0018

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

January 27, 1986

Mr. John Rains
Chief Mining Engineer
California Portland Cement Company
P. O. Box 947
Colton, California 92324

CERTIFIED RETURN RECIPT REQUESTED
P 592 431 270

Dear Mr. Rains:

RE: Notice of Violation N86-9-1-1, Hidden Valley Mine, INA/015/007, Folder #7, Emery County, Utah

Enclosed please find a copy of Notice of Violation N86-9-1-1, issued as a result of noncompliance with the surface water monitoring program, for the Hidden Valley Mine Site, and approved by the Division. Copies of pertinent correspondence between Soldier Creek and the Division of Oil, Gas and Mining are enclosed. I have also enclosed for your information a copy of the Ten-Day Notice issued to our office by the Office of Surface Mining concerning the surface water monitoring violation.

Unfortunately there has been some confusion associated with the purchase of the Soldier Creek Mine by Sunedco and the resulting transfer of responsibilities associated with environmental compliance. We are sympathetic to the inconvenience this will cause you, however, the Division is still obligated to enforce in this situation. If you have any questions regarding this letter or any of the accompanying enclosures, please do not hesitate to call myself or Dave Lof.

Sincerely,

Holland Shepherd
Mining Field Specialist

re

cc: Donna Griffin,
Joe Helfrich
Dave Lof
0399Q

UTAH NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

notice of violation

NO. N 86-9-1-1

To the following Permittee or Operator:

Name California Portland Cement Co.

Mine Hidden Valley ☐ Surface ☑ Underground ☐ Other

County Emery State Utah Telephone 714/825-4260

Mailing Address P.O. Box 947 Colton, Ca 92324

State Permit No. INA/015/007

Ownership Category ☐ State ☐ Federal ☑ Fee ☐ Mixed

Date of inspection ~~N/A~~ office of Surface Mining, 19 .

Time of inspection N/A ☐ a.m. ☐ p.m. to ☐ a.m. ☐ p.m.

Operator Name (other than Permittee) N/A

Mailing Address N/A

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** N/A **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 1-27-86 Time of service/mailing 4:30 ☐ a.m. ☑ p.m.

John Rains
Permittee/Operator representative

Chief Mining Engineer
Title

issued from Division Office
Signature

Holland Shepherd
Division of Oil, Gas & Mining representative

Mining Field Specialist
Title

Holl Shepherd
Signature

#9
Identification Number

SEE REVERSE SIDE

Certified Ret Receipt Requested
P592-431-270

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

901

UTAH
NATURAL RESOURCES
Oil, Gas & Mining

NOTICE OF VIOLATION NO. N 86-9-1-1

Violation No. 1 of 1

Nature of violation

Failure to conduct surface water monitoring in accordance with the approved monitoring program submitted to the Division on Feb. 15, 1985 and finalized March 28, 1985

Provisions of act, regulations or permit violated

UMC 817.52 (b)(1)

Portion of operation to which notice applies

Surface water monitoring plan associated with Ivie Creek.

Remedial action required (including any interim steps)

Conduct surface water monitoring in accordance with the approved program. Ivie Creek will be monitored as specified once during the month of May and once during September.

Abatement time (including interim steps)

Immediately

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

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VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name California Portland Cement Co.

Mailing Address P.O. Box 947 Colton, Ca 92324

State Permit No. INA/015/007

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 86-9-1-1 dated 1-27, 19 86.

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

Part 1 of 1 is ☐ vacated ☑ terminated because This violation concerns data monitoring information which was not taken, so permanently lost. No abatement time frame is required in this situation.

Part ____ of ____ is ☐ vacated ☐ terminated because _____

Part ____ of ____ is ☐ vacated ☐ terminated because _____

Date of service/mailing 1-27-86 Time of service/mailing 4:30 ☐ a.m. ☑ p.m.

John Bains
Permittee/Operator representative

Chief Mining Engineer
Title

Issued from Division office
Signature

Holland Shepherd
Division of Oil, Gas & Mining

Mining Field Specialist
Title

Holland Shepherd
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE #9

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5/85