



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

INSPECTION REPORT

Partial: X Complete: Exploration:
Inspection Date & Time: October 29, 1998
Date of Last Inspection: September 30, 1998

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: Clear, cool
Existing Acreage: Permitted- 2289 Disturbed- 17.2 Regraded- 14.2 Seeded- 14.2 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/ENE |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 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 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. BACKFILLING AND GRADING | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" 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 checked="" 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) _____ (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 checked="" 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: October 29, 1998

(Comments are Numbered to Correspond with Topics Listed Above)

General Comments

I visited the site for two reasons. One was to conduct the regular monthly inspection and the second was to assess the construction outlined in the Notice of Violation issued October 6, 1998 to mitigate the damage done by the landowner's agent prior to the last inspection. The following areas needed to be reconstructed:

- 1- Regrade and roughen areas graded by dozer operator.
- 2- Repair diversion ditches according to design standards.
- 3- Contour roughen (discontinuous) the access road area, the road across the #2 mine pad and the contours on the #2 mine pad.
- 4- Repair Jacob's pond embankment.
- 5- Remove coal fines from east side of main channel, replace with soil from #2 mine pad topsoil stock pile, roughen and reseed area.
- 6- Reseed all disturbed areas.

I met Dan Guy (Blackhawk Engineering) and Chris Hansen (Canyon Fuel Company, Environmental Coordinator, company representative). It was obvious that rainstorms had recently hit the site. As we approached the gate, we saw the upper cell of the sedimentation pond was full of water. The access road and minepad were muddy. Grading by the landowner and construction by EIS (contractor) had softened the soils making them highly erosive. The contractor had notified Dan Guy that the reclamation work had been completed by October 23.

As we walked up the access road, I noticed the fence adjacent to the pond had been repaired and was now standing upright. The contractor had lightly gouged the sides of the road. The pocks were substantially smaller, about a third the size of the previous gouges. The same technique was used along the edges of the channels where grading by the landowner had taken place.

The situation that exists between the operator and landowner is a predicament which needs to be resolved. The landowner insists that the surface roughening be minimized to ensure a smoother surface for grazing when the bond is released. Whereas, the operator needs a rougher surface to retain and control overland flow and prevent erosion. The operator has exclusive control of the site until bond release. It is likely that bond release will be reached sooner if the site is stabilized and vegetation is allowed to grow. The post mining land-use identified in the MRP is for wildlife habitat. If grazing or road access is to be included the operator needs to amend the plan.

1. Signs and Markers

All signs and markers were displayed and standing. There was a "No Trespassing" sign on the gate that was neglected by a person driving an off road vehicle up the access road. There were also cattle and horse tracks up the access road. The regrading smoothed out the site to allow access, a situation we tried to prevent with the roughening.

Copy of this Report:

Mailed to: James Fulton (OSM/Denver), Chris Hansen (CFC), Dan Guy (Blackhawk Engineering)

Given to: Joe Helfrich (DOGM)

Inspector's Signature: David Darby #47 Date: November 10, 1998

INSPECTION REPORT

(Continuation sheet)

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4. HYDROLOGIC BALANCE:

a. DIVERSIONS

We examined the diversions crossing the reclaimed access road and #2 Mine pad. The contractor had worked to repair the channels, but the work was not acceptable. On the second channel up from the gate the contractor placed large riprap in the channel, not keyed into the bottom. This raised the bottom of the channel to a point that very little freeboard (only a couple inches) was left to hold flows. It was unlikely that expected flows from the 10 year- 6 hour, design event will be contained.

On another diversion the contractor had installed riprap at the top of the channel, down to where the anticipated crossing would be used. There, no riprap was placed. More riprap was placed below the crossing, presenting a questionable practice of placing riprap.

On another channel the landowner had graded a new crossing. This crossing was left in place by the contractor. A problem exists, because that crossing is at the mouth of a canyon. The site of the crossing is relatively flat and sediment washing from the canyon collects at the crossing creating a mud pit.

The MRP did not identify access areas or channel crossings. The MRP needs to be amended for that purpose. More work is needed to bring the permanent channels up to design standards.

Jacobs Pond

The operator had repaired the Jacob's Pond embankment. It looked stable and was holding water. The work required on the main stream channel embankment had also been completed. The contractor removed soil that remained in the topsoil stock pile and spread it over the coal material then gouged it in to roughen the surface.

12. Backfilling and Grading

#2 Mine Pad

Previous contouring (raking) by the contractor was completed parallel to the channel and not to the slope. Over time the furrows had compacted and eroded in the trough, making the ridges of the furrow more pronounced. Dan, Chris and I discussed the issue during the previous meeting, October 6, 1998, where we decided that portions of the pad and the access road should be discontinuously ripped on the contour. This meant that the contractor should use a chisel plow or ripper to break up the contours at an angle perpendicular to the slope. He had not done so according to the methods or standards we had discussed. He also used equipment that did not develop the roughness desired.

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The site had received rains a couple days prior to our visit. A couple substantial rills had developed as a result of the rainstorms, which occurred over the past couple days. The rills were in the same locations as the rills which occurred last year prior to the heavy gouging. Runoff from the undisturbed areas flow onto the #2 mine pad. The flows come in contact with the furrows along the access road, where they coalesces then cuts across the soft graded area of the #2 Mine pad. The deep gouges helped to contain consolidated flow, but now that they were removed, rills as deep as 18 inches had developed during the last rainstorms. The rills will need to be repaired.

Stream Channel Embankment

During the September 30, 1998 inspection, Dan and I observed that runoff flows had cut through the topsoil into buried coal refuse adjacent to the main channel of the #2 Mine pad. The site was the subject of previous erosion problems. The coal refuse was dumped during the Swisher Mine era. It has been covered with topsoil and gouged, however the slope eroded easily since vegetation is not established. I suggested to Dan that more coal be removed and the embankment filled with a suitable soil. On a return visit to the site on October 6, 1998, Bob Davidson, Soils Specialist at DOGM, suggested using the remaining material from the topsoil pile on the upper part of the #2 mine pad and the coal refuse be buried. The work had been completed.

13. Revegetation

Portions of the site had once again been reseeded. The upper reworked areas were seeded with a hydro-mulch. The access road from the gate to the top of the #2 Mine pad had not been reseeded.

There appeared to be a lot of thistle still on site that was flowering, even after we saw the worker from EIS removing some plants on site on October 6. Susan White, Biologist at DOGM, proposed that the Division send the operator a Directive to incorporate a weed control plan in the MRP since the area is prone to thistle reintroduction. The suggestion will be taken under advisement. Dan mentioned that he plans to contact the county to get an aggressive treatment program going in the area next summer.

16. Roads

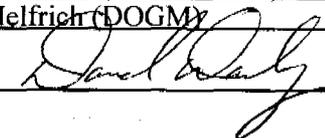
b. Drainage Controls

The rock weirs adjacent to the access road, designed to capture sediment from the face of the sedimentation pond and reclaimed hillside, had filled with water and sediment. Some of the weirs had piped through, however the series functioned overall to trap and hold the sediment from the storm. Dan indicated the weirs that failed will be reconstructed and all maintained. Repair of the structures should be conducted as soon as possible to ensure maximum potential of sediment capture for future storm events. The structures will be inspected during the next random monthly inspection.

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