

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE
(Continuation Sheet)

Originating Office: OSM
625 Silver SW
Albuquerque, NM 87102
Telephone Number: (505) 766-1436

Number X- 87-02-006-012 TV 8

Ten-Day Notice to the State of Utah

① NATURE OF VIOLATION AND LOCATION: Operator has failed to comply with the terms and conditions of the permit (by not revegetating the topsoil piles and diversions) - required by parts

3.4.3.1 and 3.2.4 Section of State Law, Regulation or Permit Condition believed to have been violated: 771.19

② NATURE OF VIOLATION AND LOCATION: Operator has failed to comply with the terms and conditions of the permit (by not posting sediment pond sediment markers) - required by plate 4a

Section of State Law, Regulation or Permit Condition believed to have been violated: 771.19

③ NATURE OF VIOLATION AND LOCATION: Operator has failed to comply with the terms and conditions of the permit (by not constructing and/or maintaining diversions as per design) - specified

by plates 7-3 and 7-5 Section of State Law, Regulation or Permit Condition believed to have been violated: 771.19

④ NATURE OF VIOLATION AND LOCATION: Operator has failed to construct (road) drainage pipes and culverts so as to avoid plugging or collapse and erosion at inlets and outlets - 11 problem

areas from the MSEIR Section of State Law, Regulation or Permit Condition believed to have been violated: 817.153(c)(i)(ii)

⑤ NATURE OF VIOLATION AND LOCATION: Operator has failed to comply with the terms and conditions of the permit (by not installing the road culverts as per plan) - specified by plate 3-2

and table 7-25 Section of State Law, Regulation or Permit Condition believed to have been violated: 771.19

Remarks or Recommendations:

Date of Notice: 10/08/87

Signature of Authorized Rep: [Signature]
Print Name and ID: Joe C. Funk 006

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Ten-Day Notice to the State of Utah

You are notified that, as a result of a Federal inspection (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: <u>Beaver Creek Coal Co.</u> <small>(Or Operator if No Permit)</small>	County: <u>Carbon</u>	<input type="checkbox"/> Surface
Mailing Address: <u>PO Box 1378 Price, UT 84501</u>		<input type="checkbox"/> Underground
Permit Number: <u>ACT/007/022</u>	Mine Name: <u>C.V. Spur</u>	<input checked="" type="checkbox"/> Other

① NATURE OF VIOLATION AND LOCATION: Operator has an approved plan that fails to protect stockpiled materials (topsoil) from unnecessary compaction - part 3.2.3.3 of the permit application

Section of State Law, Regulation or Permit Condition believed to have been violated: 817.23

② NATURE OF VIOLATION AND LOCATION: Operator has an approved plan that fails to result in quarterly (water monitoring) reports to the Division - part 7.1.6 and revision letter of 03/16/87 of the permit application

Section of State Law, Regulation or Permit Condition believed to have been violated: 817.52(b)(iii)

③ NATURE OF VIOLATION AND LOCATION: Operator has failed to conduct water monitoring in accordance with the program approved by the Division - Boron & Fluoride analyses through and including 2nd qtr of 87

Section of State Law, Regulation or Permit Condition believed to have been violated: 817.52(a)(1), (b)(1)

Remarks or Recommendations:

Date of Notice: <u>10/08/87</u>	Signature of Authorized Rep.: <u>Joe C. Funk</u>
	Print Name and ID: <u>Joe C. Funk 006</u>