-26-3-1

To the following Permittee or Operator:

Name Horizon Mining, LLC

Mine Horizon ☐ Surface ☐ Underground ☐ Other

County Carbon State Ut Telephone 801-561-1555

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

State Permit No. Act 007/020

Ownership Category ☐ State ☐ Federal ☑ Fee ☐ Mixed

Date of inspection 5/21/98 & 5/26/98 ,19 .

Time of inspection ☐ a.m. ☐ p.m. to ☐ 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~~/mailing May 29, 1998 Time of service/mailing 3:00 ☐ a.m. ☑ p.m.

Vicky Bailey
Permittee/Operator representative

Environmental Engineer
Title

Mailed Certified Mail Return Receipt #
Signature

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

Rec. Spec
Title

Wm J Malencik
Signature

#26
Identification Number

5/29/98

SEE REVERSE SIDE

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

cc: Resident Agent / Denise Dragoo, Attorney At Law

DOGM/NOV-1 an equal opportunity employer Rev. 5/92

(DOGM/Performance Code F3)

UTAH
NATURAL RESOURCES
Oil, Gas & Mining

NOTICE OF VIOLATION NO. N 98-26-3-1

Violation No. 1 of 1

Nature of violation

- Failure to store coal mine waste only in approved and designated areas.
- Utilization of coal mine waste in a manner not approved by DOGM.

Provisions of act, regulations or permit violated

R645-301-528,320
R645-300-143

Portion of operation to which notice applies

(1) Topsoil pile, more particularly small berm which was constructed of some coal mine waste contiguous to the small riparian topsoil pile
(2) Lower pad outslope adjacent to culvert UC-3 and contiguous to Jewkes Creek.

Remedial action required (including any interim steps)

(1) Remove all coal mine waste material and store in designated area as heretofore approved by the DIVISION. If required by Bob (DOGM) Davidson, construct a berm. If not required, then mark the boundary of the riparian area with signs
(2) Clean coal waste from the pad outslope. Place an MSHA axle height berm at the pad/outslope interface. Place Buffer zone and a suitable warning sign to prevent future problems.

Abatement time (including interim steps)

(1) & (2) June 5, 1998

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

TT DOGM 5 [redacted] 8 ACT 007 020 N98-26-3-1 Folder #5

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Vicky Bailey
Consultant
Earth[redacted]x Engineering
7324 [redacted]outh Union park AVe
Suite 100
Midvale Utah 84047

4a. Article Number
Z 382 129 123

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S.G.P.O.: 1992-307-530 **DOMESTIC RETURN RECEIPT**

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.