FILE ACT/015/015
#7

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DOGM/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 83-4-8-1

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. ACT/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 July 27, 1983.
TIME OF INSPECTION: FROM 1:00 ☐ 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. 4, 1983 David Lof
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 2:00 ☐ a.m. ☒ p.m. DAVID LOF #4
NAME AND I. D. NO.

Person Servied with Notice Ron Hughes, Mining Engineer
PRINT NAME AND TITLE

Signature ISSUED FROM THE OFFICE

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE

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

STATE OF UTAH

Notice of Violation No. N 83-4-8-1

Violation No. 1 of 1.

Nature of the Violation

FAILURE TO OPERATE IN ACCORDANCE WITH AN APPROVED PLAN
FAILURE TO MAINTAIN DIVERSIONS IN A MANNER WHICH PREVENTS ADDITIONAL CONTRIBUTIONS OF SUSPENDED SOLIDS TO STREAMFLOW AND TO RUNOFF OUTSIDE THE PERMIT AREA.

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

UCA 40-10-22(1)(c)
UMC 771.19
UCA 40-10-18(2)(i)(ii)
UMC 817.43(c)
UMC 817.45

Portion of the Operation to which Notice Applies

THE DISTURBED AREA RUNOFF DIVERSION AND BERM ON THE SOUTH SIDE OF THE NEW COAL STOCKPILE

Remedial Action Required (including interim steps, if any)

MAINTAIN THE ABOVE MENTIONED DIVERSION AND BERM IN ACCORDANCE WITH THE APPROVED PLAN.

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

ONE WEEK FROM DATE OF RECEIPT OF THIS NOTICE