

0056

**Document Information Form**

Mine Number: C/007/004

File Name: Incoming

To: DOGM

From:

Person N/A

Company OFFICE OF SURFACE MINING

Date Sent: N/A

Explanation:

MINE SITE EVALUATION INSPECTION REPORT

cc:

File in: C/007,004, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date \_\_\_\_\_ For additional information

United States Department of the Interior  
Office of Surface Mining  
Mine Site Evaluation Inspection Report

For Office Use Only

1a Y Y M M	1b Batch	1c Report
---------------	-------------	--------------

2. Name of Permittee AMAX COAL COMPANY				9. MSHA Number 92-00165-				10. Date of Inspection (Y Y M M D D) 920423					
3. Street Address P O BOX 3005				11. State Permit Number ACT 007 004									
4. City GILLETTE				5. State WY				12. Name of Mine CASTLE GATE					
6. Zip Code 82717		7. Area Code 307		8. Telephone Number 687-3404		13. County Code 007		14. State Code WY		15. Strata		16. State Area Office	
17. OSM Field Office No. 02		18. OSM Area Office No.		19. OSM Sample No.		20. Type of Inspection (Code) C		21. Joint Inspection Yes No X		22. Inspector's ID No. 352			

23. Status				24. Type of Activity (check applicable boxes).				
A	<input checked="" type="checkbox"/>	Type of Permit	A	<input type="checkbox"/>	Steep Slope	E	<input type="checkbox"/>	Anthracite
B	<input checked="" type="checkbox"/>	Mine Status (Code)	B	<input type="checkbox"/>	Mountain Top Removal	F	<input checked="" type="checkbox"/>	Federal Lands
C	<input checked="" type="checkbox"/>	Type of Facility (Code)	C	<input type="checkbox"/>	Prime Farmlands	G	<input type="checkbox"/>	Indian Lands
D	<input type="checkbox"/>	Number of Permitted Acres 08510.0	D	<input type="checkbox"/>	Alluvial Valley Floors	H	<input type="checkbox"/>	Other
E	<input type="checkbox"/>	Number of Disturbed Acres 0134.5						

25. Performance Standards (Codes)

Instructions: Indicate compliance code. For any standard marked 2 or 3 provide narrative to support this determination.

Standards That Limit the Effects to the Permit Area	Standards That Assure Reclamation Quality and Timeliness
A <input checked="" type="checkbox"/> Distance Prohibitions	M <input checked="" type="checkbox"/> Topsoil Handling
B <input checked="" type="checkbox"/> Mining Within Permit Boundaries	N <input checked="" type="checkbox"/> Backfilling and Grading
C <input checked="" type="checkbox"/> Signs and Markers	O <input checked="" type="checkbox"/> Following Reclamation Schedule
D <input checked="" type="checkbox"/> Sediment Control Measures	P <input checked="" type="checkbox"/> Revegetation Requirements
E <input checked="" type="checkbox"/> Design and Certification Requirements-- Sediment Control	Q <input checked="" type="checkbox"/> Disposal of Excess Spoil
F <input checked="" type="checkbox"/> Effluent Limits	R <input checked="" type="checkbox"/> Handling of Acid or Toxic Materials
G <input checked="" type="checkbox"/> Surface Water Monitoring	S <input checked="" type="checkbox"/>
H <input checked="" type="checkbox"/> Ground Water Monitoring	T <input checked="" type="checkbox"/>
I <input checked="" type="checkbox"/> Blasting Procedures	U <input checked="" type="checkbox"/>
J <input checked="" type="checkbox"/> Haul/Access Road Design and Maintenance	V <input checked="" type="checkbox"/>
K <input checked="" type="checkbox"/> Refuse Impoundments	W <input type="checkbox"/>
L <input type="checkbox"/> Other: Specify	File in: <input type="checkbox"/> Confidential <input type="checkbox"/> Shelf <input type="checkbox"/> Expandable

Refer to Record No. 0056 Date  
In C/ 007 , 004 , Incoming  
For additional information

United States Department of the Interior  
Office of Surface Mining  
Mine Site Evaluation Inspection Report

