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ACT1007H013 compliance



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

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1. Permittee/Person UTAHAMERICAN ENERGY, INC.		9. Permit Number UT-007-013		10. Permit Type PP	
2. Address P.O. BOX 986		11. Field Visit Date 12/21/1999 mm - dd - yyyy		12. Purpose O	
3. City Price		4. State UT		13. SRA Present Y	
5. Zip Code 84501		6. Phone Number (435) 613-0393		14. Permit Status IN	
7. Operator Name, if Different than Permittee		15. Site Status AN		16. Facility Type B	
8. Mine Name HORSE CANYON MINE		17. OSM Office # 140		18. CCID #	
		20. M.S.H.A ID #		19. Land Code F	
		21. State Abrev. UT		22. County Name CARBON	
		23. AVS Permittee Entity ID Number		24. State Office	
25. Hours		26. Signature Block		27. Reviewing Official:	
<input type="text" value="2.0"/> a. Permit Review <input type="text" value="4.0"/> b. Site Visit Time <input type="text" value="14.0"/> c. Travel Time <input type="text" value="2.0"/> d. Report Writing		 Signature: HENRY AUSTIN ID # 116 1/4/2000 Printed Name: Date: <input type="text" value="01/04/2000"/>		 Signature: Review Date: <input type="text" value="1 17/00"/> mm - dd - yyyy Is Supplemental MSE Page Used Y/N <input checked="" type="checkbox"/>	

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)
		CCF.... Citizen Complaint Follow-up

Joint Inspection — Item 13 A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

Permit Status — Item 14

A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.	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)
IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.	AB1.. Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.
BR... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)	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 Codes — Item 15

ND... No Disturbance: No coal mining and reclamation operations have been started.	MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.	NS... Non-Site Visit: Status of site not determined.
EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.	TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).	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.
AP.. Active Coal Producing: Coal surface mining activities are occurring.	P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.	FR.. Forfeited and Reclaimed: Forfeiture reclamation completed.
AN.. Active Non-Producing: Active non-producing facility such as tippie or preparation plant.	P2.. Phase II Release: At least Phase II bond release for the entire permitted area.	FO.. Abandoned Site: Abandoned site that is permitted but there is no bond.
NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.	P3.. Phase III Release: Reclamation completed and the RA has released all 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)	H... Exploration Permits	L... Remining site permitted under 30 CFR 785.25
B... Underground	E... Refuse and/or Impoundment	I... Notice of Intent to Explore	
C... Preparation Plant	F... Loading Facility and/or Tippie	J... Exempt 16 and 2/3	
	G... Stockpiles	K... Government Financed Construction Exemption	

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

State Program
Continuation Page

Permittee/ Person UTAHAMERICAN

Permit Number UT-007-013

Field Visit Date 12/21/1999

28. Performance Standard Categories

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

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

Performance Standard Categories 30 CFR Counterpart

A. Administrative.....(816/817.22) 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.....842.11(e) & 816/817.131 7. AML Rec. Fees -- Non-Respondant.....870.15(b) 8. AML Rec. Fees -- Failure to Pay.....870.15(a)	E. Excess Spoil Disposal.....(816/817.71-74) 1. Placement.....71(e) 2. Drainage Control71(f) 3. Surface Stabilization.....71(g) 4. Inspections & Certifications.....71(h)
B. Hydrologic Balance.....(816/817.41-57) 1. Drainage Control.....45 2. Inspections & Certifications.....49(a)(10) 3. Siltation Structures.....46 4. Discharge Structures47 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	F. Coal Mine Waste (Refuse Piles/Impoundments)(816/817.81-84) 1. Drainage Control83(a) 2. Surface Stabilization.....83(b) 3. Placement.....83(c) 4. Inspections and Certifications.....83(d) 5. Impounding Structures.....84
C. Topsoil & Subsoil.....(816/817.22) 1. Removal.....22(a) 2. Substitute Materials.....22(c) 3. Storage and Protection.....22(c) 4. Redistribution.....22(d)	G. Use of Explosives.....(816/817.61-68) 1. Blaster Certification.....61(c) 2. Distance Prohibitions.....61(d) 3. Blast Survey/Schedule.....62-64 4. Warnings & Records66 & 68 5. Control of Adverse Effects.....67
D. Backfilling & Grading.....(816/817.95-107) 1. Exposed Openings.....816/817.13, 14, 15, & 823.11 & 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 (rills and gullies).....95(b)	H. Subsidence Control Plan.....(817.121-122) I. Roads.....(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)
	J. Signs & Markers(816/817.11) 1. Signs.....11(a),(b),&(c) 2. Markers.....11(a),(b),(d),(e),&(f)
	K. Distance Prohibitions.....(761.11) L. Revegetation.....(816/817.111-116) 1. Vegetative Cover.....111 & 116 2. Timing.....113
	M. Postmining Land Use.....(816/817.133)

