

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

84-2-22-1

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

NAME Utah Power & Light Co.
 MINE Des-Bee-Dole SURFACE UNDERGROUND OTHER _____
 CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED
 OSM MINE NO. _____ STATE PERMIT NO. ACT/015/017 MSHA I.D. NO. _____
 COUNTY AND STATE Emery UT TELEPHONE 535-4234
 MAILING ADDRESS: _____
 DATE OF INSPECTION 10/30, 11/8, 19 84.
 TIME OF INSPECTION: FROM 12:30, 4:00 a.m. to 1:00, 4:45 a.m. p.m. respectively
 NAME OF OPERATOR (if other than permittee) Emery Mining Corp.
 MAILING ADDRESS: PO Box 310 Huntington UT 84528

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 11/9/84 _____
 Time of Service 2:00 a.m. p.m. _____
 Person Served with Notice Larry Gaymon, Manager Construction Engineering
 Signature _____
 SIGNATURE OF AUTHORIZED REPRESENTATIVE [Signature]
 NAME AND I. D. NO. Jerry Pruitt #2
 PRINT NAME AND TITLE _____
 by certified mail number P 402 457 067

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 84-2-22-1

Violation No. 1 of 1

Nature of the Violation

Failure to design, construct, reconstruct, and maintain class I road to provide adequate erosion and sediment control.

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

UMC 817.45
UMC 817.150(a)
UMC 817.153(a)(1)(2), (b)(1), (c)(ii)(iii)
UCA 40-10-17(2)(d), (j)(ii)

Portion of the Operation to which Notice Applies

Deseret Coal Road to Wilburg Coal Road
A. Blocked drainage culvert,
B. The ditchline from the outlet of the cross culvert at station 142,
C. Excessive erosion at or near stations 128, 173+80, 201.

Remedial Action Required (including interim steps, if any)

A. Maintain all drainage culverts to function as designed. Submit plans for the installation of trash racks or debris basins at culvert inlets in accordance with UMC 817.153(a)(iii).
B. Repair the ditchline to function as designed. Regrade and stabilize damage from erosion past the breach.
C. Submit plans to regrade and stabilize gullies at or near the stations cited above.
Time for Abatement (including time for interim steps, if any)

Two weeks or no later than 5:00 pm, 11/23/84.