

7-29-89
7045

0026



UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

NO. N 89-13-1-1

notice of violation

To the following Permittee or Operator:

Name SOUTHERN UTAH FUEL COMPANY

Mine CONVULSION CANYON MINE Surface Underground Other

County SEVIER State UTAH Telephone (801) 529-7428

Mailing Address 397 S. 800 W. SALINA, UT 84654

State Permit No. ACT/041/002

Ownership Category State Federal Fee Mixed

Date of inspection SEPTEMBER 27, 19 89

Time of inspection 8:00 a.m. p.m. to 3:30 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) 9/28/89

Time of service/mailling 3:00 a.m. p.m.

MIKE DAVIS.
Permittee/Operator representative

Title

Signature

J. RANDALL HARDEN
Division of Oil, Gas & Mining representative

Sr. RECLAMATION ENGINEER
Title

J. Randall Harden
Signature

#13
Identification Number

SEE REVERSE SIDE

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

1306



NOTICE OF VIOLATION NO. N 88-13-1-1

Violation No. 1 of 1

Nature of violation

FAILURE TO CONFINE MINING ACTIVITIES TO WITHIN THE APPROVED
DISTURBED AREA. FAILURE TO MINIMIZE DISTURBANCE TO SURFACE
WATER SYSTEMS. DISTURBING STOCKPILED TOPSOIL.
PLACING SOIL MATERIALS IN AN UNDISTURBED
EPHEMERAL DRAINAGE.

Provisions of act, regulations or permit violated

UMC 810.2 (G); UMC 810.2 (I); UMC 817.23 (B);
UMC 817.41 (A); UMC 817.45 (i)

Portion of operation to which notice applies

SUFCO'S WASTE ROCK DISPOSAL SITE AND ADJACENT
AREAS. UNAUTHORIZED DOZER ACTIVITY AFFECTED & DISTURBED
PORTIONS OF THE TOPSOIL STOCKPILE, AN ADJACENT UNDISTURBED
EPHEMERAL DRAINAGE, AND AREAS OUTSIDE OF THE PERIMETER MARKERS
ON THE SOUTH AND WEST SIDES OF THE SITE -

Remedial action required (including any interim steps)

1. REMOVE SOIL MATERIALS FROM EPHEMERAL DRAINAGE AND
STABILIZE CHANNEL AND EMBANKMENT.
2. REVEGETATE EPHEMERAL CHANNEL EMBANKMENT CUT BY DOZER.
3. REVEGETATE TOPSOIL STOCKPILE WHERE DISTURBED BY DOZER.

Abatement time (including interim steps)

1. CLEAR CHANNEL AND STABILIZE EMBANKMENT WITHIN 12 days
FROM INSPECTION DATE (OCT 9, 1989)
- 2, & 3. REVEGETATE BY SEEDING & MULCHING CHANNEL EMBANKMENT
AND TOPSOIL STOCKPILE WITHIN 30 days FROM THE
INSPECTION DATE (OCT 27, 1989)