



CESSATION ORDER NO. C 98-26-1-1

Violation No. 1 of 1

Nature of condition, practice or violation

Failure to receive Division Oil Gas & Mining approvals before installing/extending an existing 36" undisturbed drainage culvert, a new smaller culvert that is not included in the pending amendment, removal and storage of topsoil, and extending the mine pad.

Provisions of act, regulations or permit violated: R 645-300-143

Portion of Operation To Which C.O. Applies: Undisturbed permitted area lying in and contiguous to Jewkes Creek and the northwesterly portion of the lower mine pad.

Notation: The permittee submitted an amendment Act 007020-97D on 9/18/97 covering the 36' culvert, topsoil, and mine pad that is currently pending before DOGM

Check appropriate box

- Condition, practice or violation is creating an imminent danger to health or safety of the public.
- Permittee/Operator is/has been conducting mining activities without ~~a permit~~ appropriate approvals UAM 1/13/98
- Condition, practice or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources.
- Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation No. N. _____ within time for abatement originally fixed or subsequently extended.

Operation(s) to be ceased immediately

Stop ^{advised} further work on the culvert installations, topsoil, & pad until amendment 97D is approved and two other items as noted below, items (2) & (3) are addressed by the permittee.

Affirmative obligation(s) and abatement time (if applicable)

- (1) Complete final construction on the 36" culvert, topsoil removal/storage and pad thirty days after the plan is approved and/or modified by the Division (97D).
- (2) Submit plan on the smaller culvert, Jan. 27, 1998. Complete installation as specified by Division approval within 36 days thereafter
- (3) Install sediment control (silt wales) to treat runoff from new disturbed areas.

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

NO. N 98-26-2-1

notice of violation

To the following Permittee or Operator:

Name Horizon Mining, LLC.

Mine Horizon Surface Underground Other

County Carbon State Utah Telephone 801-561-1555

Mailing Address PO Box 599, Helper, UT 84526

State Permit No. ACT/007/00

Ownership Category State Federal Fee Mixed

Date of inspection January 13, 1998, 1998

Time of inspection 9:00 a.m. p.m. to 1:00 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/mailing February 23, 1998

Time of service/mailing 11:00 a.m. p.m.

Vicky Bailey
 Permittee/Operator representative

Environmental Engineer
 Title

Vicky S Bailey
 Signature

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

Reclamation Specialist
 Title

Wm J Malencik
 Signature
2/23/98.

#26
 Identification Number

SEE REVERSE SIDE

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



Jph

NO. C 98-26-1-1

cessation order

To the following Permittee or Operator:

Name Horizon Mining, h/c

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 Jan 13, 1998, 19__

Time of inspection 9:00 a.m. p.m. to 1:00 a.m. p.m.

Operator Name (other than Permittee) Same As Above

Mailing Address _____

Under authority of the Utah Coal Mining & 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 that a Cessation Order must be issued with respect to each of the conditions, practices or violations listed in the attachment(s). This order constitutes a separate Cessation Order for each condition, practice or violation listed.

In accordance with Section 40-10-22, *Utah Code Annotated*, you are ordered to **cease immediately** the operations described in the attachment(s) and to perform the affirmative obligations described in the attachment(s) within the designated time for abatement. Reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **this order does** **does not** **require cessation of mining** expressly or in practical effect. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This order 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 Division of Oil, Gas & Mining.

Date of service/mailling Jan 13, 1998 Time of service/mailling 1:00 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

Wm. J Malencik
Signature

26
Identification Number

Division Performance Standard B-5, Diversions, C1 & C3 topsoil removal & storage

SEE REVERSE SIDE



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VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name HORIZON COAL CORPORATION

Mailing Address P.O. BOX 599 HELPER, UTAH 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 _____ dated _____, 19 _____.

Cessation Order No. C 98-26-1-1 dated JANUARY 13, 19 98.

Part 1 of 1 is vacated terminated because EVIDENCE SUPPORTING ISSUANCE OF AN IMMEDIATE HARM/IMMEDIATE HEALTH AND SAFETY CESSATION ORDER WAS NOT PRESENTED AT THE HEARING AND THE CESSATION ORDER DID NOT RESULT

Part _____ of _____ is vacated terminated because FROM A FAILURE TO ADHERE NOTICE OF VIOLATION. (AS NOTED IN FINDINGS DOCUMENT OF 2/25/98 FOR CO #98-26-1-1)

Part _____ of _____ is vacated terminated because _____

Date of service/mailling 3/5/98

Time of service/mailling 3:00 a.m. p.m.

