



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING



INSPECTION REPORT

gh

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
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Division Director

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Partial: \_\_\_ Complete: X Exploration: \_\_\_
Inspection Date & Time: February 12, 1998 10 to 2
Date of Last Inspection: 1/29/98

Mine Name: Hiawatha Complex County: Carbon Permit Number: ACT/007/011
Permittee and/or Operator's Hiawatha Coal Company, Inc.
Business Address: 3212 South State Street, Salt Lake City, Utah 84115
Type of Mining Activity: Underground X Surface \_\_\_ Prep. Plant \_\_\_ Other \_\_\_
State Officials(s): Joe Helfrich, Ken Wyatt, and Susan White
Company Official(s): Elliot Finley
Federal Official(s):

Weather Conditions: Cold and clear
Existing Acreage: Permitted-12707 Disturbed-290 Regraded-\_\_\_ Seeded-\_\_\_ Bonded-290
Increased/Decreased: Permitted-\_\_\_ Disturbed-\_\_\_ Regraded-\_\_\_ Seeded-\_\_\_ Bonded-\_\_\_
Status: \_\_\_Exploration/\_\_\_Active/\_\_\_Inactive/\_\_\_Temporary Cessation/\_\_\_Bond Forfeiture
Reclamation (\_\_\_Phase I/\_\_\_Phase II/\_\_\_Final Bond Release/\_\_\_Liability \_\_\_Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- 1. Substantiate the elements on this inspection by checking the appropriate performance standard.
a. For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

Table with 5 columns: Item, EVALUATED, N/A, COMMENTS, NOV/ENE. Rows include categories like PERMITS, CHANGE, TRANSFER, RENEWAL, SALE; SIGNS AND MARKERS; TOPSOIL; HYDROLOGIC BALANCE; DIVERSIONS; SEDIMENT PONDS AND IMPOUNDMENTS; etc.

## INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/011

DATE OF INSPECTION: 2/12/98

(Comments are Numbered to Correspond with Topics Listed Above)

Eight to 24 inches of snow covered the disturbed area. The Middle Fork road was plowed to the facilities area.

### 1. PERMITS, CHANGE, TRANSFER, SALE

The permit transfer from US Fuel to Hiawatha Coal Company was dated effective December 12, 1997. The issued Permit is conditioned upon adequately addressing all of the deficiencies in the Division Order 97A, issued February 20, 1997. A final response to the Division Order was submitted September 10, 1997. The Division sent out a list of deficiencies on February 9, 1998. Two maps were approved which were associated with the Division Order. The approval letter from the Division stated that Exhibit V-7, Post and Pre-Law South Fork was approved. This should be corrected to state Exhibit V-7A, Post and Pre-Law South Fork is approved and not Exhibit V-7 which is Storage and Waste Facilities, South Fork.

The permit effective dates are December 12, 1997 to March 14, 2002.

### 2. SIGNS AND MARKERS

Signs for the refuse piles and slurry ponds were new and just replaced. The permit entry sign had been removed and the new sign was to be picked up and put up the next day.

### 4. HYDROLOGIC BALANCE:

- a. Diversions Diversions were under snow and not observed.
- b. Sediment Ponds and impoundments Fourth quarter 1997 records were observed for pond inspections. Sediment Ponds were inspected as required on December 31, 1997 by Elliot Finley with no problems noted. Weekly MSHA pond inspections were conducted weekly as required for Slurry Ponds 1, 4, 5 and 5A.
- c. Other sediment control measures Other sediment controls were under snow.
- d. Water Monitoring UPDES monitoring points were reported as required for the fourth quarter. Only monitoring point 001 and 002 from the Moorland Mine had discharge. All non-UPDES Streams and springs were monitored as required and were inspected during the December

## INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/011

DATE OF INSPECTION: 2/12/98

inspection. Mr. Finley was advised that DEQ who administers the UPDES permit must be notified of the permit transfer. The DHRM forms should be changed to reflect the new ownership.

Oil and grease were observed on the ground around the equipment shop area. Five gallon drums and 55 gallon drums should be placed within a bermed area to control any leakage. The berm should be in place by the next inspection.

### 7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

Refuse inspection reports were observed for refuse piles 1, 4, 5, and 5A which were inspected December 31, 1997. Pile 1 is currently inactive, however the Operator states that when mining begins again this will be the active pile. Refuse piles 4 and 5 are in reclamation and 5A serves as a sediment pond.

