

**From:** Stephanie Dunlap  
**To:** Dale Harber  
**Date:** 11/18/2005 3:45:57 PM  
**Subject:** SUFCO Mine (N05-53-1-1) DOGM Violation

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

SUFCO Mine, C/041/002, 11/14/2005, N05-53-1-1, Failure to...keep coal fines from being released into Quitchupah Creek from UPDES outfall 003.

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

Stephanie Dunlap  
(435) 613-1146 x 200  
[stephaniedunlap@utah.gov](mailto:stephaniedunlap@utah.gov)

**CC:** Carter Reed; James Kohler; Pam Grubaugh-Littig; Robert Herbert; Sheila Morrison;  
Walter Baker



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

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of

notice of violation

NO. N 05-53-1-1

To the following Permittee or Operator:

Name Canyon Fuel Company, LLC

Mine SUFCO  Surface  Underground  Other

County Sevier State Utah Telephone (435) 286-4400

Mailing Address 397 South 800 West, Salina, UT 84654

State Permit No. C 0410002

Ownership Category  State  Federal  Fee  Mixed

Date of inspection 10/13/2005, 19\_\_

Time of inspection 10:00  a.m.  p.m. to 4:00  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.

# 7002 0510 0003 8602 8482

Date of service/mailling 11/14/05 Time of service/mailling 11:00  a.m.  p.m.

Permittee/Operator representative \_\_\_\_\_ Title \_\_\_\_\_

Signature Steve Fluke Title Environmental Scientist II

Division of Oil, Gas & Mining representative \_\_\_\_\_

Signature Stu Fluke Identification Number #53

SEE REVERSE SIDE  
WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



## NOTICE OF VIOLATION NO. N 05-53-1-1

Violation No. 1 of 1

Nature of violation

Coal fines appear to have been released into the North Fork of Quitchupah Creek from UPDES outfall 003. Observed impacts to the creek were anonymously reported to DWQ on October 5, 2005. The release apparently occurred sometime prior to that date during the week prior to that date.

Provisions of act, regulations or permit violated

R645-301-731;121 Surface water protection; additional contributions of suspended solids to stream flow, prevent water pollution  
R645-301-742.111 Requirement to prevent additional contributions of suspended solids to stream flow  
R645-301-752.220, 230, 240 Sediment control measures

Portion of operation to which notice applies

Downstream of UPDES outfall 003 in the North Fork of Quitchupah Creek and Quitchupah Creek within and outside of the permit area.

Remedial action required (including any interim steps)

The Permittee shall submit to DOGM and DWQ a findings of their investigations regarding the cause of the coal fines release and a preventative action plan that addresses measures taken to control future releases.

Abatement time (including interim steps)

Within 10 days from issuance <sup>(SHE)</sup> of receipt of NOV N05-53-1-1. (no later than November 30, 2005)

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