

0031

Document Information Form

Mine Number: C/007/020

File Name: Incoming

To: DOGM

From:

Person N/A

Company HORIZON COAL CORPORATION

Date Sent: SEP. 25, 1997

Explanation:

MINE-SITE EVALUATION INSPECTION
REPORT

cc:

File in: C/007/020 1997 Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information



U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report



RECEIVED
SEP 25 1997
DIV. OF OIL, GAS & MINING

1. Permittee/Person HORIZON COAL CORPORATION	9. Permit Number UT-007-020	10. Type a. Permit <input type="checkbox"/> b. RA <input type="checkbox"/> PP S
2. Address PO BOX 599	11. Inspection Date 08/27/1997	12. Inspection Type SCX
3. City HELPER	4. State UT	13. Joint Inspection <input type="checkbox"/> Y <input type="checkbox"/> N
5. Zip Code 84526	6. Phone Number 801-650-1349	14. Permit Status A
7. Operator if Different than Permittee	15. Site Status AP	16. Facility Type B
8. Mine Name HORIZON NO. 1 MINE	17. OSM Office # 140	18. RSI #
	19. Land Code S	20. M.S.H.A. ID # 42-02074
	21. State Code 49	22. County Code 007
	23. AVS Permittee Entity ID Number	23b. State Office

24. Performance Standard Categories

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

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

25. Inspection Frequency a. Date of Last State Complete Inspection 07/23/1997 Frequency for previous 4 Calendar Qtrs. b. Number of required complete inspections 4 Number of complete inspections conducted 4 c. Number of required partial inspections 8 Number of partial inspections conducted 8	26. Inspection Hours 6.0 a. Permit Review 7.0 b. Inspection Time 15.0 c. Travel Time 3.0 d. Report Writing	27. Bonded Acres a. Total <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	28. Acres <input type="checkbox"/> Permitted <input type="checkbox"/> Disturbed <input type="checkbox"/> Estimated) <input type="checkbox"/> of _____ <small>July 1, 1993</small>
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File in:
 Confidential
 Shelf
 Expandable
Refer to Record No. **0031** Date **9-25-97**
In **C/007/020, 1997, Incoming**
For additional information



U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report



1. Permittee/Person HORIZON COAL CORPORATION		<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold;">RECEIVED</div> <div style="border: 1px solid black; padding: 5px; font-size: 1.2em; font-weight: bold;">SEP 25 1997</div> <div style="border: 1px solid black; padding: 5px; font-size: 1.2em; font-weight: bold;">DIV. OF OIL, GAS & MINING</div>	9. Permit Number UT-007-020	10. Type a. Permit <input type="checkbox"/> b. RA <input type="checkbox"/>	
2. Address PO BOX 599			11. Inspection Date 08/27/1997	12. Inspection Type SCX	13. Joint Inspection <input type="checkbox"/> Y <input type="checkbox"/> N
3. City HELPER			4. State UT	14. Permit Status A	15. Site Status AP
5. Zip Code 84526			6. Phone Number 801-650-1349		16. Facility Type B
7. Operator if Different than Permittee		17. OSM Office # 140	18. RSI #	19. Land Code S	
8. Mine Name HORIZON NO. 1 MINE		20. M.S.H.A. ID # 42-02074	21. State Code 49	22. County Code 007	
		23. AVS Permittee Entity ID Number	23b. State Office		

