



## IMPORTANT - PLEASE READ CAREFULLY

1. Formal Review. You may apply for review of this Notice before the Board of Oil, Gas & Mining by submitting an application for hearing, within 30 days of receipt of this Notice by you or your agent, to:

Docket Secretary  
Board of Oil, Gas & Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

If you apply for a formal Board hearing, you may request temporary relief from this Notice. Your request must be filed at the above address prior to a decision in the hearing. Procedures for obtaining a formal Board hearing are set forth in the Board's Rules of Practice and Procedure and UMC/SMC Rule 900(b)(ix).

2. Informal Review. An informal public hearing will be held at or near the mine-site if this Notice requires cessation of mining, expressly or in practical effect. See UMC/SMC 843.15(a). On the reverse of this page, the authorized representative has made a finding as to whether or not this Notice requires cessation of mining. Please review this finding and inform the authorized representative if you disagree with it.

If this Notice requires cessation of mining, it will expire within 30 days from the date you have actual notice of this Notice, unless an informal public hearing is held or waived, or the violation is abated, within the 30-day period. You will be notified of the date, time and location of the hearing.

3. Penalties.

(1) Proposed assessment. The Board of Oil, Gas & Mining assesses fines based upon the proposed assessment recommended by the authorized representative. You may submit information in writing to the above address pertaining to the violation(s) covered by this Notice and/or a request that the formula set out at Part 845.13 be waived, within 15 days of the date that the Notice or Order is served on you or your agent. This information will be used by the authorized representative in establishing a proposed assessment and will be submitted to the Board for consideration in determining the facts surrounding the violation and the amount of the penalty. The Division or the authorized representative shall serve the proposed assessment on you or your agent within 30 days of the issuance of the Notice or Order by the authorized representative.

(2) Assessment. Within 15 days of receipt of the proposed assessment, you or your agent must file a written request for a hearing before the Board or the penalty will be assessed as proposed.

For each violation included in this Notice, a penalty of up to \$5,000 may be assessed for each day during which the violation continues.

If you fail to abate any of the violations within the time set for abatement or for meeting any interim step you shall be assessed a minimum penalty of \$750 for each day of continuing violation beyond the time set for abatement and you shall be issued a cessation order requiring you to cease surface coal mining operations.

4. Effect on Permit. If it is determined that a pattern of violations of the Act, regulations, or permit conditions exists, and that the violations were caused by unwarranted failure to comply, or were willful, procedures will be initiated to suspend or revoke your permit to mine.

FOR FURTHER INFORMATION, PLEASE CONSULT Section 40-10-20, 21, 22 and 23, Utah Code Annotated, UMC/SMC Parts 843, 845 and 900, or contact the Division at (801) 533-5771.



STATE OF UTAH

*file copy  
act 007/021*

Notice of Violation No. N 80-1-7-3

Violation No. 1 of 3

Nature of the Violation

FAILURE TO RETAIN ALL EARTH, ROCK AND OTHER MINERAL  
NON-WASTE MATERIALS ON THE SOLID PORTION OF EXISTING OR  
NEW BENCHES.

Provision(s) of the Regulations, Act, or Permit Violated

717.14(a)(1)  
TITLE 40-10-17(c)

Portion of the Operation to which Notice Applies

DOWNSLOPE OF PORTAL PAD

Remedial Action Required (including interim steps, if any)

OBTAIN A VARIANCE FROM THE DIVISION OF OIL GAS + MINING  
IN WHICH A LONG TERM STATIC SAFETY FACTOR OF 1.5 IS  
DEMONSTRATED.

Time for Abatement (including time for interim steps, if any)

NO LATER THAN FRIDAY 8:00 AM 31 OCTOBER 1980



STATE OF UTAH

Notice of Violation No. N 80-1-7-3

Violation No. 2 of 3

Nature of the Violation

FAILURE TO PASS SURFACE DRAINAGE FROM THE DISTURBED AREA  
THROUGH SEDIMENT POND

Provision(s) of the Regulations, Act, or Permit Violated

717.17(a)  
TITLE 40-10-17(c)(A)(b)

Portion of the Operation to which Notice Applies

ENTIRE PERMIT AREA I.E.  
ALL SURFACE AREAS PRESENTLY AFFECTED BY DEVELOPMENT  
OR MINING ACTIVITY

Remedial Action Required (including interim steps, if any)

PASS ALL SURFACE DRAINAGE THROUGH SEDIMENT POND  
CONTROL FACILITIES

Time for Abatement (including time for interim steps, if any)

NO LATER THAN FRIDAY 8:00 AM 31, OCTOBER 1980



STATE OF UTAH

Notice of Violation No. N 80-1-7-3

Violation No. 3 of 3

Nature of the Violation

FAILURE TO PROTECT TOPSOIL

Provision(s) of the Regulations, Act, or Permit Violated

717.20 (a)

TITLE 40-10-17(e)

Portion of the Operation to which Notice Applies

TOPSOIL STOCKPILES LOCATED AT LOWER END OF PERMIT AREA  
BETWEEN STREAM AND ACCESS ROAD.

Remedial Action Required (including interim steps, if any)

PROTECT TOPSOIL FROM WIND AND WATER EROSION FOLLOWING  
RELOCATION OF THE PRESENT TOPSOIL STOCKPILES.

Time for Abatement (including time for interim steps, if any)

NO LATER THAN FRIDAY 8:00 AM 31, OCTOBER 1980