For Office Use Only

1a Y Y M M	1b Batch	1c Report
---------------	-------------	--------------

2. Name of Permittee AMAX COAL COMPANY				9. MSHA Number 42-00165-				10. Date of Inspection (Y Y M M D D) 9 2 5 4 2 3					
3. Street Address P O BOX 3005				11. State Permit Number AET 007 004									
4. City GILLETTE				5. State WY				12. Name of Mine CASTLE GATE					
6. Zip Code 82717		7. Area Code 307		8. Telephone Number 687-3404		13. County Code 007		14. State Code UT		15. Strata		16. State Area Office	

17. OSM Field Office No. 02	18. OSM Area Office No.	19. OSM Sample No.	20. Type of Inspection (Code) C	21. Joint Inspection Yes No X	22. Inspector's ID No. 352
--------------------------------	-------------------------	--------------------	------------------------------------	-------------------------------------	-------------------------------

23. Status			24. Type of Activity (check applicable boxes).		
A <input checked="" type="checkbox"/> 01	Type of Permit		A <input type="checkbox"/> Steep Slope	E <input type="checkbox"/> Anthracite	
B <input type="checkbox"/> 7	Mine Status (Code)		B <input type="checkbox"/> Mountain Top Removal	F <input checked="" type="checkbox"/> Federal Lands	
C <input type="checkbox"/> 20	Type of Facility (Code)		C <input type="checkbox"/> Prime Farmlands	G <input type="checkbox"/> Indian Lands	
D <input type="checkbox"/> 08510.0	Number of Permitted Acres		D <input type="checkbox"/> Alluvial Valley Floors	H <input type="checkbox"/> Other	
E <input type="checkbox"/> 0134.5	Number of Disturbed Acres				

25. Performance Standards (Codes)

Instructions: Indicate compliance code. For any standard marked 2 or 3 provide narrative to support this determination.

Standards That Limit the Effects to the Permit Area	Standards That Assure Reclamation Quality and Timeliness
A <input checked="" type="checkbox"/> 1 Distance Prohibitions	M <input checked="" type="checkbox"/> 1 Topsoil Handling
B <input checked="" type="checkbox"/> 1 Mining Within Permit Boundaries	N <input checked="" type="checkbox"/> 1 Backfilling and Grading
C <input checked="" type="checkbox"/> 1 Signs and Markers	O <input checked="" type="checkbox"/> 1 Following Reclamation Schedule
D <input checked="" type="checkbox"/> 2 Sediment Control Measures	P <input checked="" type="checkbox"/> 1 Revegetation Requirements
E <input checked="" type="checkbox"/> 2 Design and Certification Requirements—Sediment Control	Q <input checked="" type="checkbox"/> 2 Disposal of Excess Spoil
F <input checked="" type="checkbox"/> 1 Effluent Limits	R <input checked="" type="checkbox"/> 2 Handling of Acid or Toxic Materials
G <input checked="" type="checkbox"/> 1 Surface Water Monitoring	S <input checked="" type="checkbox"/> 1 Highwall Elimination
H <input checked="" type="checkbox"/> 1 Ground Water Monitoring	T <input checked="" type="checkbox"/> 2 Downslope Spoil Disposal
I <input checked="" type="checkbox"/> 3 Blasting Procedures	U <input checked="" type="checkbox"/> 1 Post Mining Land Use
J <input checked="" type="checkbox"/> 2 Haul/Access Road Design and Maintenance	V <input checked="" type="checkbox"/> 1 Cessation of Operations: Temporary
K <input checked="" type="checkbox"/> 2 Refuse Impoundments	W <input type="checkbox"/> Other _____
L <input type="checkbox"/> Other: Specify _____	

# United States Department of the Interior Office of Surface Mining Mine Site Evaluation Inspection Report

26. State Permit Number: ACT 007 004

27. Date of Inspection (Y M M D D): 9 2 0 4 2 3

28. Yes  No  Do mining and reclamation activities on the site comply with the plans in the permit?  
 If no, provide narrative to support this determination.

