

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 84-7-7-1

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

NAME Utah Power and Light

MINE WILBERG MINE SURFACE UNDERGROUND OTHER

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. ACT/015/019 MSHA I.D. NO. _____

COUNTY AND STATE EMERY Co. UTAH TELEPHONE 687-9821

MAILING ADDRESS: P.O. Box 899 SLIC VT 84110

DATE OF INSPECTION JUNE 7, 19 84

TIME OF INSPECTION: FROM 9:30 a.m. to 2:00 a.m.
 p.m. to _____ p.m.

NAME OF OPERATOR (if other than permittee) Emery Mining Corporation

MAILING ADDRESS: P.O. 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 JUNE 7 1984 Kenneth W. Wyatt
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 1:55 a.m. Kenneth W. Wyatt #7
 p.m. NAME AND I. B. NO.

Person Served with Notice Larry Guymon Construction Manager
PRINT NAME AND TITLE

Signature Larry J. Guymon 6-7-84

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 84-7-7-1

Violation No. 1 of 1

Nature of the Violation

Failure to maintain sediment control facilities to treat any water discharged from the disturbed area so that it complies with all state and Federal water quality laws and regulations, Failure to maintain sediment ponds to prevent short circuiting to the extent possible, Failure to meet effluent limitations

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

UCA 1953 40-10-18 (2)(i)(ii)

UMC 817.42 (a) (7)

UMC 817.42 (c)

UMC 817.45 (ii)

UMC 817.46 (e)

UMC 817.46 (f)

Portion of the Operation to which Notice Applies

Lowermost sediment pond embankment; breached on North side

Remedial Action Required (including interim steps, if any)

- A. maintain sediment pond to prevent short circuiting and to comply with applicable state and federal effluent limitations
- B. Develop and submit to the Division for approval, adequate plans to repair these sediment ponds to prevent to the extent possible, future breaches of this nature; implement these plans upon approval

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

A. 10 days; No later than 800 am June 18, 1984

B. 30 days No later than July 7, 1984