

get

NO. C 96-46-1-1

cessation order

To the following Permittee or Operator:
Name Cyprus Plateau Mining
Mine Willow Creek Prep Plant Surface Underground Other
County Carbon State Utah Telephone (801) 472-3310
Mailing Address PO Box PMC, Price, Utah 84501
State Permit No. ACT/007/038
Ownership Category State Federal Fee Mixed
Date of inspection 12/17/96, 19_____
Time of inspection 3:15 a.m. p.m. to 7:00 a.m. p.m.
Operator Name (other than Permittee) _____
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.

CP: 2382 127 038

Date of service/ mailing 12/17/96 Time of service/ mailing 3:30 a.m. p.m.

Ben Grimes/John Borla
Permittee/Operator representative

Sr Project Engineer/Site Manager
Title

Mailed from DOGM Price Office
Signature

Peter Hess
Division of Oil, Gas & Mining representative

Reclamation Specialist III
Title

Peter Hess
Signature

#46
Identification Number

SEE REVERSE SIDE

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

IMPORTANT — READ CAREFULLY

1. PENALTIES.

a. **Proposed assessment.** The Board of Oil, Gas & Mining assesses fines based upon a proposed assessment recommended by an assessment officer. You may submit written information pertaining to violation(s) covered by this order within 15 days of the date this notice or order is served on you or your agent. Information will be used by the assessment officer in determining facts surrounding the violation(s) and amount of penalty. A representative of the Division of Oil, Gas & Mining will serve the proposed assessment on you or your agent within 30 days of issuance of notice or order.

b. **Assessment.** The penalty will be finalized unless you or your agent file a written request within 15 days of receipt of proposed assessment for an informal hearing before the assessment officer.

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

If you fail to abate any violations within the time set for abatement or for meeting any interim step, you will be assessed a minimum penalty of \$750 for each day of continuing violation beyond the time set for abatement. You will be issued a Cessation Order requiring you to cease surface coal mining operations or the portion of the operations relevant to the violation.

2. INFORMAL PUBLIC HEARING.

An informal public hearing may be held at or near the mine site if this notice requires cessation of mining, expressly or in practical effect. 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. (See UMC/SMC 843.15(a).)

If this notice requires cessation of mining, it will expire within 30 days from date you are notified unless an informal public hearing is held or waived, or the condition, practice or violation is abated within the 30-day period. You will be notified of date, time and location of hearing. **R645-400-350 et seq**

3. FORMAL REVIEW AND TEMPORARY RELIEF.

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

Secretary
Board of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203.

If applying for a formal board hearing, you may submit with your petition for review a request for temporary relief from this notice. Procedures for obtaining a formal board hearing are contained in the board's Rules of Practice and Procedure and in UMC 845.19 of the board's regulations.

4. EFFECT ON PERMIT.

The permit may be suspended or revoked if it is determined that a pattern of violations of the act, regulations or permit conditions exists, and that the violations were caused by an unwarranted or willful failure to comply. **R645-401-800 et seq**

For further information, consult Section 40-10-20, 21, 22 and 23, **Utah Code Annotated**, UMC/SMC Parts ~~843, 845, 900~~ or contact the Division of Oil, Gas & Mining at (801) 538-5340.

R645-400-300 et seq

R645-401 et seq



CESSATION ORDER NO. C 96-46-1-1

Violation No. 1 of 1

Nature of condition, practice or violation

Failure to conduct all coal mining operations to minimize disturbance to the hydrologic balance within the permit and adjacent areas.

Provisions of act, regulations or permit violated

R645-301-750

R645-300-142

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.
- 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

All operations which require the input of additional volumes of water to the thickener pond.

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

Reduce water elevation in the thickener pond to a point that is one foot below the elevation of the adjacent haul road.

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

Is your RETURN ADDRESS completed on the reverse side?

BRANDI ACT 007/038 CO 96 46 1 1 Po #5

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 BEN GRIMES
 CYPRUS PLATEAU MINING
 PO BOX FMC
 PRICE UTAH 84501

4a. Article Number
 Z 382 122 638

4b. Service Type

Registered Insured

Certified COD

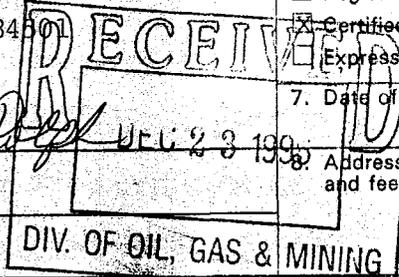
Express Mail Return Receipt for Merchandise

7. Date of Delivery
 DEC 21 1996

5. Signature (Addressee)
Virginia Pelt

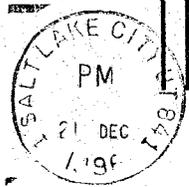
6. Signature (Agent)
 DIV. OF OIL, GAS & MINING

8. Addressee's Address (Only if requested and fee is paid)



UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



BRANDI BUTCHER
 DIVISION OF OIL, GAS, & MINING
 1594 WEST NORTH TEMPLE SUITE 1210
 PO BOX 145801
 SALT LAKE CITY UTAH 84114-5801

Thank you for using Return Receipt Service.



gpk

~~VACATION/TERMINATION OF
NOTICE OF VIOLATION/CESSATION ORDER~~

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corporation
Mailing Address P.O. Box PMC, Price, Utah 84501
State Permit No. ACT/007/038

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 96-46-1-1 dated 12/17, 1996.

Part 1 of 1 is vacated terminated because the permittee has pumped down the volume of water/material in the thickener pond to an elevation which is below the

~~Part _____ of _____ is vacated terminated because _____~~ elevation of the adjacent access road. The potential for further environmental damage has been eliminated.

Part _____ of _____ is vacated terminated because _____

Date of service/ mailing 12/20/96

Time of service/ mailing 10⁰⁵ a.m. p.m.

Ben Grimes
Permittee/Operator representative

Senior Project Engineer
Title

Mailed from PFO-DOG M
Signature

Peter Hess
Division of Oil, Gas & Mining

Reclamation Specialist III
Title

Peter Hess
Signature