29. Indicate number of complete and partial inspections conducted by the State to date for this annual review period:

29a. 04 Number of Completes      29b. 01 Number of Partials

30. Indicate number of complete and partial inspections required by the State during this annual review period:

30a. 04 Number of Completes      30b. 00 Number of Partials

31. Has inspection frequency been met?

31a. Yes  No  Completes      31b. Yes  No  Partials

32. FEDERAL ENFORCEMENT INFORMATION. [Enter violation number. Check appropriate box(es)]

Ten-Day Notice No.	Notice of Violation No.	Cessation Order No.	Violation Codes
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Authorizations to Operate
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs and Markers
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Backfilling and Grading
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Highwall Elimination
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rills and Gullies
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Improper Fills
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Topsoil Handling
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sediment Ponds
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effluent Limits
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Monitoring
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Buffer Zones
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roads
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dams
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blasting
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Revegetation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spoil on the Downslope
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mining Without Permit
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exceeding Permit Limits
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Distance Prohibitions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toxic Materials
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Violations

33. Name of Authorized Representative (print or type): Russ Porter

Signature of Authorized Representative: <u>Russ Porter</u>	Date: <u>5-4-92</u>	<u>12 0</u>
Signature of Reviewing Official: <u>[Signature]</u>	Date: <u>5-5-92</u>	<u>07 0</u>
		<u>28 0</u>
		<u>06 0</u>

NARRATIVE INSPECTION REPORT

DATE: April 20-23, 1992

MINE: Castle Gate

PERMIT NO.: ACT/007/004

COMPANY: Amax Coal Company  
20 Northwest First Street  
One Riverfront Place  
Evansville, Indiana 47708  
(812) 421-3900

INDIVIDUALS PRESENT DURING INSPECTION: Mel Coonrod, Amax  
Richard Allison, Amax  
Steve Demczak, DOGM  
Russ Porter, OSMRE

COMPLETE INSPECTION: YES

PARTIAL INSPECTION: \_\_

WEATHER: Sunny and mild with intermittent clouds and occasional light rain.

The Castle Gate Mine is in temporary cessation and has been for some time now. Ownership of the mine has transferred to Amax Coal Company as is referenced by the current permit which was issued on June 12, 1991 and expires on December 24, 1994.

RECORDS REVIEW

Certificate of insurance: The current certificate of insurance

was issued on 4/24/92 and expires 4/01/93. The insured is Amax, Inc. including Amax Coal Company. The certificate applies to the Castle Gate Mine and has a general aggregate amount of \$6,000,000.00.

Ownership and control: The ownership and control information in the permit application at the mine was not current. The company was instructed by DOGM to update the information by May 1, 1992.

Bond: The bond on the mine is provided by the National Fire Insurance Company of Hartford in the amount of \$2,683,603.00. I was informed that the bond is in the process of being revised.

Blasting: No blasting is being done at the mine at this time nor has any been done for several years.

NPDES or discharge permit: UPDES permit #UTG040000, effective 7/01/91 and with an expiration date of 4/30/93 has been issued on the mine. The notice of intent to discharge which list the points of discharge was not present at the mine so there was no sure way to determine where discharge was allowed. The company did produce a map which they said was submitted with the notice. The map did indicate location for discharge.

Water monitoring: The 1991 annual water monitoring report was submitted to DOGM on 3/24/92 and was reviewed at the mine.

Air quality monitoring: Air quality permit #BAQE-011-87 was issued to the mine on 11/09/87. There is no expiration on this permit.

#### Certifications:

Impoundments--The annual inspection/certifications of all impoundments was submitted to DOGM on 3/24/92. All impoundments were certified.

Diversions--The diversions on the mine had all been certified. Most were done 5/31/90. The newly constructed diversions at the refuse pile were certified 1/06/92.

Roads--The primary roads were certified on 3/27/92. With the exception of Crandall Canyon it was noted that several roads exist at the mine site which do not have cross sections or specifications. This problem should be corrected under the Division Order.

Coal mine waste--The refuse area was inspected and certified on 11/24/91.

Excess spoil disposal--Not applicable.