24. Performance Standard Categories

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

<p>A. Administrative</p> <ol style="list-style-type: none"> <u>1</u> Mining within Valid Permit <u>1</u> Mining within Bonded Area <u>1</u> Terms & Conditions of Permit <u>1</u> Liability Insurance <u>1</u> Ownership and Control <u> </u> Temporary Cessation <p>B. Hydrologic Balance</p> <ol style="list-style-type: none"> <u>1</u> Drainage Control <u>1</u> Inspections & Certifications <u>1</u> Siltation Structures <u>1</u> Discharge Structures <u>1</u> Diversions <u>1</u> Effluent Limits <u>1</u> Ground Water Monitoring <u>1</u> Surface Water Monitoring <u> </u> Drainage -- Acid-Toxic Materials <u>1</u> Impoundments <u>1</u> Stream Buffer Zones <p>C. Topsoil & Subsoil</p> <ol style="list-style-type: none"> <u>1</u> Removal <u>1</u> Substitute Materials <u>1</u> Storage and Protection <u>1</u> Redistribution 	<p>D. Backfilling & Grading</p> <ol style="list-style-type: none"> <u>1</u> Exposed Openings <u>1</u> Contemporaneous Reclamation <u>1</u> Approximate Original Contour <u>1</u> Highwall Elimination <u> </u> Steep Slopes (includes downslope) <u> </u> Handling of Acid & Toxic Materials <u>1</u> Stabilization (rills and gullies) <p>E. Excess Spoil Disposal</p> <ol style="list-style-type: none"> <u>3</u> Placement <u>3</u> Drainage Control <u>3</u> Surface Stabilization <u>3</u> Inspections & Certifications <p>F. Coal Mine Waste (Refuse Piles/Impoundments)</p> <ol style="list-style-type: none"> <u>3</u> Drainage Control <u>3</u> Surface Stabilization <u>3</u> Placement <u>3</u> Inspections and Certifications <u>3</u> Impounding Structures <p>G. Use of Explosives</p> <ol style="list-style-type: none"> <u>3</u> Blaster Certification <u>3</u> Distance Prohibitions <u>3</u> Blast Survey/Schedule <u>3</u> Warnings & Records <u>3</u> Control of Adverse Effects 	<p>H. <u>1</u> Subsidence Control Plan</p> <p>I. Roads</p> <ol style="list-style-type: none"> <u>1</u> Road Construction <u>1</u> Certification <u>1</u> Drainage <u>1</u> Surfacing and Maintenance <u>1</u> Reclamation <p>J. Signs & Markers</p> <ol style="list-style-type: none"> <u>1</u> Signs <u>1</u> Markers <p>K. <u>1</u> Distance Prohibitions</p> <p>L. Revegetation</p> <ol style="list-style-type: none"> <u>1</u> Vegetative Cover <u> </u> Timing <p>M. <u>1</u> Postmining Land Use</p> <p>N. Other</p> <p>_____ 1) _____</p> <p>_____ 2) _____</p> <p>_____ 3) _____</p>
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<p>25. Inspection Frequency</p> <p>a. Date of Last State Complete Inspection 07/23/1997</p> <p>Frequency for previous 4 Calendar Qtrs.</p> <p>b. Number of required complete inspections 4 Number of complete inspections conducted 4</p> <p>c. Number of required partial inspections 8 Number of partial inspections conducted 8</p>	<p>26. Inspection Hours</p> <p>6.0 a. Permit Review</p> <p>7.0 b. Inspection Time</p> <p>15.0 c. Travel Time</p> <p>3.0 d. Report Writing</p>	<p>27. Bonded Acres</p> <p>9.0 a. Total bonded</p> <p>0.0 b. Phase I released</p> <p>0.0 c. Phase II released</p> <p>0.0 d. Phase III released</p>	<p>28. Acres</p> <p>317.0 a. Permitted</p> <p>9.0 b. Disturbed (Estimated)</p>
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U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report

Permit Number UT-007-020

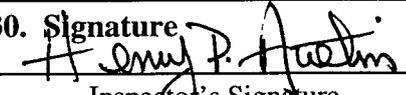
Inspection Date 08/27/1997

29. Identified Violation Data.

For inspection types C (Complete Random Sample) and SC or SP (Complete or Partial In-depth Review), list all violations present during the current Federal inspection and all violations, cited or uncited, identified in the last State complete inspection report. For any other inspection type, including Federal program inspections, list only violations observed during the current inspection or subject of current Federal follow-up actions.

