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Cyprus Plateau Mining Corporation  
 Post Office Drawer PMC  
 Price, Utah 84501  
 (801) 637-2875

July 15, 1997

Mr. Joe Helfrich  
 Utah Department of Natural Resources  
 Division of Oil, Gas and Mining  
 1594 West North Temple, Suite 1210  
 Salt Lake City, Utah 84114-5801

Post-it™ Fax Note	7671	Date	7/15	# of pages	1
To	JOE HELFRICH		From	BEN GRIMES	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	359-3940		Fax #		

*AG/057/038 #2*  
*JGC*

Dear Mr. Helfrich,

**FAXED**

RE: REQUEST FOR EXTENSION NOV N97-46-5-1

This letter is a request for an extension of the abatement time for NOV N97-46-5-1.

The remedial action requires submission of an amendment to the MRP and obtain Division approval for the borehole into the K-Seam and must include a revised PHC.

To accomplish this will require much more time than allotted. The date of service of the NOV is shown as 7/4/97, however, we did not receive the NOV until 7/9/97. We were aware that a violation may be issued before 7/9/97, however, we did not know what the remedial action would include.

To accomplish the abatement requirements will take a minimum of 60 additional days. Therefore we request an additional 60 days to submit an amendment.

The other problem with the abatement date is obtaining Division approval by 8/21/97. An extension of this date is also necessary. Approval by the Division is out of our control; we do not see how a date for Division approval can be specified.

Discharge of water into the D-Seam only lasted approximately 48 hours. The water level at the source was pumped down exposing an open drill hole between the D-Seam being mined and the K-Seam. A plug was inserted in the drill hole stopping the flow of water and thus the discharge into the K-Seam ceased.

Please call me at 636-2227 to discuss this matter if you have questions.

Respectfully,  
  
 Ben Grimes  
 Sr. Staff Project Engineer

C: Jack Trackemas  
 Pete Hess

File: WCENV 2.5.2.5  
 Chron: BG970701



### NOTICE OF VIOLATION NO. N 97-46-5-1

Violation No. 1 of 1

Nature of violation

1) Failure to meet terms and conditions of the approved permit -

2) Failure to obtain Division approval prior to taking action to divert water from the "D" seam active underground workings back into the Kevilworth Mine or "K" seam.

Provisions of act, regulations or permit violated

- 1) R 645-300-142
- 2) R 645-300-143

Portion of operation to which notice applies

1) 85' borehole from surface at Willow Creek Mine portal (3.75" hole) to the Kevilworth Mine workings in the "K" seam. Purpose of hole was to re-circulate water encountered in the "D" seam back to its point of origin.

Remedial action required (including any interim steps)

1) Submit an amendment to the NHP and obtain Division approval for the amended borehole and obtain Division approval for the re-circulation of water back to the "K" seam. The amendment must include at a minimum a revised PHC.

Abatement time (including interim steps)

- 1) Two weeks from 7/7/97 - 7/21/97
- 2) Obtain Division approval by 8/21/97.

**NO. N** 97-46-5-1

**notice of violation**

To the following Permittee or Operator:

Name Cyrus-Plateau Mining Corporation  
 Mine Willow Creek Mine  Surface  Underground  Other  
 County Carbon State Utah Telephone (801) 472-3519  
 Mailing Address P.O. Box PMC  
 State Permit No. ACT/007/038  
 Ownership Category  State  Federal  Fee  Mixed  
 Date of inspection 7/4/97 19\_\_\_\_  
 Time of inspection 7:50  a.m.  p.m. to 8:50  a.m.  p.m.  
 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 8<sup>15</sup> AM on 7/4/97 Time of service/ mailing 8<sup>15</sup>  a.m.  p.m.

Bro Grimes  
 Permittee/Operator representative  
Marked from PFO/DOSM  
 Signature

Senior Staff Project Engineer  
 Title

Robert Hess  
 Division of Oil, Gas & Mining representative  
Robert Hess  
 Signature

Rec. Spec III  
 Title  
#46  
 Identification Number

**SEE REVERSE SIDE**

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