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MAR 12 1991

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Jan
Page 1 of 2

DIVISION OF OIL GAS & MINING

NO. N 91-39-2-1

To the following Permittee or Operator:

Name Consolidation Coal Company

Mine Emery Deep Surface Underground Other

County Emery State Utah Telephone 286-2301

Mailing Address P.O. Box 527 Emery, Utah 84522

State Permit No. ACT/015/015

Ownership Category State Federal Fee Mixed

Date of inspection March 6, 1991, 19

Time of inspection 8:30 a.m. p.m. to 3:00 a.m. p.m.

Operator Name (other than Permittee)

Mailing Address P.O. Box 527 Emery, Utah 84522

notice of violation

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 3-8-91

Time of service/ mailing 10:00 a.m. p.m.

Dee Bray
Permittee/Operator representative

Mining Engineer
Title

Signature

Stephen J. Demczak
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

Signature

#39
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OS M PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 91-39-2-1

Violation No. 1 of 1

Nature of violation

Not complying to the requirements of the State Program stated in the letter dated March 20, 1989.

Provisions of act, regulations or permit violated

R614-300-142

R614-300-143

Portion of operation to which notice applies

Areas associated to construction of the borehole and pond #6. See letter dated March 20, 1989.

Remedial action required (including any interim steps)

- (1) Consolidation Coal Company will document the facts that no mulch was used in the as-built plans for the pond.
- (2) Provide a report summarizing erosion monitoring and revegetated areas as required in condition #2 of the letter dated March 20, 1989.
- (3) Consolidation Coal Company to commit to reseeding in 1991 if condition #3 exist as stated in the March 20, 1989 letter. See letter attached.

Abatement time (including interim steps)

All remedial action will be required by April 8, 1991.



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

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MAR 24 1989
DIVISION OF OIL
GAS & MINING
PRICE, UTAH

March 20, 1989

Mr. Christopher M. Jones, P.E.
Consolidation Coal Company
P.O. Box 527
Emery, Utah 84522

Dear Mr. Jones:

Re: Approval of Mulching Requirement Variance, Emery Deep Mine,
ACT/015/015, Folder #2, Emery County, Utah

The Division has reviewed your request dated March 15, 1989 for a variance to mulch areas seeded in association with the construction of the borehole and pond #6. Since this seeding is considered interim stabilization, the Division hereby approves the requested variance under the following conditions:

1. Consol will document the fact that no mulch was used in the as-built plans for the pond as well as the annual report for 1989.
2. Consol will monitor the revegetated areas for accelerated erosion and provide a summary of erosion monitoring in the annual report.
3. Consol will reseed the areas and apply an appropriate mulch if erosion is deemed to be a problem or if vegetation has not established within 2 years.

Should you have any questions regarding this approval, please don't hesitate to call Lynn Kunzler, Reclamation Biologist or me

Sincerely,

Susan C. Linner
Susan C. Linner
Reclamation Biologist/
Permit Supervisor

lmk

cc: J. Leatherwood
D. Haddock
BT3013/5
an equal opportunity employer

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DIVISION OF
OIL GAS & MINING