

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 84-7-8-4

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

NAME Utah Power and Light Company
 MINE DES-BEE-DOVE MINE 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 CO. UTAH TELEPHONE 687-9821
 MAILING ADDRESS: P.O. Box 899, SALT LAKE CITY UTAH 84110
 DATE OF INSPECTION JULY 18, 19 84
 TIME OF INSPECTION: FROM _____ a.m. to _____ a.m.
 _____ p.m. to _____ p.m.
 NAME OF OPERATOR (if other than permittee) EMERY MINING CORPORATION
 MAILING ADDRESS: P.O. Box 319 HUNTINGTON UTAH

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 July 19, 1984 Kenneth W. Wyatt
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 8:50 a.m. p.m. KENNETH W. WYATT #7
NAME AND I. D. NO.

Person Served with Notice Larry Guyman Manager of Construction Engineering
PRINT NAME AND TITLE

Signature Larry Guyman

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 84-7-8-4

Violation No. 1 of 4

Nature of the Violation

FAILURE to maintain sediment control measures to prevent or
Minimize erosion to the extent possible.

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

UMC 817.45 (iii)(e)
UMC 817.181 (a)

Portion of the Operation to which Notice Applies

Bathroom/office/warehouse pad downslopes.

Remedial Action Required (including interim steps, if any)

Maintain adequate sediment control structures to divert runoff through
disturbed areas so as not to cause additional erosion.

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

30 days ; No later than August 20, 1984



STATE OF UTAH

Notice of Violation No. N 84-7-8-4

Violation No. 2 of 4

Nature of the Violation

Failure to maintain roads and associated sediment control facilities to control or minimize erosion to the extent possible.

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

UMC 817.45 (iii)

UMC 817.150 (a)

UMC 817.153 (a)(1)

UMC 817.155 (c)

Portion of the Operation to which Notice Applies

Haul Road / Access Road adjacent (North of) to the Lower Material Storage Pad where drop drains and culvert downspout have washed out causing erosion of road's downslope.

Remedial Action Required (including interim steps, if any)

Maintain adequate sediment control and drainage structures to minimize erosion and protect the haul road.

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

30 DAYS, No later than 800am August 20, 1984



STATE OF UTAH

Notice of Violation No. N. 84-7-8-4

Violation No. 3 of 4

Nature of the Violation

Failure to conduct underground coal mining activities in accordance with an approved plan. Failure to maintain sediment control structures in a manner to protect subsoil material from wind and water erosion.

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

UCA 1953 40-10-9
UMC 817.23
UMC 771.19

Portion of the Operation to which Notice Applies

Soil material stockpiled southeast of the sediment pond.

Remedial Action Required (including interim steps, if any)

- A. Obtain Division approval for stockpiling the soil material in question at its present location.
- B. Provide adequate protection to prevent wind and water erosion.
- C. Re-evaluate the seed mix utilized in March 1981 and revegetate accordingly.

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

2 weeks ; No later than August 2, 1984



STATE OF UTAH

Notice of Violation No. N. 84-7-8-4

Violation No. 4 of 4

Nature of the Violation

Conducting underground coal mining activities without Division approval. Failure to conduct underground coal mining activities in accordance with an approved plan.

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

UCA 1953 40-10-9

UMC 721.19

UMC 788.12 (a)

Portion of the Operation to which Notice Applies

Haul Road constructed between Des-Bee-Dove mine and Wilberg Mine Haul Road.

Remedial Action Required (including interim steps, if any)

Submit a Mining and Reclamation Plan Revision to the Division for permitting. This revision should address all pertinent permitting requirements.

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

30 days No later than AUGUST 29, 1984 for Revision submittal