

C/007/011 Incoming  
CC: Karl



## United States Department of the Interior

OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
Western Region Office  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050



July 13, 2015

Dana Dean  
Department of Natural Resources  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116

RECEIVED  
JUL 16, 2015  
DIV. OF OIL, GAS & MINING

Dear Ms. Dean,

I have enclosed copies of OSMRE's inspection report for the Hiawatha Mine (Complete) that was conducted the week of May 11, 2015.

If you have any questions regarding these reports, please do not hesitate to contact me at (303) 293-5046.

Sincerely,

Spencer Shumate  
Natural Resources Specialist, Denver Field Branch

Attachment: Copy Hiawatha Mine Complete Inspection Report



**U.S. DEPT. OF THE INTERIOR  
OFFICE OF SURFACE MINING  
Mine Site Evaluation  
State Program**



1. Permittee/Person <b>HIAWATHA COAL COMPANY INCORPORATED</b>		9. Permit Number <b>C0070011</b>	10. Permit Type <b>PP</b>
2. Address <b>P.O. BOX 1202</b>		11. Field Visit Date <b>5/11/2015</b>	12. Purpose <b>OC</b>
3. City <b>HUNTINGTON</b>		13. SRA Present <b>Y</b>	
4. State <b>UT</b>		14. Permit Status <b>IN</b>	15. Site Status <b>TC</b>
5. Zip Code <b>84528</b>	6. Phone Number <b>(435) 637-1778</b>	16. Facility Type <b>B</b>	
7. Operator Name, if Different than Permittee <b>HIAWATHA COAL COMPANY INCORPORATED</b>		17. OSM Office # <b>141</b>	18. CCID # <b></b>
8. Mine Name <b>HIAWATHA</b>		19. Land Code <b>F</b>	
		20. M.S.I.A. ID # <b></b>	21. State Abbrev. <b>UT</b>
		22. County/Burrough <b>CARBOX</b>	
		23. AVS Permittee Entity ID Number <b>144578</b>	24. State Office <b></b>

25. Hours

4.0	a. Permit Review
6.0	b. Site Visit Time
7.0	c. Travel Time
4.0	d. Report Writing

26. Signature Block

*John Shumate*  
Signature:

**John Shumate, ID#545**  
Printed Name:

Date: **7/13/2015**

27. Reviewing Official:

*Alan Boehm*  
Signature:

Review Date: **07-13-2015**  
mm - dd - yyyy

Is Supplemental MSE Page Used Y/N  Y

Permit Type - Item 10 IP = Interim Program PP = Permanent Program NP = No Permit  
 Purpose Type Codes - Item 12  
 Oxx...Oversight RFX...Reclamation Fees CCR...Citizen Complaint Referral (non-site visit)  
 Axx...Assistance Fxx...Federal Actions CC...Citizen Complaint (initial site visit)  
 Joint Inspection - Item 13 A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site  
 CCF...Assistance

Permit Status - Item 14  
 A Active: Coal mining activities occurring or permitted but not yet disturbed.  
 IN Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations, (Interim Program Permit): Coal mining completed and reclamation activities initiated.  
 BR Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release).  
 AB Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g).  
 AB1 Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced.  
 AB2 Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.  
 AB3 Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.  
 NA Not Applicable: When site is unpermitted.

Site Status - Item 15  
 ND No Disturbance: No coal mining and reclamation operations have been started.  
 EX Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.  
 AP Active Coal Producing: Coal surface mining activities are occurring.  
 AN Active Non-Producing: Active non-producing facility such as tipple or preparation plant.  
 NM No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.  
 MC Mining Complete: No mining activity on site, site regraded and awaiting bond release.  
 TC Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.13(b).  
 P1 Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.  
 P2 Phase II Release: At least Phase II bond release for the entire permitted area.  
 P3 Phase III Release: Reclamation completed and the RA has released all bond.  
 NS Non-Site Visit: Status of site not determined.  
 FP Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.  
 FR Forfeited and Reclaimed: Forfeiture reclamation completed.  
 FO Abandoned Site: Abandoned site that is permitted but there is no bond.  
 WC Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

