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John RUS

UTAH NATURAL RESOURCES Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

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NO. N 89-26-20-2

notice of violation

To the following Permittee or Operator:

Name Utah Power & Light Mining Division

Mine Deer Creek Surface Underground Other

County Emery State Utah Telephone 687-9821

Mailing Address P.O. Box 310

State Permit No. Act/015/018

Ownership Category State Federal Fee Mixed

Date of inspection September 12, 1989, 19

Time of inspection 9:30 a.m. p.m. to 5:45 a.m. p.m.

Operator Name (other than Permittee) Guy Davis - UP&L Environmental Official

Mailing Address Same As 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.

Date of service/ mailing 9/14/89

Time of service/ mailing 10:00 a.m. p.m.

Guy Davis
Permittee/Operator representative

Environmental Specialist
Title

Guy Davis
Signature

Wm. J Malenik
Division of Oil, Gas & Mining representative

Rec. Specialist
Title

Wm. J Malenik
Signature
9/14/89

26
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OS M PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N. 89-26-20-2

Violation No. 1 of 2

Nature of violation

Failure to maintain berm and culverts i.e., one berm & three culverts.

• One berm was breached¹¹

• Three culverts were block and runoff had topped the culverts.

11 Berm failure allegedly resulted in conveying of detached & undisturbed drainage & runoff.

Provisions of act, regulations or permit violated

UMC 817.43

Refer to UMC 700.5, page 5 of the Utah State Coal Mine Regulations for diversion definition

Portion of operation to which notice applies

Deer Creek Coal Mine Permit Area and More Specifically located as follows:

(1) Berm area, adjacent to the Deer Creek fan.

(2) Culverts, Coal Conveyor Beltline Below the mine.

Remedial action required (including any interim steps)

(1) Repair and increase the height of the berm.*

(2) Clean culverts and repair road berm.

* Berm was repaired at the time of the inspection

Abatement time (including interim steps)

(1) Sept. 19, 1989, 5p.m

(2) Sept 22, 1989, 5p.m



NOTICE OF VIOLATION NO. N 89-26-20-~~1~~2

Violation No. 2 of 2

Nature of violation

Failure to maintain silt fences. Five silt fences were filled with sediment and runoff from the disturbed bypass the silt fence treatment facility

Provisions of act, regulations or permit violated

UMC 817.45

Portion of operation to which notice applies

Deer Creek Permit/ Disturbed Area and More Particularly described as being located adjacent to the coal conveyor belt line below the mine

Remedial action required (including any interim steps)

• Clean & repair silt fences.

Abatement time (including interim steps)

Sept 22, 1989, 5p.m.