### 8. NONCOAL WASTE

Hiawatha Coal Company has begun to inventory scrape equipment and "junk" laying around the site which was sold to A-Fab from U.S. Fuel. The Operator stated that they will have a salvage sale if the "junk" is not removed soon.

### 21. BONDING AND INSURANCE

General Liability Insurance for the Hiawatha complex is issued by American States Insurance Co., policy number 01CE30877310. The policy is issued November 24, 1997 and will expire November 24, 1998.

The bond for \$2,838,000 is in the form of an Irrevocable Letter of Credit, No. S005519 held by Bank One, Arizona, NA. The Permit states that the Letter of Credit is held by Bank One Utah, NA.

Copy of this Report:

Mailed to: OSM, Elliot Finley, Hiawatha Coal Company

Given to: Joe Helfrich (DOGM)

Inspector's Signature: Susan White

#35 Date: 2/17/98



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Partial: X Complete:      Exploration:       
Inspection Date & Time: 1/29/98 12:30 to 3:00 p.m.  
Date of Last Inspection: 10/20/97

Mine Name: Hiawatha Complex County: Carbon Permit Number: ACT/007/011

Permittee and/or Operator's Hiawatha Coal Co.

Business Address: 3212 South State Street, Salt Lake City, Utah 84115

Type of Mining Activity: Underground X Surface      Prep. Plant      Other     

State Official(s): Susan White

Company Official(s): Elliot Finley

Federal Official(s): None

Weather Conditions: Cloudy and cool/cold

Existing Acreage: Permitted-12707 Disturbed-290 Regraded-     Seeded-     Bonded-290

Increased/Decreased: Permitted-     Disturbed-     Regraded-     Seeded-     Bonded-    

Status:      Exploration/     Active/     Inactive/     Temporary Cessation/     Bond Forfeiture

Reclamation (     Phase I/     Phase II/     Final Bond Release/     Liability      Year)

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3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	<u>EVALUATED</u>	<u>N/A</u>	<u>COMMENTS</u>	<u>NOV/ENF</u>
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June) <u>    </u> (date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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(Continuation sheet)

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South facing portions of the Slurry Pond areas were clear of snow. Mostly the site and associated diversions were covered with snow. North, Middle and South Forks were not accessible.

### 1. Permits

The Permittee's final response to the permit stipulated Division Order was September 1997. The Division has prepared a response to the Division Order to be finalized shortly. During this inspection, this inspector, informally reviewed with Mr. Finley some of the deficiencies associated with the submitted maps.

Historic Resources were discussed and the possibility of nominating the mine site to the Historic Register. A survey done by a qualified Historian is required and part of the Division Order. After this inspection, this inspector, left messages with SHPO and Kirby Foster, OSM Historian, about the possibility of an on site meeting.

### 2. Topsoil

The entire topsoil borrow area had been seed with an interim seed mixture. A small area on Slurry Pond 5 which was topsoiled was not seeded. The Operator stated that the topsoil was not deep enough and that additional work needed to be done this spring.

### 8. Noncoal Waste

Five gallons oil drums and drip pans were found stored in an uncontrolled manner at the Heavy Equipment Yard. Mr. Finley took care of the problem prior to the end of this inspection. No violation was issued. Mr. Finley stated that they intended to build storage racks for the oil drums.

### 13. Revegetation

Trespass cattle were observed on the refuse piles. The need for a fence or some other type of control was discussed with Mr. Finley.

Copy of this Report:

Mailed to: OSM, Elliot Finley, Hiawath Coal Co.

Given to: Joe Helfrich (DOGM)

*Susan M. White #35 2/6/98*



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December 1, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor 

FROM: Paul Baker, Reclamation Biologist

Re: Hiawatha Seed Mix, Hiawatha Coal Company, Hiawatha Complex, ACT/007/011, Folder #2, Carbon County, Utah

On November 17, 1998, I received an electronic mail message from Elliott Finley indicating Hiawatha Coal Company's seed supplier was not able to obtain seed of two species in the seed mixtures for the slurry pond and soil borrow areas. The unavailable species were fringed sage and northern sweetvetch.

The dealer suggested black sage be used in place of fringed sage and that sainfoin be used instead of northern sweetvetch. While the approved species would be expected to perform better, the species proposed are adapted to the site and are considered compatible with the postmining land use. Sainfoin is introduced, but it is not an aggressive species and should not dominate the site. In fact, it looks much like northern sweetvetch.

The mining and reclamation plan allows some flexibility in the seed mix, so the changes can be approved without an amendment. However, they should be documented in the annual report.