



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

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*CC: to Lowell B,*  
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*4-13-98*  
*Review 4/13/98*  
*CC: M SW*

March 26, 1998

TO: Mary Ann Wright, Associate Director of Mining

FROM: Joseph C. Helfrich, Permit Supervisor *JCH*  
 Bill Malencik, Senior Reclamation Specialist *WMM 3/31/98*

RE: Possible Pattern of Violations, Horizon Coal Company, LLC, Horizon Mine, ACT/007/020, Folder #3 & #5, Carbon County, Utah

A review of Horizon Coal Company's compliance status indicates that violations of the same or related requirements of the State Program or the permit during three or more state inspections of the permit area within a 12 month period have occurred. They are outlined as follows:

- N97-26-7-1 issued 8/21/97. Failure to receive Division of Oil, Gas & Mining approval before modifying an undisturbed diversion. The regulation sited was R645-300-143.
- N97-45-1-1 issued 9/18/97. Failure to conduct all coal mining and reclamation act operations only as described in the approved application; failure to comply with terms and conditions of the approved Mining and Reclamation Plan. The regulation sited was R645-300-142, 143. The portions of the operation affected were several of the developed out slopes that were affected by the importation and redistribution of topsoil material and the cut and fill volumes and redistribution in the reclamation plan.
- N98-26-2-1 issued 2/23/98. Failure to receive Division of Oil, Gas & Mining approval before installing/extending an existing 36" undisturbed drainage culvert, a new smaller culvert that is not identified in the pending amendment, removal and storage of topsoil and extending the mine pad. The regulation sited was R645-300-143.

The referenced violations have sustained the appeals process. Violations N97-26-7-1 and N97-45-1-1 have been terminated. N98-26-2-1 will be terminated upon any additional work required to complete the installation of the UC-3 Culvert extension and proper topsoil relocation.