Recent permitting actions: The permit was transferred from Castle Gate Coal Company to Amax Coal company by permit on June 12, 1991

Pending permitting actions: Division Order and Findings of Permit Deficiency was issued to the Castle Gate Mine on December 18, 1990. This document contained 26 parts which identified deficiencies the mine was not in compliance with. Of the 26 original areas of deficiency numbers 2,3,4,13,17,18,19,21, and 25 are not yet resolved.

Special conditions: Not applicable.

#### FIELD REVIEW

##### SIGNS AND MARKERS

Mine identification: Signs were posted at all mine areas with the exception of the topsoil storage area at Gravel Canyon. This needs to be posted. The mine identification signs do not currently show Amax as the permittee. The company produced documents which indicate that new mine identification signs have been ordered.

Perimeter markers: The company had been informed during a previous DOGM inspection that the perimeter markers needed to be improved. Most of this work had been accomplished but some of the markers were not located as to correctly identify the boundaries of the permit. The company was informed of this and corrections were being made.

Blasting warning: Not applicable.

Topsoil markers: The topsoil markers at the Gravel Canyon site had come down and need to be put back up. The other markers were ok.

Stream course buffer: Stream buffer signs are in place along the Price River. A few additional signs are needed to provide adequate protection.

#### HYDROLOGIC SYSTEM

Drainage control: The location of some culverts were not identified on the drainage maps nor were all ditches shown on the maps. At the preparation plant a culvert, CG-10, was shown on the drainage map but was not in place. The culverts and ditches not identified on the map are listed below:

##### Culverts

Two culverts on road crossing to Goose Island.  
Two 32" culverts at loadout below portal #4.  
One 24" culvert across from the weight station at Hardscrabble.  
A 24" culvert at the #3 mine is shown on the map as a 12".  
A 24" culvert near pond 005 at Sowbelly Canyon.  
Culverts at the beginning of the access road to Crandall Canyon.

##### Ditches

Ditch below the substation at Hardscrabble Canyon.  
Ditch behind the rock dust tank at Hardscrabble Canyon.

The above problems can be addressed under the Division Order. Another item noted was to redefine the channel of ditch CGD-13 where it intersects berm CGB-4.

Diversions: The clean water diversion at Hardscrabble Canyon had an area that had eroded or sunk to a depth of approximately 4 feet. Ditch D-2 and CGD-12 were not maintained to size. DOGM issued Notice of Violation (NOV) 92-39-3-2 addressing the above.

Impoundments: All impoundments with the exceptions of 004, 005

and 013 have been reconstructed to meet the requirements of existing regulations. All impoundments were checked during the inspection but only for any items which might cause failure. Since the final abatement of NOV 90-18-2-1 has not been reached no attempt was made to compare existing construction with the as-built drawings. It was noted that impoundments 004 and 005 still have closed single channel spillways. These impoundments are located in Sowbelly Canyon which was originally scheduled for reclamation this year but that has been postponed. Since the impoundments will remain in place for an unknown period the spillways should be reconstructed to meet current regulations. This can be required under the Division Order.

Siltation structures: The silt fence at the Hardscrabble Canyon surface personnel bathhouse does not effectively treat all of the disturbed area. DOGM addressed this under NOV 92-39-3-2.

Discharge structures: The above referenced impoundments are the discharge structures at the mine.

Small Area Exemptions: The small area exemptions (SAE) checked consisted of the electrical substations and the unit train loadout on the west side of the Price River. The unit train loadout has coal fines which need to be cleaned up and the area stabilized in order to meet the requirements of a SAE.

Surface water: The surface water sampling at the mine is done by taking grab samples, there is no monitoring equipment installed at the site. The sampling site location is identified by a sign. Since there was no equipment at the sites not all of the monitoring locations were visited.

Ground water: There are no monitoring wells at the mine. The ground water monitoring is from mine discharge.

Discharges: The only discharge noted during the inspection was coming from the old Utah Fuels Adit #1. This discharge was running into pond 010. Pond 010 was not discharging.

Protected stream channels: The waiver to mine within 100 feet of a protected steam channel could not be located. The protected channels need to be identified on maps along with the disturbance

boundary and specifically those areas of disturbance closer than 100 feet of the protected channel.

#### HAUL/ACCESS ROADS:

Surfacing: Road surfacing appears to be adequate given the inactivity at the mine.

