

Document Information Form

Mine Number: C1015/019

File Name: Incoming

To: DOGM

From:

Person N/A

Company OFFICE OF SURFACE MINING

Date Sent: N/A

Explanation:

CESSATION ORDER.

cc:

File in: C1015, 019, Incoming

- Refer to:
- Confidential
 - Shelf
 - Expandable

Date _____ For additional information

U.S. DEPARTMENT OF THE INTERIOR Office of Surface Mining Reclamation and Enforcement CESSATION ORDER Permanent Regulatory Procedures		1. Cessation Order Number 94-020-370-002
2. Name Pacificore	<input type="checkbox"/> Permitted <input checked="" type="checkbox"/> No Permit	Originating Office Address O.S.M. 505 Marquette NW Suite 1200 Albany, NM 87102
3. Mailing Address One Utah Center, Suite 2100 201 South Main, Salt Lake City, UT 84140-0021		Telephone Number 505-766-1486
4. Name of Mine Coalwood Coal Blending and Preparation Facility		9. Date of Inspection 9/15/94
5. Telephone Number 801-720-2000	6. County Emery	10. Time of Inspection From _____ To _____ a.m. p.m.
7. Operator's Name (if other than permittee) Energy West Mining Co.		8. Mailing Address P.O. Box 310, Huntington, UT 84528
11. State Permit Number None	12. MDES Number UTG-040000	13. MSHA ID Number 42-02052
14. OSM Mine Number		

UNDER THE AUTHORITY OF THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (P.L. 95-87; 30 U.S.C. 1201), THE UNDERSIGNED AUTHORIZED REPRESENTATIVE OF THE SECRETARY OF THE INTERIOR has conducted an inspection of the above mine on the above date and has found that a Cessation Order must be issued for each violation(s) of the Act, the regulations, or required permit conditions listed in the attachment(s). This Order constitutes a separate Cessation Order for each condition, practice, or violation listed.

In accordance with Section 521(a) of the Surface Mining Control and Reclamation Act of 1977, YOU ARE ORDERED TO CEASE IMMEDIATELY the operations described in the attachment(s) and to perform the corrective actions described in the attachment(s) within the designated abatement time. Reclamation operations not directly the subject of this Order shall continue while this Order is in effect.

You are responsible for doing all work in a safe and workmanlike manner.

THE UNDERSIGNED AUTHORIZED REPRESENTATIVE HEREBY FINDS THAT THIS ORDER DOES NOT DOES REQUIRE CESSATION OF MINING EXPRESSLY OR IN PRACTICAL EFFECT. Therefore, you are are not entitled to an informal public hearing on request, within 30 days after service of this Order (30 CFR 843.15).

This Order 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 Secretary.

IMPORTANT—Please Read Information on the Back of this Page

15. Print Name of Person Served VAL PAYNE	File in: <input type="checkbox"/> Confidential <input type="checkbox"/> Shelf <input type="checkbox"/> Expandable	IVE
16. Print Title of Person Served SR. ENVR. ENGR.	Refer to Record No. 0012 Date _____ In C/ 015 , 019 , Incoming	ID Number
17. Signature of Person Served Val Payne	For additional information	370

U.S. DEPARTMENT OF THE INTERIOR Office of Surface Mining Reclamation and Enforcement CESSATION ORDER Permanent Regulatory Procedures			1. Cessation Order Number 94-020-370-002 <div style="text-align: right;">TV <input type="checkbox"/></div>	
2. Name Pacificone <input type="checkbox"/> Permitted <input checked="" type="checkbox"/> No Permit		Originating Office Address O.S.M. 505 Marquette NW Suite 1200 Albany, NM 87102		
3. Mailing Address One West Center, Suite 2100 201 South Main, Salt Lake City, UT 84140-0021			Telephone Number 505-766-1486	
4. Name of Mine Cottonwood Coal Blending and Preparation Facility <input type="checkbox"/> Surface <input checked="" type="checkbox"/> Other (Specify) <u>prep plant</u> <input type="checkbox"/> Underground			5. Telephone Number 801-220-2000	
6. County Emery		7. State UT		9. Date of Inspection 9/15/94
7. Operator's Name (if other than permittee) Energy West Mining Co.			10. Time of Inspection From _____ To _____ <small>a.m. p.m. a.m. p.m.</small>	
8. Mailing Address P.O. Box 310, Huntington, UT 84528				
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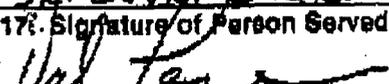
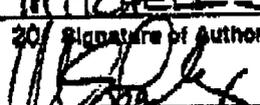
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THE UNDERSIGNED AUTHORIZED REPRESENTATIVE HEREBY FINDS THAT THIS ORDER DOES NOT ~~REQUIRE~~ DOES REQUIRE CESSATION OF MINING EXPRESSLY OR IN PRACTICAL EFFECT. Therefore, you are are not entitled to an informal public hearing on request, within 30 days after service of this Order (30 CFR 843.15).

