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NO. N 94-26-4-1

notice of violation

To the following Permittee or Operator:

Name Sunnyside Cogeneration Associates

Mine Sunnyside Refuse  Surface  Underground  Other

County Carbon State Ut Telephone \_\_\_\_\_

Mailing Address P.O. Box 58087, Salt Lake City, Ut 84158-0087

State Permit No. Act 007/035

Ownership Category  State  Federal  Fee  Mixed

Date of inspection September 27 & 28 19 94

Time of inspection 8 a.m. & 9 a.m.  a.m.  p.m. to 2:30 p.m. & 1:30 p.m.  d.m.  p.m. respectively

Operator Name (other than Permittee) \_\_\_\_\_

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 9/28/94

Time of service/ mailing 11:55  a.m.  p.m.

[Signature]  
Permittee/Operator representative

RESIDENT ENGINEER  
Title

[Signature]  
Signature

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

Rec. Spec.  
Title

[Signature]  
Signature 9/28/94

26  
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



### NOTICE OF VIOLATION NO. N 94-26-4-1

Violation No. 1 of 1

Nature of violation

Performance Standards Violations: Failure to maintain diversion shown on MRP, sheet 7-1, designated thereon RC-D6 which reports to the xalcut sediment pond.

Provisions of act, regulations or permit violated

RC45-301-752.100

Portion of operation to which notice applies

Surface drainage from the spoil and non-combustible storage area

Remedial action required (including any interim steps)

- (1) Redesign diversion RC-D6
- (2) Maintain and/or reconstruct diversion RC-D6

Abatement time (including interim steps)

- (1) October 21, 1994
- (2) November 30, 1994