January 4, 2000

UtahAmerican Energy, Inc.
P. O. Box 986
Price, UT 84501

Horse Canyon Mine
Complete, oversight inspection
December 21, 1999

Participants:

R. Jay Marshall P. E., UtahAmerican Energy, Inc.
Dave Darby, Utah Division of Oil, Gas and Mining (DOGM)
Henry Austin, Office of Surface Mining (OSM)

I participated in a complete, oversight inspection of the Horse Canyon Mine with the above participants. Weather conditions were cold and windy and ground conditions ranged from frozen, bare ground to completely snow covered on the upper elevations of the mine site. This site was selected for oversight inspection by the joint DOGM/OSM evaluation team with the principal focus of the inspection being an evaluation of reclamation success.

I began the inspection by reviewing permitting, and inspection and enforcement files at the DOGM office in Salt Lake City. Records reviewed included: 10/19/1999, DOGM decision document for release of Phase II bond, OSM 11/3/99 Phase II bond release concurrence letter, and 11/10/99 DOGM conditional approval letter for Phase II bond release; soils and hydrology technical analysis findings for the Lila Canyon major permit revision to the Horse Canyon permit; 10/19/99 DOGM letter documenting completion of DOGM's second round of technical analysis regarding the Lila Canyon facilities revision application; liability insurance current through 7/31/00; third quarter 1999 reports for sediment pond inspections and UPDES monthly monitoring reports (no discharges reported); annual sediment pond certifications dated 10/13/99; and 3/26/99 DOGM review of the 1998 Annual Report for the mine. This concluded my records review.

Mr. Darby and I identified ourselves to Mr. Marshall at his office and after a brief discussion of the mine and the purpose of our inspection we proceeded to the mine site. In general all the reclaimed areas of the mine inspected appeared well vegetated and stable. This was also documented during the field inspections which led to Phase II bond release approval. Roadside ditches appeared stable. We discussed the Phase II bond release approval condition which requires removal of sediment pond number 1 and one 3 foot culvert. These locations were briefly reviewed during the inspection. Mr. Marshall indicated the work would most likely be done during Spring 2000. Sediment pond number 2 will remain and did not contain any water during the inspection. Additional stops and observations during the inspection included the following: The old bridge abutments which will also be removed during Spring 2000.

Horse Canyon Mine; pg. 2

We briefly inspected the recent diversion ditch excavation which directs surface water runoff from the former facilities buildings and also limits road access to the buildings. These buildings and associated fenced in areas were excluded from the Phase II bond release. Additional areas which are excluded from the Phase II bond release and were inspected included: the former fan portal; the former powder magazines; and the former water tank and associated access road to the tank. These areas have approved alternate sediment control and there is no evidence of problematic surface water runoff or other off site impacts from these limited disturbance areas. This concluded the field inspection. The mine site conditions exhibit good reclamation success as evidenced by the approval of Phase II bond release for a majority of the disturbed areas and a lack of any noticeable off site impacts.

We concluded the inspection by reviewing records in Mr. Marshall's office. I confirmed the review of records noted above (DOGM Salt Lake City office); and Mr. Marshall provided the most recent environmental monitoring results for UPDES reporting (no discharges reported for October/November 1999) and required surface water monitoring. This concluded the inspection.