B Per. Std. Category	C Abated (Y/N)	D State Action	E Reason if Uncited	F Cause	G Seriousness		H Impact	I OSM Action	J OSM Action Number		K Optional
					PEO	Impact					
A. Specific State Law/Regulations Violated: _____ Description: _____											
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____											
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____											
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____											
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____											
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____											
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____											
7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. State Action 1) Existed on LSCI, Cited 2) Existed on LSCI, Not Cited 3) Cited Prior to LSCI, Abatement Pending 4) Occurred Since LSCI 5) N/A Federal Program 6) N/A Permit Defect	E. State's Reason for not Citing Violation 1) Not a Violation 2) Precluded by State Policy 3) Not included under State Program 4) Warning Given in Lieu of a Citation 5) Violation Not Recognized 6) Practice Allowed under Approved Permit 7) Too Minor to Cite 8) Working with Operator to Correct 9) Other _____	F. Cause 1) Permit Defect 2) Unusual Weather Conditions 3) Unofficial Waiver 4) Operator Negligence 5) Other _____	G. Probability of Event Occurrence 1) None or Unlikely 2) Likely 3) Occurred
H. Impact Damage Remains Within the Permit Area 1) None or Minor 2) Moderate 3) Considerable Damage Extends Beyond the Permit Area 4) None or Minor 5) Moderate 6) Considerable Obstruction to Enforcement 7) None or Minor 8) Moderate 9) Considerable	I. OSM Action This Inspection 1) Deferred to State Action 2) TDN Issued 3) NOV Issued 4) FTA-CO Issued 5) IH-CO Issued (Imminent Environmental Harm) 6) ID-CO Issued (Imminent Danger to Public) 7) Previously Cited by RA, Abatement Pending 8) Abated during or before OSM Inspection 9) Follow-up of Federal Action		

30. Signature

 Inspector's Signature
HENRY AUSTIN 9/17/97
 Inspector's Printed Name

Dated: 09/09/1997 116

Reviewing Official: 
 Review Date: 9/17/97

Page 2 of _____
Revised July 1, 1993

September 16, 1997

Horizon Coal Corporation
P. O. Box 599
Helper, UT 84526

Horizon No. 1 Mine
Complete, joint, oversight inspection
August 26 & 27, 1997

Participants:

Vicky Bailey, Horizon Coal
Wm. J. Malencik, UT/DOGM
Henry Austin, OSM

I participated in a complete, joint, oversight inspection of the above mine. The focus of the inspection was off-site impacts and reclamation success. Ms. Bailey, Earthfax Engineering, represented the permittee and Mr. Malencik represented the Utah Department of Natural Resources, Division of Oil, Gas, and Mining (DOGM). We were on site August 26 & 27 and I conducted permitting and environmental monitoring/reporting reviews on both August 25 & 28. I also participated in a special focus inspection concerning permitting of coal mine access and haul roads on this site on August 25 & 26 which I will report on via the element specific reporting format utilized as supporting documentation for the OSM Evaluation Year 1997 Utah Annual Report. Weather conditions were clear and warm during the inspection and ground conditions were dry throughout the disturbed area.

This permit was issued on October 10, 1996, to Horizon Coal Corp. and initial site development work began during the Fall of 1996. Effective July 11, 1997, the permit was transferred to K & K Holding Co. Inc. with the existing permittee and mine names remaining the same. Appropriate liability insurance and bond amounts were approved by DOGM prior to the transfer with a surety bond amount of \$209,200 held by Redland Insurance Co., bond number RED1043116, with the bond instrument payable to both DOGM and the United States Department of the Interior, Office of Surface Mining (OSM). The permit transfer was conditioned due to an AVS link with White Oak Mining and Construction Co. for failure to pay reclamation fees. White Oak entered into a settlement agreement with OSM effective March 26, 1997, and the delinquent reclamation fees are due September 30, 1997. I reviewed the approved permit at the DOGM Salt Lake City office on August 25 & 28 and also reviewed the inspection, correspondence, and water monitoring files. I reviewed and/or made photo copies of the following: Chapter 3, Appendix 3-1, Road and Haulage Letters and Appendix 3-7, Reclamation Bond Estimate; 3.2.10 Transportation, Roads, Parking Area, Railroad Spurs; and three Technical Review and Analysis (TA) dated 12/28/95, 6/13/96, and 9/20/96 primarily reviewing/copying the T.A. sections on **ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES**. I also reviewed the 8/1/97 transmittal to OSM for the second quarter water monitoring data, and the 8/14/97 UT/Division of Water Rights approval for the culvert extension in Jewkes Creek necessary to complete the truck turn around area.

