

gph



NO. N 97-41-3-1

notice of violation

To the following Permittee or Operator:

Name PACIFICORP

Mine DES BEE DOVE MINE Surface Underground Other

County EMERY ³¹⁰ ~~PBB~~ State UTAH Telephone 801-687-4822

Mailing Address PO BOX 1008 HUNTINGTON UT 84528

State Permit No. ACT/015/017

Ownership Category State Federal Fee Mixed

Date of inspection 2/12/97, 19__

Time of inspection 10:00 a.m. p.m. to 2:30 a.m. p.m.

Operator Name (other than Permittee) ENERGY WEST MINING COMPANY

Mailing Address ABOVE

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in 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 mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

CERTIFIED RETURN
P 074 977 714

Date of service/~~XXXX~~ 2/13/97 Time of service/~~XXXX~~ 2:00 a.m. p.m.

CHARLES SEMBORSKI
Permittee/Operator representative

RESIDENT AGENT
Title

MATTED FROM SLC OFFICE
Signature

PAUL BAKER
Division of Oil, Gas & Mining representative

RECLAMATION BIOLOGIST
Title

Signature

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Identification Number

SEE REVERSE SIDE

WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 97-41-3-1

Violation No. 1 of 1

Nature of violation

FAILURE TO MAINTAIN A PRIMARY ROAD TO HAVE ADEQUATE DRAINAGE CONTROL.
FAILURE TO MAINTAIN A ROAD TO CONTROL OR PREVENT ADDITIONAL CONTRIBUTIONS OF
SUSPENDED SOLIDS TO STREAM FLOW OR RUNOFF OUTSIDE THE PERMIT AREA.

Provisions of act, regulations or permit violated

R645-301-742.400

R645-301-752.200

Portion of operation to which notice applies

FIVE CULVERTS ON THE LOWER PORTION OF THE HAUL ROAD.

Remedial action required (including any interim steps)

MAINTAIN THE CULVERTS IN ACCORDANCE WITH DESIGNS IN THE MINING AND RECLAMATION
PLAN.

Abatement time (including interim steps)

FEBRUARY 27, 1997, 8:00 A.M.