Maintenance: Normal road maintenance should be practiced to insure against environmental degradation.

Ditches and culverts: All culverts checked during the inspection were functional. Some evidenced recent cleaning.

Reclamation: The reclamation checked was in Hardscrabble Canyon. It is not meant to be final and is intended for stabilization only. Some of the vegetation was sparse in areas although no significant erosion was present. If the reclamation is used as final then improvements will need to be made to the overall success of the vegetation.

#### TOPSOIL

Removal: None being removed.

Placement: None being place.

Storage: No problems noted with the storage of topsoil in Gravel Canyon.

Substitutes: None being used at this time.

#### BACKFILLING AND GRADING

Contemporaneous reclamation: No reclamation occurring at this time. The next most likely area to be reclaimed will be the Sowbelly Canyon site.

A. O. C.: Not completed at this time.

Highwall elimination: The company is proposing to eliminate only those highwalls within 50 feet of either side of the mine portals. This has not been finalized nor excepted by DOGM.

Stabilization: Acceptable at the present time.

Handling of acid and toxic materials: None being done at this time. There were several underground transformers containing PCBs' which are now stored on the surface. The company informed me that these should be off the site by the end of May.

#### REVEGETATION

Seeding: None being done at this time.

Mulching: None being done at this time.

Success: Not checked. See contemporaneous reclamation above.

Timing: Not applicable.

#### COAL MINE WASTE

Drainage control: New diversion ditches have been recently completed at the refuse storage area. These were done to abate an NOV issued by DOGM.

Surface stabilization: No problems stabilization were noted.

Placement: Not active at this time.

Impounding structures: Pond 013 treats the drainage area of the refuse pile. No problems were note with the stability of pond 013.

#### DISTANCE PROHIBITIONS

Roads: A waiver to mine within 100 feet of a public road was not found. A company representative informed me that the maps distinguishing between mine roads and county roads was inaccurate. This map will need to be corrected to show actual ownership and responsibility of roads in the vicinity of the mine.

Dwellings: No occupied dwellings are located within the mine or closer than 300 feet of the mine.

Public buildings, churches, schools, etc.: None within the 300 feet limit.

Cemeteries: It is my understanding that there is one cemetery located in the mine area but it is farther than 100 feet of any surface disturbance. It was not visited during the inspection.

Protected public lands: Not applicable.

#### SUBSIDENCE

Monitoring was not being done for <sup>some</sup> time but DOGM has required that monitoring be resumed. Surveying of the monuments began in the fall of last year and will be completed when conditions allow this year. It should be possible to access the monuments now and the company should complete the work as soon as possible.

#### CURRENT ACTIVITIES

Active pits: Not applicable.

Seams being mined: None

Highwall existing: Roads and portal areas.

Acres disturbed: <sup>134.5</sup>~~144~~ acres.

#### EXISTING ENFORCEMENT ACTIONS

DOGM has the following enforcement actions from previous inspections still outstanding.

1. NOV 91-28-2-1, failure to comply with the terms of the Division Order dated December 18, 1990.
2. NOV 92-28-1-1, failure to construct and operate in accordance with approved plans and requirements for sediment ponds. Pertains to pond 012B.

#### ENFORCEMENT ACTIONS FROM THIS INSPECTION

DOGM issued NOV 92-39-3-2 as a result of this inspection. There were two parts:

1. Failure to maintain diversions to design standards of the mine plan.
2. Failure to prevent to the extent possible, additional contributions of sediment to the stream flow.

#### OTHER

The Division Order which was issued in December 1990 and covers 26 different sections of the regulations is still in litigation. All of the items identified during this inspection which were found not to be in compliance with the regulations, with the exceptions of those stated in the above enforcement action, will fall under the Division Order. It is incumbent that DOGM and the company insure that these deficiencies are addressed. If the final outcome of the litigation on the Division order does not allow DOGM to require compliance with the identified deficiencies then DOGM should take the appropriate enforcement action to insure compliance.

MSEIR: Those blocks in item 25 marked with a "2" have been explained above and those marked with a "3" were not applicable for the purposes of this inspection.