

FILE ACT/015/015
FOLDER #7

0043

DOG/M/NOV-1

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO. N 83-4-11-2

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME Consolidation Coal Co.

MINE EMERY DEEP MINE SURFACE UNDERGROUND OTHER

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. RT/015/015 MSHA I.D. NO. _____

COUNTY AND STATE EMERY COUNTY, UT TELEPHONE _____

MAILING ADDRESS: P.O. Box 527, EMERY UT 84522

DATE OF INSPECTION AUG 26, 19 83

TIME OF INSPECTION: FROM 10:15 a.m. to 4:00 a.m.
 p.m. to _____ p.m.

NAME OF OPERATOR (if other than permittee) _____

MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the 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 minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service AUG 31, 1983 David Loe #1
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 9:00 a.m. p.m. DAVID LOE #1
NAME AND I. D. NO.

Person Served with Notice RON HUGHES, MINING ENGINEER
PRINT NAME AND TITLE

Signature ISSUED FROM THE OFFICE

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



DEPARTMENT OF NATURAL RESOURCES - DIVISION OF OIL, GAS, AND MINING
1588 West North Temple - Salt Lake City, Utah 84116 - (801) 533-5771

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STATE OF UTAH

Notice of Violation No. N 83-4-11-2

Violation No. 1 of 2

Nature of the Violation

FAILURE TO MINE IN ACCORDANCE WITH AN APPROVED MINE PLAN.
FAILURE TO CONSTRUCT APPROVED SEDIMENT CONTROL STRUCTURES
TO PREVENT, TO THE EXTENT POSSIBLE, ADDITIONAL CONTRIBUTIONS OF
SEDIMENT TO STREAMFLOW OR TO RUNOFF OUTSIDE THE PERMIT AREA
AND TO MINIMIZE EROSION TO THE EXTENT POSSIBLE

Provision(s) of the Regulations, Act, or Permit Violated

UCA 40-10-22(1)(c)
UMC 77.19
UMC 817.45

Portion of the Operation to which Notice Applies

UNDISTURBED DIVERSIONS ASSOCIATED WITH SEDIMENT POND #5

Remedial Action Required (including interim steps, if any)

CONSTRUCT ABOVE MENTIONED DIVERSIONS IN ACCORDANCE WITH
THE APPROVED MINE PLAN

Time for Abatement (including time for interim steps, if any)

2 WEEKS FROM DATE OF RECEIPT OF THIS NOTICE OF VIOLATION



DEPARTMENT OF NATURAL RESOURCES - DIVISION OF OIL, GAS, AND MINING
1588 West North Temple - Salt Lake City, Utah 84116 - (801) 533-5771

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STATE OF UTAH

Notice of Violation No. N B3-4-11-2

Violation No. 2 of 2

Nature of the Violation

FAILURE TO CONDUCT SURFACE COAL MINING OPERATIONS SO AS TO PREVENT, TO THE EXTENT POSSIBLE USING THE BEST TECHNOLOGY CURRENTLY AVAILABLE, ADDITIONAL CONTRIBUTIONS OF SUSPENDED SOLIDS TO STREAMFLOW OR RUNOFF OUTSIDE THE PERMIT AREA.

FAILURE TO CONSTRUCT ~~STREAM~~ CHANNEL DIVERSIONS TO REMAIN STABLE AND PREVENT ADDITIONAL CONTRIBUTIONS OF SUSPENDED SOLIDS TO STREAMFLOW.

Provision(s) of the Regulations, Act, or Permit Violated

UCA 40-10-18 (2)(i)(i)

UMC 817.44 (b)(i)

Portion of the Operation to which Notice Applies

THE PARSHALL FLUME LOCATED BELOW THE CONFLUENCE OF QUITCHMAN CREEK AND CHRISTIANSEN WASH

Remedial Action Required (including interim steps, if any)

- A. DEVELOP AND SUBMIT TO THE DIVISION PLANS WHICH DETAIL HOW THE FLUME SITE WILL BE RECONSTRUCTED
- B. IMPLEMENT SAID PLANS IMMEDIATELY UPON DIVISION APPROVAL.

Time for Abatement (including time for interim steps, if any)

- A. TWO (2) WEEKS FROM DATE OF RECEIPT OF THIS NOTICE OF VIOLATION