



United States Department of the Interior
 OFFICE OF SURFACE MINING
 RECLAMATION AND ENFORCEMENT
 219 CENTRAL AVENUE, NW
 ALBUQUERQUE, NEW MEXICO 87102
 September 12, 1983

To: Joe H. for
 filing.
 file act 05/017
 folder #7

CERTIFIED MAIL NO. P213300662
 RETURN RECEIPT REQUESTED

Dr. Jim Shirazi, Director
 Division of Oil, Gas and Mining
 4241 State Office Building
 Salt Lake City, UT 84114

RECEIVED
 SEP 16 1983

DIVISION OF
 OIL, GAS & MINING

Dear Dr. Shirazi:

Attached is Ten-Day Notice #83-2-31-1 issued as a result of a Federal oversight inspection conducted on August 3, 1983. This notice is issued since the operator of Utah Power and Light Company has not obtained approval from the Mine Safety and Health Administration for discharging surface water into the Beehive mine portals. The non-existence of a hydrologic monitoring plan for this mine has been known by the State since DOGM's inspection of this mine in December 1982.

Please notify the Office of Surface Mining (OSM) within ten days of receipt of this letter as to what action the Division of Oil, Gas and Mining intends to take regarding this matter.

If you have any questions, please contact either Frank Atencio or myself at (505) 766-1486.

Sincerely,

Robert H. Hagen, Director
 Albuquerque Field Office

cc:
 Joseph Helfrich
 UDOGM

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE

Originating Office:
OSM - Albuquerque Field Office
219 Central Avenue, NW, Suite 216
Albuquerque, NM 87102
Telephone Number: (505) 766-1486

Number: X - 83 - 2 - 031 - 1 TV 1

Ten-Day Notice to the State of UTAH

You are notified that, as a result of a Federal inspection (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: <u>Utah Power and Light Co.</u> <small>(Or Operator if No Permit)</small>	County: <u>EMERY</u>	<input type="checkbox"/> Surface <input checked="" type="checkbox"/> Underground <input type="checkbox"/> Other _____
Mailing Address: <u>P. O. Box 899, Salt Lake City, UT 84110</u>		
Permit Number: <u>ACT/015/017</u> Mine Name: <u>Des-Bee-Dove</u>		

NATURE OF VIOLATION AND LOCATION: Failure to obtain approval from the Mine Safety and Health Administration (MSHA) for the discharge of water from the surface into the Beehive mine portals.

Section of State Law, Regulation or Permit Condition believed to have been violated: UMC 817.55(g)

NATURE OF VIOLATION AND LOCATION: _____

Section of State Law, Regulation or Permit Condition believed to have been violated: _____

NATURE OF VIOLATION AND LOCATION: _____

Section of State Law, Regulation or Permit Condition believed to have been violated: _____

Remarks or Recommendations: _____

Date of Notice: <u>09/09/83</u>	Signature of Authorized Rep.: <u>Frank Atencio</u>
	Print Name and ID: <u>Frank Atencio, #031</u>