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

N98-46-2-1 "Failure to Properly Conduct Surface Water Monitoring"

To the following Permittee or Operator:

Name Cyprus - Plateau Mining Corporation / Willow Creek Mine

Mailing Address 847 N.W. Highway 191, Helper, Utah, 84526

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 98-46-2-1 dated 7/14, 19 98.

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

Part 1 of 1 is  vacated  terminated because the permittee has returned to the surface water monitoring regime regarding frequency and field parameters as of 7/22 and 7/23 as required in

~~Part~~ of ~~is~~  vacated  terminated because the Willow Creek mining and reclamation plan. This has been verified by review of the field notes for the surface sample points

~~Part~~ of ~~is~~  vacated  terminated because indicated in the notice of violation N98-46-2-1.

Date of service/mailing 7/27/98 Time of service/mailing 7<sup>50</sup>  a.m.  p.m.

Johnny Pappas Permittee/Operator representative Senior Environmental Engineer Title

Mailed / Faxed from PFO / DOGM  
Signature

Peter Hess Division of Oil, Gas & Mining Rec Spec III Title

Peter Hess  
Signature

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NO. N 98-46-2-1

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 (435) 472-4741  
 Mailing Address 847 N.W. Highway 191, Helper, Utah 84526  
 State Permit No. ACT/007/038  
 Ownership Category  State  Federal  Fee  Mixed  
 Date of inspection 7/14/98, 19\_\_\_\_  
 Time of inspection 8:00  a.m.  p.m. to 12:00  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 7/14/98 Time of service/ mailing 1:30  a.m.  p.m.

Johnny Pappas Senior Environmental  
 Permittee/Operator representative Title  
Engineer

Mailed / Faxed from PEO-DOGMM  
 Signature

Peter Hess Rec Spec III  
 Division of Oil, Gas & Mining representative Title

Peter Hess #46  
 Signature Identification Number

SEE REVERSE SIDE

WHITE-DOGMM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N98-46-2-1

Violation No. 1 of 1

Nature of violation

"Failure to conduct surface water monitoring in accordance with the approved permit",  
"Failure to monitor field parameters for the month of May, 1998 for sample points B-3N, B-5, B-6 and B-151"  
"Failure to monitor the following surface water locations during June, 1998; B-321, B-3N, B-5, B-6, B-151, B-211."

Provisions of act, regulations or permit violated

- 1) R 645 - 301 - 731.220
- 2) R 645 - 301 - 731.223
- 3) R 645 - 301 - 731.224

Portion of operation to which notice applies

- 1) Surface water monitoring points - B-3N, B-5, B-6, B-151, B-211, B-321
- 2) That portion of the Willow Creek mining and reclamation plan which pertains to hydrology and/or surface water monitoring.

Remedial action required (including any interim steps)

- 1) Return to the surface water monitoring regime for frequency and parameters for the aforementioned sample points as indicated in the Willow Creek mining and reclamation plan.
- 2) No other abatement is possible.

Abatement time (including interim steps)

- 1) Immediately.