

0019

OUTGOING  
C 0150019

**From:** Stephanie Dunlap  
**To:** Carter Reed; Don Ostler; James Kohler  
**Date:** 5/25/04 1:29PM  
**Subject:** Cottonwood DOGM Violation

Attached you will find the state violation that was issued by DOGM staff.

Cottonwood, N04-1-1-1, 05/11/2004

If you need a signed hard copy of any violation, please do not hesitate to contact me. Thank you.

Stephanie Dunlap  
(435) 613-5636  
[stephaniedunlap@utah.gov](mailto:stephaniedunlap@utah.gov)

**CC:** Pam Grubaugh-Littig; Sheila Morrison



NO. N 04-1-1-1

notice of violation

To the following Permittee or Operator:

Name ENERGY WEST MINING Co.

Mine COTTONWOOD WILDERY  Surface  Underground  Other

County EMERY State UTAH Telephone 435-687-4825

Mailing Address P.O. BOX 310 HUNTINGTON, UTAH 84528

State Permit No. C/015/019

Ownership Category  State  Federal  Fee  Mixed

Date of inspection MAY 10, 19 04

Time of inspection 10:00  a.m.  p.m. to 10:30  a.m.  p.m.

Operator Name (other than Permittee) \_\_\_\_\_

Mailing Address \_\_\_\_\_

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 MAY 11, 2004 Time of service/ mailing 3:00  a.m.  p.m.

DENNIS OAKLEY  
Permittee/Operator representative

\_\_\_\_\_ Title

MAILED FROM D.O.G.M. OFFICE  
Signature

JOE HEIDRICH  
Division of Oil, Gas & Mining representative

RECLAMATION SPECIALIST III  
Title

Joseph C. Ruffick  
Signature

1  
Identification Number

SEE REVERSE SIDE

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



NOTICE OF VIOLATION NO. N 04-1-1-1

Violation No. 1 of 1

Nature of violation

FAILURE TO FILE AN APPLICATION FOR PERMIT RENEWAL 120 DAYS  
PRIOR TO EXPIRATION OF THE CURRENT PERMIT TERM.

Provisions of act, regulations or permit violated

CHAPTER 10 TITLE 40, UCA 1953 et. sec. SECTION 40-10-9(4), (C)  
R645-303.232.100

Portion of operation to which notice applies

THE CURRENT PERMIT FOR THE COTTONWOOD WILBURG MINE C/015/019

Remedial action required (including any interim steps)

SUBMIT AN APPLICATION FOR PERMIT RENEWAL OF THE COTTONWOOD WILBURG  
PERMIT.

Abatement time (including interim steps)

NONE