Facility Type Codes - Item 16  
 A...Surface D...Ancillary (Haulroad, Conveyor, and/or Rails)  
 B...Underground E...Refuse and/or Impoundment  
 C...Preparation Plant F...Loading Facility and/or Tipple  
 G...Stockpiles  
 H...Exploration Permits  
 I...Notice of Intent to Explore  
 J...Exempt 16 and 2/3  
 K...Government Financed Construction Exemption  
 L...Remaining site permitted under 30 CFR 785.25

**Small Business Regulatory Enforcement Fairness Act (SBREFA)**  
**Your Comments are Important**

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

U.S. DEPT. OF THE INTERIOR  
OFFICE OF SURFACE MINING  
Mine Site Evaluation

Permittee/ Person	BIAWATHA COAL COMPANY INCORPORATED	Permit Number	C0070011	Field Visit Date	5/11/2015	State Program Continuation Page
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## 28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

<b>A. Administrative</b> 1. <u>1</u> Mining within Valid Permit 2. <u>   </u> Mining within Bonded Area 3. <u>   </u> Terms & Conditions of Permit 4. <u>1</u> Liability Insurance 5. <u>   </u> Ownership and Control 6. <u>1</u> Temporary Cessation 7. <u>   </u> AML Rec. Fees - Non-Respondent 8. <u>   </u> AML Rec. Fees - Failure to Pay  <b>B. Hydrologic Balance</b> 1. <u>1</u> Drainage Control 2. <u>1</u> Inspections & Certifications 3. <u>   </u> Siltation Structures 4. <u>   </u> Discharge Structures 5. <u>   </u> Diversions 6. <u>   </u> Effluent Limits 7. <u>   </u> Ground Water Monitoring 8. <u>   </u> Surface Water Monitoring 9. <u>   </u> Drainage - Acid-Toxic Materials 10. <u>1</u> Impoundments 11. <u>   </u> Stream Buffer Zones  <b>C. Topsoil &amp; Subsoil</b> 1. <u>   </u> Removal 2. <u>   </u> Substitute Materials 3. <u>1</u> Storage and Protection 4. <u>   </u> Redistribution	<b>D. Backfilling &amp; Grading</b> 1. <u>   </u> Exposed Openings 2. <u>   </u> Contemporaneous Reclamation 3. <u>   </u> Approximate Original Contour 4. <u>   </u> Highwall Elimination 5. <u>   </u> Steep Slopes (includes downslope) 6. <u>   </u> Handling of Acid and Toxic Materials 7. <u>1</u> Stabilization (fills and gullies)  <b>E. Excess Spoil Disposal</b> 1. <u>   </u> Placement 2. <u>   </u> Drainage Control 3. <u>   </u> Surface Stabilization 4. <u>   </u> Inspections & Certifications  <b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b> 1. <u>   </u> Drainage Control 2. <u>   </u> Surface Stabilization 3. <u>   </u> Placement 4. <u>   </u> Inspections & Certifications 5. <u>   </u> Impounding Structures  <b>G. Use of Explosives</b> 1. <u>   </u> Blaster Certification 2. <u>   </u> Distance Prohibitions 3. <u>   </u> Blast Survey/Schedule 4. <u>   </u> Warnings & Records 5. <u>   </u> Control of Adverse Effects	<b>H. <u>   </u> Subsidence Control Plan</b>  <b>I. Roads</b> 1. <u>1</u> Road Construction 2. <u>   </u> Certification 3. <u>1</u> Drainage 4. <u>1</u> Surfacing and Maintenance 5. <u>   </u> Reclamation  <b>J. Signs &amp; Markers</b> 1. <u>1</u> Signs 2. <u>1</u> Markers  <b>K. <u>   </u> Distance Prohibitions</b>  <b>L. Revegetation</b> 1. <u>1</u> Vegetative Cover 2. <u>   </u> Timing  <b>M. <u>   </u> Postmining Land Use</b>  <b>N. Other</b> General Performance Category _____ _____ _____
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### Performance Standard Categories 30 CFR Counterparts

