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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

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Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

Partial: XXX Complete: Exploration:

Inspection Date & Time: 3/16, 19/99 / 8:30a.m. - 1:30p.m.*

Date of Last Inspection: 2/9/99

Mine Name: Horizon Mine County: Carbon Permit Number: ACT/007/020

Permittee and/or Operator's Name: Horizon Mining LLC

Business Address: PO Box 599, Helper Utah 84526

Type of Mining Activity: Underground XXX Surface Prep. Plant Other

Company Official(s): Vicky Miller

State Officials(s): Bill Malencik Federal Official(s): None

Weather Conditions: Partly Cloudy, Snow on NE slopes, 40's

Existing Acreage: Permitted- 317 Disturbed- 9 Regraded- Seeded- Bonded- 9

Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-

Status: Exploration/ XXX 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	[XX]	[]	[XX]	[]
2. SIGNS AND MARKERS	[XX]	[]	[XX]	[]
3. TOPSOIL	[]	[]	[]	[]
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	[XX]	[]	[XX]	[]
b. SEDIMENT PONDS AND IMPOUNDMENTS	[XX]	[]	[XX]	[]
c. OTHER SEDIMENT CONTROL MEASURES	[XX]	[]	[XX]	[]
d. WATER MONITORING	[]	[]	[]	[]
e. EFFLUENT LIMITATIONS	[]	[]	[]	[]
5. EXPLOSIVES	[XX]	[]	[XX]	[]
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	[]	[]	[]	[]
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	[XX]	[]	[XX]	[]
8. NONCOAL WASTE	[XX]	[]	[XX]	[]
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	[]	[]	[]	[]
10. SLIDES AND OTHER DAMAGE	[]	[]	[]	[]
11. CONTEMPORANEOUS RECLAMATION	[]	[]	[]	[]
12. BACKFILLING AND GRADING	[]	[]	[]	[]
13. REVEGETATION	[XX]	[]	[XX]	[]
14. SUBSIDENCE CONTROL	[]	[]	[]	[]
15. CESSATION OF OPERATIONS	[]	[]	[]	[]
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	[]	[]	[]	[]
b. DRAINAGE CONTROLS	[]	[]	[]	[]
17. OTHER TRANSPORTATION FACILITIES	[]	[]	[]	[]
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	[]	[]	[]	[]
19. AVS CHECK (4th Quarter-April, May, June) _____ (date)	[]	[]	[]	[]
20. AIR QUALITY PERMIT	[]	[]	[]	[]
21. BONDING & INSURANCE	[XX]	[]	[XX]	[]
22. OTHER	[XX]	[]	[XX]	[]

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(Continuation sheet)

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PERMIT NUMBER: ACT/007/020

DATE OF INSPECTION: 3/16,19/99

(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENTS

A partial inspection was conducted on March 16 & 19, 1999, of the Horizon Mine. The Division was represented by Bill Malencik, the permittee by Vicky Miller, Consultant, Earthfax.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

UPDES Permit. UPDES Permit has expired and a timely renewal application has been submitted to DEQ which is still pending. The application covers both the previous approved sediment pond outfall and a new mine water discharge. The mine has been granted temporary discharges under arrangements approved by DEQ and DOGM.

Reclamation Agreement is on file at the official mine office and a copy at the Price DOGM Office. The buildup of coal waste is a pending matter before the Director. The matter was the subject of an informal conference held on November 29, 1998. See Coal Mine Waste.

2. SIGNS AND MARKERS

Required ID sign is in place at the county road where it interfaces with the mine road. Also, an ID sign, which is not required, is in place at the forks of the consumer's roads. Markers observed included topsoil, disturbed, and stream buffer zone markers.

4A. HYDROLOGIC BALANCE: DIVERSIONS

The diversion flowing included the mine water diversion that discharge into the sediment pond, and the undisturbed drainage commonly known as Jewkes Creek. The mine water was clear, Jewkes Creek was muddy from sediment.

There is a potential coal waste problem on the southerly and easterly segment adjacent to the mine water diversion. Coal waste may find its way into the diversion. The problem area is about 30' in length. The balance of the area is protected by a bench that will prevent material from following into the pond or the diversion. Requested the permittee to extend the bench concept as a preventative measure by COB 3/18/99.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The pond was discharging through the open spillway.

4C. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

Straw bales provide sediment control on a disturbed area lying below the sediment pond.

5. EXPLOSIVES

The Division approved the applicant's explosive amendment on 3/12/99.

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7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

Coal waste, as originally approved by the Division, provides for temporary storage on the mine pad. Permanent or final disposition was not authorized in the original MRP. An amendment was approved October 99 authorizing permanent storage/utilization at the Sunnyside Cogeneration permitted site.

Paced the pile and its dimensions are substantially the same as previously reported. The DOGM Director issued a Division Order covering four items:

- (1) Initiate coal waste disposal immediately and reduce the volume to 500 cubic yards or less within 30 days.
- (2) Prohibit the permittee from depositing any further coal waste on the surface.
- (3) Submit plans to the Division on coal conveyance system, coal, coal mine waste, and snow storage areas. Further, show the exterior boundaries of the coal, coal waste, and snow storage areas on a map.
- (4) No more than 500 cubic yards may be temporarily stored on the surface of the mine.

8. NONCOAL WASTE

The dumpster was nearly full. Some non-hazardous noncoal waste was observed. Requested the permittee to have (1) a spring clean-up and (2) empty the dumpster by COB 3/18/99 and the inspection would remain open until a follow-up inspection on 3/19/99.

21. BONDING AND INSURANCE

The mine has been issued a certificate of insurance that covers the period of 4/1/98-4/1/99.

A surety bond is on file to cover reclamation costs and remains in effect until the mine is reclaimed and has been found to be inadequate to cover the build-up of coal waste on site.

22. OTHER

Conducted a follow up inspection on 3/19/99. The operator performed spring clean up and emptied the dumpster. Also, maintenance work was performed to prevent coal waste from inadvertently falling into a diversion. A sump adjacent to the sediment pond was cleaned.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

Mailed to: Larry Jones/Vicky Miller (Horizon/Earthfax) Henry Austin (OSM)
Given to: Joe Helfrich (DOGM) Filed to: Price Field Office
Date: March 22, 1999

Inspector's Signature:  #26
Wm. J. Malencik