VICKY BAILEY
Permittee/Operator representative

ENVIRONMENTAL ENGINEER
Title

MAILED FROM D.O.G.M. OFFICE
Signature

LOWELL P. BRANTON
Division of Oil, Gas & Mining

Acting Director
Title

Lowell P. Branton
Signature





NOTICE OF VIOLATION NO. N 98-26-2-1

Violation No. 1 of 1

Nature of violation

Failure to receive Division Oil, Gas, & Mining approvals before installing/
extending an existing 36" undisturbed drainage culverts, a new smaller culvert
that is not included in the pending amendment, removal and storage of topsoil,
and extending the mine pad.

Provisions of act, regulations or permit violated

R645-300-143

NOTE: The permittee submitted an amendment ACT/007/020-97D on 9/18/97, covering
the 36" culvert, topsoil, and mine pad that is currently pending before DOGM.

Portion of operation to which notice applies

Undisturbed permitted area lying in, and contiguous to Jewekes Creek and the
northwesterly portion of the lower mine pad.

Remedial action required (including any interim steps)

Stop further work on the culvert installations, topsoil, and pad until amendment 97D
is approved and two other items as noted below, items (2) and (3) are addressed
by the permittee.

Abatement time (including interim steps)

- (1) Complete final construction on the 36" culvert, topsoil removal/storage, and pad
30 days after the plan is approved and/or modified by the Division (97D).
- (2) Submit plan on the smaller culvert, January 27, 1998. Complete installation
as specified by Division approval within 30 days thereafter.
- (3) Install sediment control (straw bales) to treat runoff from new disturbed areas.

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

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NO. C 98-26-1-1

cessation order

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 Jan 13, 1998, 19____
 Time of inspection 9:00 a.m. p.m. to 1:00 a.m. p.m.
 Operator Name (other than Permittee) Same As Above
 Mailing Address _____

Under authority of the Utah Coal Mining & 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 that a Cessation Order must be issued with respect to each of the conditions, practices or violations listed in the attachment(s). This order constitutes a separate Cessation Order for each condition, practice or violation listed.

In accordance with Section 40-10-22, *Utah Code Annotated*, you are ordered to **cease immediately** the operations described in the attachment(s) and to perform the affirmative obligations described in the attachment(s) within the designated time for abatement. Reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that this order does **not** **require cessation of mining** expressly or in practical effect. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This order 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 Division of Oil, Gas & Mining.

Date of service/ mailing Jan 13, 1998 Time of service/ mailing 1:00 a.m. p.m.
Vicky Bailey Environmental Engineer
 Permittee/Operator representative Title
Vicky S. Bailey
 Signature
Wm. J Malencik Rec. Spec.
 Division of Oil, Gas & Mining representative Title
Jim J Malencik #26
 Signature Identification Number
Division Paperwork Standard B-5, Diversions, C1 & C3 topsoil removal & storage

SEE REVERSE SIDE

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



CESSATION ORDER NO. C 98-26-1-1

Violation No. 1 of 1

Nature of condition, practice or violation

Failure to receive Division Oil Gas & Mining approvals before installing/extending an existing 36" undisturbed drainage culvert, a new shallow culvert that is not included in the pending amendment, removal and storage of topsoil, and extending the mine pad.

Provisions of act, regulations or permit violated: R645-300-143

Portion of Operation To Which C.O. Applies: Undisturbed permitted area lying in and contiguous to Jewkes Creek and the northwesterly portion of the lower mine pad.

Notation: The permittee submitted an amendment Act 007020-97D on 9/18/97 covering the 36' culvert, topsoil, and mine pad that is currently pending before DORM

Check appropriate box

Condition, practice or violation is creating an imminent danger to health or safety of the public.

Permittee/Operator is/has been conducting mining activities without ~~appropriate~~ ^{appropriate} approvals LWM 1/13/98

Condition, practice or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources.

Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation

No. N. _____ within time for abatement originally fixed or subsequently extended.

Operation(s) to be ceased immediately

Stop ^{effective} further work on the culvert installations, topsoil, & pad until amendment 97D is approved and two other items as noted below, items 2 & 3 are addressed by the permittee.

Affirmative obligation(s) and abatement time (if applicable)

- (1) Complete final construction on the 36" culvert, topsoil removal/storage and pad thirty days after the plan is approved and/or modified by the Division (97D).
- (2) Submit plan on the smaller culvert, Jan. 27, 1998. Complete installation as specified by Division approval within 36 days thereafter
- (3) Install sediment control (straw bales) to treat runoff from new disturbed areas.

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