<b>A. Administrative</b> ..... 1. Valid Permit ..... 773.11 2. Mining within Bonded Area ..... 773.11 3. Terms & Conditions of Permit ..... 773.17 4. Liability Insurance ..... 800.60 5. Ownership and Control ..... 778.13 6. Temporary Cessation ..... \$42.11(e) & \$16 817.131 7. AML Rec. Fees - Non-Respondent ..... \$70.15(b) 8. AML Rec. Fees - Failure to Pay ..... \$70.15(a) <b>B. Hydrologic Balance</b> ..... (816/817.41-57) 1. Drainage Control ..... 45 2. Inspections & Certifications ..... 49(a)(10) 3. Siltation Structures ..... 46 4. Discharge Structures ..... 47 5. Diversions ..... 43 6. Effluent Limits ..... 42 7. Ground Water Monitoring ..... 41(c) 8. Surface Water Monitoring ..... 41(e) 9. Drainage - Acid - Toxic Materials ..... 41(f) 10. Impoundments ..... 49 11. Stream Buffer Zones ..... 57 <b>C. Topsoil &amp; Subsoil</b> ..... (816/817.22) 1. Removal ..... 22(a) 2. Substitute Materials ..... 22(c) 3. Storage and Protection ..... 22(c) 4. Redistribution ..... 22(d) <b>D. Backfilling &amp; Grading</b> ..... \$16/817.95-107) 1. Exposed Openings ..... \$16 817.13, 14, 15, & 25.11 & 21 2. Contemporaneous Reclamation ..... 100 3. Approximate Original Contour ..... 102(a)(1) 4. Highwall Elimination ..... 102(a)(2) 5. Steep Slopes (includes downslope) ..... 107 6. Handling of Acid & Toxic Materials ..... 102(c) 7. Stabilization (fills and gullies) ..... 95(b)	<b>E. Excess Spoil Disposal</b> ..... (\$16/817.71-74) 1. Placement ..... 71(e) 2. Drainage Control ..... 71(f) 3. Surface Stabilization ..... 71(g) 4. Inspections & Certifications ..... 71(h) <b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b> ..... \$16/817.81-84) 1. Drainage Control ..... 83(a) 2. Surface Stabilization ..... 83(b) 3. Placement ..... 83(c) 4. Inspections and Certifications ..... 83(d) 5. Impounding Structures ..... 84 <b>G. Use of Explosives</b> ..... (816/817.61-68) 1. Blaster Certification ..... 61(c) 2. Distance Prohibitions ..... 61(d) 3. Blast Survey Schedule ..... 62-64 4. Warnings & Records ..... 66 & 68 5. Control of Adverse Effects ..... 67 <b>H. Subsidence Control Plan</b> ..... (817.121-122) <b>I. Roads</b> ..... (816/817.150-151) 1. Road Construction ..... 150(c) 2. Certification ..... 151(a) 3. Drainage ..... 150(b)-151(d) 4. Surfacing and Maintenance ..... 150(e)-151(d) 5. Reclamation ..... 150(f) <b>J. Signs &amp; Markers</b> ..... \$16/817.11) 1. Signs ..... 11(a),(b),(c) 2. Markers ..... 11(a),(b),(d),(e),(f) <b>K. Distance Prohibitions</b> ..... (761.11) <b>L. Revegetation</b> ..... (816/817.111-116) 1. Vegetative Cover ..... 111 & 116 2. Timing ..... 113 <b>M. Postmining Land Use</b> ..... (816/817.133)
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**OSM Action**  
 1) Deferred to State Action  
 2) TON Issued  
 3) NOV Issued  
 4) FTA/CO Issued  
 5) HI/CO Issued  
 6) ID/CO Issued (Imminent Danger to Public)  
 7) Previously cited by FIA, abatement pending  
 8) Abated during or before OSM inspection  
 9) Follow-up of Federal Action  
 0) Off-site impact with no violation

