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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

JK for Joe Helfrich

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INSPECTION REPORT

Partial: X Complete: Exploration:
Inspection Date & Time: September 25, 1997
Date of Last Inspection: August 27, 1997

Mine Name: Gordon Creek Mines 2, 7 & 8 County: Carbon Permit Number: ACT/007/016
Permittee and/or Operator's Name: Mountain Coal Company
Business Address: P.O. Box 591 Somerset, Colorado 81434
Type of Mining Activity: Underground X Surface Prep. Plant Other
State Official(s): David Darby
Company Official(s): Dan Guy
Federal Official(s): None
Weather Conditions: Partly cloudy, no rain
Existing Acreage: Permitted- 2289 Disturbed- 17.2 Regraded- 17.2 Seeded- 17.20 Bonded- 17.2
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ X 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

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - 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.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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) _____ (date)	<input type="checkbox"/>	<input checked="" 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"/>

INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/016

DATE OF INSPECTION: September 25, 1997

(Comments are Numbered to Correspond with Topics Listed Above)

General Comments

I contacted Dan Guy to conduct an inspection of the reclaimed minesite, because I had heard from Vicky Bailey (Earth Fax Engineering) that Horizon had be hit by several rainstorms in the past two weeks a couple of which they thought had exceeded the 100 year-6 hour precipitation event. I wanted to check to see if the storms had caused any damage to the reclaimed site which require repairs. It was obvious as we approached the site that large rainstorms had indeed hit the area. The access road was covered with gravel washed down from the adjacent hillsides. Rills appeared everywhere on the surface of the slopes.

A three part Notice of Violation was insured to the operator for Failure to construct, design and maintain channels and sediment control structures. The NOV places the burden of proof on the operator to show that design standards were exceeded since a precipitation monitor was not on site.

4. HYDROLOGIC BALANCE:

a. DIVERSIONS

The four channels crossing the #2 mine pad incurred some damage. All had transmitted the flows , however each had sustained a loss of riprap lining. The flows had washed the riprap down stream to the main channel. The NOV addressed each of these channels. The operator is required to mitigate the degraded channel by replacing the riprap of a D-50 diameter of 6 inches.

b. SEDIMENT PONDS AND IMPOUNDMENTS

The upper cell of the sedimentation pond was full of water to the lip of the upper spillway, although no water was flowing out of the spillway I could tell that some had recently overflowed the upper cell and filled the middle cell to about half full. About five g.p.m. were flowing into the pond., indicating at least that much was filtering through the bottom of the pond.

I asked Dan the status of Sweet's Pond. He stated that Horizon had decided not to use the pond and is again Mountain Coal Company's responsibility. He mentioned that the landowner wants the pond as is and that the vegetation studies are complete.

c. OTHER SEDIMENT CONTROL MEASURES

Of the seven rock gabion structures placed along the access road three had functioned properly. The others had failed by washing out. The operator will be required to rebuild the gabion weirs to control sediment yield.

12. BACKFILLING AND GRADING

After grading the #2 mine pad the contractor had used a bulldozer to rip the graded area of the pad. The ripping followed the contour of the slope on the western end of the pad, however the eastern end of the pad curved downward and the dozer operator ended up ripping down the contour. The rains that washed over the pad followed the farrows and created rills. Future rain events would continue to form deeper rills. A part of the NOV identified mitigation by gouging the area with a trackhoe.

Copy of this Report:

Mailed to: James Fulton (OSM/Denver), Paige Beville (MCC), Dan Guy (Blackhawk Engineering)

Given to: Joe Helfrich (DOGM)

Inspector's Signature: _____

David W. Darby #47 Date: 10/20/97

INSPECTION REPORT

(Continuation sheet)

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13. REVEGETATION

The rains have helped promote vegetation growth planted this past summer. One can barely take a step without trampling the grasses that are growing. The area planted last year exhibits an even better growth. A high percentage of the willows planted in the spring areas along the #7 mine access road are well established with good leaf growth.

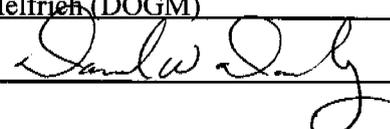
14. Subsidence Control

The Stamatakis Brothers who own land above some of the Beaver Creek #2 Mine have asked the Division to look into some groundwater and subsidence concerns they have identified. The issues include depletions of water in Beaver Creek, increases of water in Gordon Creek, slumping and increased flows at a spring area east of the mine. A trip was planned for October 3, 1997.

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Inspector's Signature:  David W. Darby #47 Date: 10/20/95