Horizon Mine No. 1; pg.2

UT/UPDES monthly discharge monitoring reports are current through July, 97 with no discharge being reported from the sediment pond. Subsidence monitoring is not yet underway as the permittee is only conducting surface site development at this point but was discussed with Ms. Bailey. Subsidence monitoring monuments must be installed and surveyed prior to underground development work. Liability insurance is effective through 4/1/98.

We arrived on site August 26 and walked the disturbed areas with Ms. Bailey. Appropriate signs and markers are in place and the permittee's disturbance area boundary as approved in the permit is clearly marked in the field. Disturbed area associated with the partial realignment of the Consumers Road (Consumers Road as named in Carbon County correspondence to the permittee is that County Road which spurs north off of County Road 290 and provides access to the surface facilities of the mine. This road continues north and provides public access to lands north of the site and eventually to Clear Creek, Ut.) is adjacent to the permitted disturbed area and within the approved surface permit area boundary. This disturbance facilitated partial realignment of the Consumers Road and was done via right-of way agreement between Hidden Splendor Resources, Ltd., who is the surface owner of the entire site, and Carbon County. The permittee has not and does not intend to utilize any land outside of their approved disturbance area to facilitate mining operations. We recommended to Ms. Bailey that surface disturbance necessitated by the partial road realignment which is within the approved permit area, be removed from the approved permit area by submittal of a permit amendment to delete these disturbed areas. Additional detail concerning the Consumers Road realignment work; current usage; and maintenance will be provided as indicated above in an element specific format which becomes supporting documentation for the OSM 1997 Utah Annual Evaluation Report.

Two DOGM Notices of Violation were outstanding at the time of the inspection; one for failure to maintain the undisturbed runoff diversion culvert in Portal Canyon and one for failure to receive DOGM approval before modifying an undisturbed diversion (Jewkes Creek). Apparently the site and adjacent areas had experienced severe thunderstorms which resulted in failure of the channel design implemented at the culvert outlet which diverts Jewkes Creek around the sediment pond. The permittee felt it necessary to immediately remediate the damage done to the channel and adjacent areas to avoid additional sediment deposition off site.

We walked the road to the temporary fan portal and made general observations of the main portal facilities area. We discussed the proposed truck turn around area. The Utah Dept. of Natural Resources, Division of Water Rights, approved the culvert extension necessary for the truck turn around area but DOGM has not approved this amendment to date. We made additional observations of work done by Carbon County for the road realignment and pre-SMCRA portal disturbances which were backfilled to AOC and topsoiled adjacent to the road realignment. This concluded the inspection for August 26. Mr. Malencik and I returned to the site the next day and spent additional time making observations of the disturbed areas. Logging trucks were noted on both days of the inspection utilizing the Consumers Road. Ms. Bailey estimated 27 trips daily by logging trucks (9 trucks x 3 loads each). Other public usage was also noted on the road during the inspection. Cement pours for the main portal entries were occurring on August 27.

Horizon Mine No. 1; pg.3

We measured the distance from the sediment pond embankment to the marked disturbed area boundary and determined it closely approximated the approved permit map. Mr. Malencik advised better defining the protected channel from the portal facilities area into the sediment pond to ensure surface water runoff will remain in the channel where it intercepts area disturbed for sediment pond construction. We measured the fenced in riparian habitat area to be approx. 40 ft. wide x 65 ft. long. We made general observations of the Jewkes Creek channel which was reconstructed after the thunderstorms noted above. This concluded the field inspection. Mr. Malencik and I returned to the Price Field Office and reviewed sections of the permit including Chap.10 at 10.4 Fish & Wildlife; and Chap. 7 at Appendix 7-4 hydrologic design calculations for discussions of the riparian habitat on the site. Mr. Malencik and I discussed the outstanding NOV's at the site. This concluded the inspection of August 27.

I met with Ms. Bailey on August 28 at her office in Salt Lake City. We discussed inspection observations and general site development. We discussed environmental monitoring requirements noted above and pending permitting actions. This concluded the inspection.

Please address any questions concerning this report to Henry Austin at (303) 844-1466.