

Handwritten initials/signature



STATE OF UTAH
NATURAL RESOURCES
Division of Oil, Gas & Mining

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

NO. N 93-7-1-3

notice of violation

To the following Permittee or Operator:

Name Pacific Corp

Mine Deer Creek Surface Underground Other

County Emery State Utah Telephone (801) 653-2312

Mailing Address P.O. Box 1005 Huntington, Utah 84528

State Permit No. Act/015/018

Ownership Category State Federal Fee Mixed

Date of inspection September 14, 1993

Time of inspection 8:00 a.m. p.m. to 2:30 a.m. p.m.

Operator Name (other than Permittee) Energy West

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.

CERTIFIED RETURN RECEIPT

P 074 978 368

Date of service/mailling September 16, 1993 Time of service/mailling 1:30 a.m. p.m.

Val Payne
Permittee/Operator representative

Senior Environmental Engineer
Title

made from office
Signature

Ken Wyatt
Division of Oil, Gas & Mining representative

Reclamation Specialist
Title

Ken Wyatt
Signature

7
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 93-7-1-3

Violation No. 1 of 3

Nature of violation

Failure to conduct mining activities in accordance with the approved mining and reclamation plan.

Provisions of act, regulations or permit violated

R645 - 300 - 143

Portion of operation to which notice applies

Spring diversion behind Deer Creek fan where auxillary fan is being installed.

Remedial action required (including any interim steps)

Provide temporary sediment controls until fan construction work is complete and retaining wall is constructed.

Abatement time (including interim steps)

Immediately, No later than Thursday September 16, 1993



NOTICE OF VIOLATION NO. N 93-7-1-3

Violation No. 2 of 3

Nature of violation

Failure to maintain diversions

Provisions of act, regulations or permit violated

R645-301-742.300

Portion of operation to which notice applies

Diversion south of the Deer Creek office/bathroom building where rock and debris from the terrace above cleaning was placed.

Remedial action required (including any interim steps)

Remove rock and debris from this diversion

Abatement time (including interim steps)

1 week; No later than 5:00 pm, Thursday September 23, 1993.



NOTICE OF VIOLATION NO. N 93-7-1-3

Violation No. 3 of 3

Nature of violation

Failure to conduct coal mining activities only as described in the approved mining and reclamation plan

Provisions of act, regulations or permit violated

R645-300-142
UCA 40-10-9 (1)

Portion of operation to which notice applies

Terrace diversion above the office/bathroom and the ROM conveyor bench

Remedial action required (including any interim steps)

- 1) Cease all unpermitted activities outside of the approved disturbed area as defined by the perimeter markers on the south side of the office/bathroom. until permitted
- 2) Obtain a valid permit for this area or perform reclamation of said terrace in accordance with the R645 rules.

Abatement time (including interim steps)

- 1) Immediately; No later than September 16, 1993
- 2) 30 days; No later than 500pm on ~~sep~~ October 15, 1993