

7155



NO. N 89-33-1-1

notice of violation

To the following Permittee or Operator:

Name Utah Power and Light Company
 Mine Cottonwood/Wilberg and Deer Creek Surface Underground Other
 County Emery State UT Telephone (801) 687-9921
 Mailing Address P.O. Box 310 Huntington, UT 84528
 State Permit No. ~~ACT/015/018~~ and ACT/015/019
 Ownership Category State Federal Fee Mixed
 Date of inspection September 5, 1989, 19____
 Time of inspection 9:30 a.m. p.m. to 11:30 a.m. p.m.
 Operator Name (other than Permittee) N/A
 Mailing Address N/A

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 9/6/89 Time of service/ mailing 10:00 a.m. p.m.

Chuck Somborski
Permittee/Operator representative

Senior Geologist/Hydrologist
Title

Signature

Aarin Worden
Division of Oil, Gas & Mining representative

Reclamation Hydrologist
Title

Aarin Worden
Signature

#33
Identification Number

SEE REVERSE SIDE

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

2203



NOTICE OF VIOLATION NO. N 89-33-1-1

Violation No. 1 of 1

Nature of violation

6 The operator has failed to comply with the approved plan. This involves not taking field water quality measurements during the May 19, 1989 spring and June 12, 1989 Shilda Canyon Flume samplings.

Provisions of act, regulations or permit violated

UMC 721.19 Compliance With Permits. The operator has failed to comply with the terms and conditions of the approved permit.
UMC 817.52 Ground and Surface Water Monitoring. Sections a) i) and b) i) i) for monitoring according to an approved plan to adequately measure ground and surface water quality and quantity.

Portion of operation to which notice applies

Pages 34, 36 and 37, Appendix XX, Cottonwood/Wilberg PAF lists the approved monitoring plan. This applies to the hydrologic monitoring portion of the operation.

Remedial action required (including any interim steps)

Comply with approved water monitoring plan and obtain a back-up system to ensure field measurements are always obtained.

Abatement time (including interim steps)

Within 60 days, purchase a back-up system and obtain the proper field measurements for all 4th quarter water monitoring requirements.