

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 85-2-22-1

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

NAME Utah Power & Light Co.
MINE Des Bee Run 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 535-4225
MAILING ADDRESS PO Box 899 SLC UT 84110
DATE OF INSPECTION 9/12, 1985
TIME OF INSPECTION FROM 9:30 a m to 12:30 a m p m
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 9/13/85 _____
SIGNATURE OF AUTHORIZED REPRESENTATIVE 
Time of Service 5:40 a.m. p.m. _____
NAME AND I D NO Gary Pruitt #2
Person Served with Notice Larry Guyman Construction Manager
PRINT NAME AND TITLE

Signature _____ (issued by certified mail P 592 431 835)

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 85-2-22-1

Violation No. 1 of 1

Nature of the Violation

Failure to design, construct or reconstruct, maintain and utilize class II road to meet requirements of UMC 817.161-166 and to control or minimize erosion and siltation and water pollution.

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

UMC 817.160 (a)

Portion of the Operation to which Notice Applies

Access road to Des-Bee-Dow mine sediment pond.

Remedial Action Required (including interim steps, if any)

Submit complete & adequate plans to reconstruct or maintain the access road so that the applicable design standards of UMC 817.161-166 are met. Obtain DORM approval of plans. Implement plans immediately upon approval or in accordance w/ an approved schedule for implementation.

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

No later than 10/14/85.