

ad

~~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 97-46-1-3 dated March 27, 19 97.

~~Cessation Order No. C~~ ~~dated~~ ~~19~~

Part 1 of 3 is vacated terminated because "Failure to Maintain Diversions"
the permittee has removed
all obstructions within the flow path in ditches

DD-13A, UD-12, and the ditch SE of the main
"Failure to Properly Construct Sediment Control Measures" substation.
Part 3 of 3 is vacated terminated because the permittee has
repaired the voids in the silt fence utilizing
acceptable methods for filter fence construction.

Part ____ of ____ is vacated terminated because _____

Date of service/ mailing 4/3/97 Time of service/ mailing 1:10 a.m. p.m.

Steve Jones
Permittee/Operator representative
Mailed/boxed from
PEO/DOG M
Signature

Mining Engineer
Title

Peter Hess
Division of Oil, Gas & Mining
Peter Hess
Signature

Reclamation Specialist III
Title



gpa

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

To the following Permittee or Operator:

Name Cyprus Plateau Mining Corporation - Willow Creek Mine

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 97-46-1-3 dated March 27, 19 97.

Cessation Order No. C _____ dated _____, 19 ____.

"Failure to properly control noncoal waste"

Part 2 of 3 is vacated terminated because the permittee has taken the measures necessary to clean up the site of noncoal waste.

Part _____ of _____ is vacated terminated because _____

Part _____ of _____ is vacated terminated because _____

Date of ~~service~~/mailing April 11, 1997

Time of ~~service~~/mailing 3:15 a.m. p.m.

Ben Grimes
Permittee/Operator representative

Senior Staff Project Engineer
Title

Mailed from DOGM Price Office
Signature

Peter Hess
Division of Oil, Gas & Mining

Reclamation Specialist III
Title

Peter Hess
Signature



NO. N 97-46-1-3

notice of violation

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corporation
 Mine Willow Creek Mine Surface Underground Other
 County Carbon State Utah Telephone _____
 Mailing Address P.O. Box PMC, Price, Utah 84501
 State Permit No. ACT/007/038
 Ownership Category State Federal Fee Mixed
 Date of inspection 3/26/97, 19____
 Time of inspection 8:00 a.m. p.m. to 12:30 a.m. p.m.
 Operator Name (other than Permittee) NA
 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.

Certified Mail Z 382 122 635

Date of service/ mailing 3/27/97 Time of service/ mailing 8:30 a.m. p.m.

Bew Grimes Permittee/Operator representative Senior Staff Project Engineer Title

Mailed/Faxed from Price Field Office, DOGM
Signature

Peter Hess Division of Oil, Gas & Mining representative Reclamation Specialist III Title
Peter Hess Signature #46 Identification Number

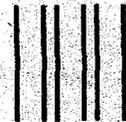
SEE REVERSE SIDE

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

7. Date of Delivery X 6. Signature - Agent X 5. Signature - Addressee Always obtain signature of addressee or agent and DATE DELIVERED.		7. Date of Delivery 0-31-97
8. Addressee's Address (ONLY if requested and fee paid)		
Type of Service: <input type="checkbox"/> Insured <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Express Mail		3. Article Addressed to: BEN GRIMES CYPRUS PLATEAU MINING PO DRAWER PMC PRICE UT 84501
4. Article Number P 074 977 681		
1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. (Extra charge) 2. <input type="checkbox"/> Restricted Delivery (Extra charge) Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes) for additional service(s) requested.		

RR DGMU ACT/0071038 N96-46-4-3 EID 5 1/28/97

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE, \$300

SENDER INSTRUCTIONS
 Print your name, address and ZIP Code in the space below.
 • Complete items 1, 2, 3, and 4 on the reverse.
 • Attach to front of article if space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DIVISION OF OIL GAS & MINING
 1594 W NORTH TEMPLE STE 1210
 BOX 145801
 84114-5801



NOTICE OF VIOLATION NO. N 97-46-1-3

Violation No. 1 of 3

Nature of violation

"Failure to maintain diversions."

Failure to maintain surface drainage ditches free from obstructions to the
flow path.

Provisions of act, regulations or permit violated

R 645-301-742.312

Portion of operation to which notice applies

Surface diversions at the Willow Creek mine site, particularly those ditches known
as DD-13A and UD-12, and the ditch SE of the main mine substation.

Remedial action required (including any interim steps)

Remove all trash, machinery, dirt, and/or other obstructions from ditches DD-13A
and UD-12, and the ditch SE of the main mine substation.

Abatement time (including interim steps)

The permittee has five working days from 3/26/97 (April 2, 1997) at 5:00 p.m. to
abate the violation.



NOTICE OF VIOLATION NO. N97-46-1-3

Violation No. 2 of 3

Nature of violation

"Failure to properly control noncoal waste."

Failure to keep trash cleaned up in the construction and material storage areas of the Willow Creek mine site.

Provisions of act, regulations or permit violated

R645-301-528.331

Portion of operation to which notice applies

The Willow Creek mine site construction areas and the material storage areas, particularly the propane tanks pad area, conveyor corridors and conveyor transfer points.

Remedial action required (including any interim steps)

Clean up the entire Willow Creek mine site disturbed area and properly dispose of the collected material by either placing it in dumpsters and/or hauling it to a State certified landfill.

Abatement time (including interim steps)

Abatement shall be completed by April 11, 1997 at 5:00p.m.



NOTICE OF VIOLATION NO. N 97-46-1-3

Violation No. 3 of 3

Nature of violation

"Failure to properly construct sediment control measures."

Provisions of act, regulations or permit violated

R645-301-742.110

R645-301-752

Portion of operation to which notice applies

Silt fence located between the propane tanks pad and the Willow Creek stream channel.
There are four breeches where depressions in the surface have been bridged by the
bottom of the filtering material, allowing any flow to report directly to
Willow Creek.

Remedial action required (including any interim steps)

Repair the silt fence mentioned above so that it meets proper construction techniques
for sediment filtration. (See Figure C.5.2, page 62), "Building a Filter Fence."
(Virginia Soil and Water Conservation Commission, 1980).

Abatement time (including interim steps)

The permittee has five working days from 3/26/97 (April 2, 1997) at 5:00p.m.
to repair the fence.