**Off-Site Impacts**  
 For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:  
 N - Minor Occurrence  
 D - Moderate Occurrence  
 J - Major Occurrence

## **Hiawatha Mine Complete Oversight Inspection Report**

Utah Division of Oil, Gas and Mining (DOGGM) Permit ID # C/007/0011

### **Date:**

Monday, May 11 10:15 am – 3:30 pm

### **Participants:**

Karl Houskeeper, DOGM

Dana Jenkins, Hiawatha Coal Co, Inc.

Tom Medlin, Office of Surface Mining Reclamation and Enforcement (OSMRE)

Spencer Shumate, OSMRE (#541)

Charles Reynolds, Hiawatha Coal Co, Inc.

### **Weather:**

Clear, cool, and sunny.

### **Background:**

The Hiawatha Mine is currently not producing coal from the underground mine. Coal fines are being recovered from one of the slurry ponds at the present time.

The Hiawatha Mines Complex is located on the east side of the Wasatch Plateau Coal Field, approximately 15 miles southwest of Price, Utah. The permit area encompasses over 12,000 acres and is located south of the Star Point Mines. Federal coal leases as well as fee coal are involved with this mine complex. All underground mining has ceased, the portals are sealed, and reclamation was initiated on the refuse pile and continues. The permit for this mine complex was transferred from the U.S. Fuel Company to Hiawatha Coal Company on December 12, 1997. Presently, a total of 106.5 acres of reclaimed acreage is under consideration for Phase I bond release.

The mine has been in temporary cessation since 1997.

This was a complete oversight inspection of the Hiawatha Mine and permit areas. Administrative review of pertinent records was conducted prior to and upon conclusion of this field inspection. The inspection began with a records check at approximately 10:15 am. The field inspection began at approximately 11:00am and concluded with a closeout discussion at approximately 3:30 pm.

### **Records Check:**

- The permit is valid through 2017.
- The bond is in the amount of \$1.961 million and was most recently calculated in 2010 as part of the midterm review.
- The insurance certificate satisfies all requirements and is valid through 3/8/2016
- The UPDES permit is extended through 4/2016.
- Quarterly pond inspections on file and were most recently conducted in April of this year.
- The SPCC plan (4/30/2015)
- A letter from Carbon County dated 9/26/1990 provides for coal haulage on Nine Mile Canyon Road.

- Annual Reports (on file)
- Enforcement Actions (on file)
- Reclamation Agreement (5/5/2010)
- Air Quality Permit (on file)
- Annual/Qtr. Pond Inspections (on file)
- UPDES Records (on file)
- 

**Signs and Markers:**

All entrances to the Hiawatha Mine permit area, topsoil storage area, refuse piles and slurry ponds displayed proper mine identification signs.

**Hydrologic Balance:**

*Left and Middle Fork Drainage*

Inspected the ditch for stability and functionality. Construction was underway to repair various reaches of the Left and Middle Fork drainage due to a localized rain event in July of 2012. This design event was preceded the same month by a severe forest fire located in the contributing watershed. It is understood that work will continue throughout the summer in order to repair the drainages as designed.

***Pond D003***

Inspected the pond for stability and functionality. This included the inlet structure, principle spillway, emergency spillway. No areas of concern were identified at the time of inspection.

***Pond D004***

Inspected the pond for stability and functionality. This included the inlet structure, principle spillway, emergency spillway. No areas of concern were identified at the time of inspection.

***Pond D006***

Inspected the pond for stability and functionality. This included the inlet structure, principle spillway, emergency spillway. No areas of concern were identified at the time of inspection.

***Pond D008***

Inspected the pond for stability and functionality. This included the inlet structure, principle spillway, emergency spillway. No areas of concern were identified at the time of inspection.