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IMPORTANT—Please Read Information on the Back of this Page

15. Print Name of Person Served VAL PAYNE		18. Date of Service 9/15/94	
16. Print Title of Person Served SR. ENVR. ENGR.		19. Print Name of Authorized Representative MITCHELL S. ROLLINGS	
17. Signature of Person Served 		20. Signature of Authorized Representative 	ID Number 370

U.S. DEPARTMENT OF THE INTERIOR Office of Surface Mining Reclamation and Enforcement	Cessation Order Number 94-020 -370 -002
	Violation Number _____ of _____

CESSATION ORDER (CONTINUATION)

NATURE OF PERMIT CONDITION VIOLATED, PRACTICE OR VIOLATION

Failure to obtain a permit in accordance with all applicable requirements of the approved Utah program as found in the State of Utah, R645 Coal Mining Rules.

PROVISION(S) OF THE REGULATIONS, ACT OR PERMIT VIOLATED

R645-300-112.400
R645-302-261

Mark "X" in the appropriate box

- The condition, practice, or violation is creating an imminent danger to the health or safety of the public.
- The condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air or water resources.
- The permittee or operator has failed to abate Violation No. _____ of _____ included in Notice of Violation No. _____ within the time for abatement originally fixed or subsequently extended pursuant to Section 521(a)(3) of the Act.

OPERATIONS TO BE CEASED IMMEDIATELY

1. The receiving and processing of coal: This CO does not affect the "bypass" coal operations where coal of good enough quality is not processed. The receiving and processing of coal is to cease by 9/16/94 at 3:00 PM. The operator has stated that this site is in the final stages of construction and testing the new facilities. This activity has not been ceased otherwise because it would involve the processing of coal.

CORRECTIVE ACTION AND TIME FOR ABATEMENT (If Applicable -- Not Required if F.T.A)

Obtain a valid permit in accordance with all applicable requirements of the approved Utah program.

Complete by December 12, 1994.

Z

STOEL RIVES BOLEY JONES & GREY
Attorneys at Law
One Utah Center
201 S Main Street, Suite 1100
Salt Lake City, UT 84111

Telephone (801)578-69968
Telecopier (801)578-6999

TO:

Kowell Braxton
Fax #: 359-3940
Office #:

FROM:

Blake Webster
Client No.: 20072
Matter No.: 1

Client Name: ENERGY WEST
Matter Name: OSM

DATE: September 15, 1994 TIME: 4:54 pm

No. of pages (including this cover): 3

Equipment: Canon Fax L770 (24-hour automatic)

In case of error call _____ at (801)328-3131

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COMMENTS:

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U.S. DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement

Cessation Order Number
94-020 -370 -002
Violation Number 1 of 1

CESSATION ORDER (CONTINUATION)

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Complete by December 12, 1994.

2

STOEL RIVES BOLEY JONES & GREY
Attorneys at Law
One Utah Center
201 S Main Street, Suite 1100
Salt Lake City, UT 84111

Telephone (801)578-69968
Telecopier (801)578-6999

TO:

Kowell Braxton
Fax #: 359-3940
Office #:

FROM:

Blake Webster

Client No.: 20072
Matter No.: 1

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Matter Name: OSM

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COMMENTS: