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#0367046

August 4, 1980

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Merril Heward
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

RE: Utah Power & Light Company
Church Mines
ACT/015/017
Emery County, Utah

Dear Mr. Heward:

This letter is to cite violations of the Division's interim period enforcement regulations observed by Mary Kay Stein during the July 10, 1980 inspection of the Church Mines. Minimum requirements for the alleviation of the cited violations are included. However, these are meant as minimum requirements, and for the most part are by no means the only alternative available.

Violation #1, Rule MC 717.17(j) - Failure to construct and maintain access and haul roads so as to prevent additional contributions of suspended solids to the streamflow. Portion of the operation to which the notice applies - Berms of access/haul road on the permit area to the loadout pad.

Violation #2, Rule MC 717.17(a) - Failure to pass all surface drainage from the disturbed area through a sedimentation pond or a series of sedimentation ponds prior to leaving the permit area. Portion of the operation to which the notice applies - Pumphouse area including the access road and pad adjacent to the pumphouse.

Violation #3, Rule MC 717.11(a) - Failure to address surface facilities associated with mining operations in mining and reclamation plan, ie., mining without a permit. Portion of the operation to which the notice applies - The pumphouse area including the access road and pad adjacent to the pumphouse.

Utah Power & Light Company is hereby directed to abate the above-cited violations within the specified time period from receipt of this letter. At a minimum, abatement should consist of the following:

Abatement measure #1 - Repair and maintain the berm along the access/haul road. Abatement time - 2 weeks (July 24, 1980).

Abatement measure #2 - Construct and maintain sediment control structures so as to prevent additional contributions of suspended solids to the streamflow and to prevent runoff outside the permit area. Sept. 4, 1980 - Chris Shumston called 8/20/80

Abatement measure #3 - Submit plans as required by the regulatory authority and include the following information. 1. A map of the permit area showing the surface facilities and surface disturbance. 2. The size of the area not included in the permit area. 3. Runoff and sediment control plans for the above mentioned area., ie., a brief description of the sediment control facilities, catch basins, sulverts, strawdikes, etc. 4. Final reclamation plans describing the regrading and revegetation plans. Sept 4, 1980

If the violations are not abated in the specified time, the matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas and Mining. However, if Utah Power & Light Company feels with good cause that these items are not violations, or that alternative methods can satisfy the abatement requirements, Utah Power & Light Company may meet with the Division concerning the matter and/or apply for a hearing before the Board. This action should be taken prior to the directed abatement deadline.

The July 10, 1980 inspection and subsequent notice of violations were under the rules and regulations of the interim regulatory period. The Division, at this time, advises Utah Power & Light Company that all coal mines must comply with the permanent regulatory program standards; with permanent program applications due within two months and have new approved permits within eight months of Office of Surface Mining approval of the State Program.

Sincerely,

Mary Kay Stein

MARY KAY STEIN
RECLAMATION OFFICER
AND

Denise A. Dragoo

DENISE A. DRAGOO
SPECIAL ASSISTANT ATTORNEY GENERAL
FOR NATURAL RESOURCE AGENCIES

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