***Pond D009***

Inspected the pond for stability and functionality. This included the inlet structure, principle spillway, emergency spillway. No areas of concern were identified at the time of inspection.

***Pond D011***

Inspected the pond for stability and functionality. This included the inlet structure, principle spillway, emergency spillway. No areas of concern were identified at the time of inspection.

***Slurry Pond #1***

Slurry Pond #1 was dry at the time of inspection. Remining operation of fine coal refuse has taken place and backfill and grading are expected to commence ASAP. Significant non-coal waste was observed within the Slurry Pond impoundment which included glass bottles, rubber, and iron. It is OSMRE's understanding that this material is considered to be "Pre-Law" non-coal waste by the operator and DOGM since this material was not discovered until the Slurry Pond was drained and remining took place. Nevertheless, a conference call was established between DOGM and OSMRE to discuss this unique scenario with regard to reclamation. As a result, it is understood that before backfilling and grading is allowed to take place, the operator will need to remove any non-coal waste that is currently visible and ensure that storage/disposal of the non-coal waste is carried out in accordance with the approved permit. See Figures 1-4.

***Slurry Pond #5***

Slurry Pond #5 was dry at the time of inspection. Remining operations of fine coal refuse have taken place and backfill and grading are expected to commence ASAP. See Figure 5.

**Maintenance Items**

1. Repair TS sign a Mine Fan TS storage area;
2. Remove non-coal waste associated with Slurry Pond #1 and dispose/store in accordance with the approved permit;
3. Ensure that any runoff associated with Slurry Pond #5 is controlled in ditch DD-5 that reports to sediment pond #6;
4. Ensure that repair of Left and Middle Fork drainages are repaired ASAP.

**Enforcement Actions / Programmatic Compliance**

No enforcement actions were taken as a result of this inspection, nor are any pending.

**I&E Inspection Photos**

Permit: C0070011      Inspection Date: 5/11/2015

Permittee: HIAWATHA COAL COMPANY INCORPORATED



**Notes:**

Noncoal waste discovered during remining at slurry pond #1.

Photo ID: 22622

Photographer: SMJSHUMATE

Date Taken: 5/11/2015

State: UT

County: CARBON

Latitude: 39.48366611

Longitude: -  
111.00115167

Subject: SLURRY POND #1

Mine Name: HIAWATHA



**Notes:**

Noncoal waste discovered during remining at slurry pond #1.

Photo ID: 22623

Photographer: SMJSHUMATE

Date Taken: 5/11/2015

State: UT

County: CARBON

Latitude: 39.48365639

Longitude: -  
111.00112111

Subject: SLURRY POND #2

Mine Name: HIAWATHA

I&E Inspection Photos

Permit: C0070011      Inspection Date: 5/11/2015

Permittee: HIAWATHA COAL COMPANY INCORPORATED



Notes:

Noncoal waste discovered during remining at slurry pond #1.

Photo ID: 22624

Photographer: SMJSHUMATE

Date Taken: 5/11/2015

State: UT

County: CARBON

Latitude: 39.48365333

Longitude: -

111.00111639

Subject: SLURRY POND #1

Mine Name: HIAWATHA



Notes:

Noncoal waste discovered during remining at slurry pond #1.

Photo ID: 22625

Photographer: SMJSHUMATE

Date Taken: 5/11/2015

State: UT

County: CARBON

Latitude: 39.48365383

Longitude: -

111.00114194

Subject: SLURRY POND #1

Mine Name: HIAWATHA

**I&E Inspection Photos**

Permit: C0070011      Inspection Date: 5/11/2015

Permittee: HIAWATHA COAL COMPANY INCORPORATED



**Notes:**

Pond has completed remining and is ready to begin backfilling and grading.

Photo ID: 22626

Photographer: SMJSHUMATE

Date Taken: 5/11/2015

State: UT

County: CARBON

Latitude: 39.46830278

Longitude: -  
111.00012167

Subject: SLURRY POND #5

Mine Name: HIAWATHA