



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 22, 1999

TO: File

THRU: Joe Helfrich, Permit Supervisor *JGH*

THRU: Daron Haddock, Permit Supervisor *DH*

FROM: Robert Davidson, Soils Reclamation Specialist *RAD*

RE: Midterm Permit Review, Horizon Mining, LLC, Horizon Mine, ACT/007/020-MT99, Folder #2, Carbon County, Utah

SYNOPSIS:

The Division is required to review each active permit during its term, in accordance with R645-303-211. This review is to take place at the mid-point of the permit term (April 10, 1999 for the Horizon Mine) and will cover pertinent elements that have been selected for review. The Midterm Review for the Horizon Mine is now being conducted and the items chosen for review encompass the following:

1. An AVS check to ensure that Ownership and Control information is current and correct.
2. A review of the plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee-initiated plan changes are appropriately incorporated into the plan document. Especially important in light of the February 25, 1999 Order dealing with coal mine waste disposal.
3. A review of the applicable portions of the permit to ensure that the plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
4. The Division will conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness of operational, reclamation, and contemporaneous reclamation practices.
5. An evaluation of the reclamation bond to ensure that coverage adequately addresses permit changes approved subsequent to permit approval.

OPERATION PLAN

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-230.

Analysis:

The Midterm Permit Review covers the following operational considerations for soil salvage and protection of the soil resource:

- Soil Salvage Updates

Soil Salvage Updates

A "Topsoil Stockpile Table" is included in Appendix 8-1 showing results for topsoil recovery and placement during 1996 and 1997. The current surveyed volume of soil in the stockpile is shown as 10,494 cy. Temporary stockpiles for both riparian and non-riparian soil is shown as 156 cy and 124 cy, respectively. Total salvaged soil is therefore 10,774 cy. With in-place soils in Areas 10 and 11, the volume of soil available for reclamation is 14,507 cy.

Plate A, Appendix 8-1, shows soil distribution within the disturbance area. These are correlated with the Table in Appendix 8-1 for topsoil recovery and placement as follows:

SOIL SOURCE	CUBIC YARDS	PLATE A LEGEND
topsoil salvaged in 1996 by surveying topsoil stockpile	10,993	
topsoil redistributed (Area D) 1997 from stockpile	(499)	red & green
current stockpile 1998	10494	
Area E nonrip. soil placement 1998	90	purple
Area E temporary stockpiles 1998	190	purple
total salvaged soils	10774	
Areas 10 & 11 in-place soils	3733	
Total soils available for final reclamation	14507	
Imported soils Areas A, B, & C 1997	975	blue

The on-site visit associated with the Midterm Permit Review took place on April 20, 1999. Division personnel present included the Mine Inspector, Bill Malencik; Permit Supervisor, Daron Haddock; and Reclamation Specialists, Susan White, Wayne Western, Sharon Falvey, and Robert Davidson. Horizon Mining, LLC, was represented by EarthFax Engineering, Vicky Miller.

Findings:

The information provided does not meet the minimum regulatory requirements of this section. The permittee must provide the following, prior to approval, in accordance with the requirements of:

R645-301-120, R645-301-130, R645-301-150 and R645-301-230, The following inconsistencies are made in context with information presented in the plan and observations made in the field on April 20, 1999:

- Appendix 8-1, Plate A, needs to show and delineate the main Topsoil Stockpile.
- Appendix 8-1, Topsoil Stockpile Table, shows surveyed quantity of soil in the main Topsoil Stockpile as 10,993 cubic yards. The Mine Reclamation Plan (MRP) needs to be updated showing past surveys so that the Division can verify the surveyed quantity of Topsoil in the pile. The surveyed pile Information, both current and original, should include, but not be limited to, the following:
 - (1) Surveyed Pile specifics, dimensions
 - (2) Pile illustration showing surveyed pile configuration, and
 - (3) Pile cross sections.
- Appendix 8-1, Plate A, shows the temporary Riparian Topsoil stockpile on Area "E". On the ground, the temporary Riparian Topsoil stockpile has been relocated from Area "E" to the main Topsoil Stockpile. Plate A needs to be updated to show the current location of the Riparian Topsoil stockpile.
- Appendix 8-1, Plate B, shows areas that will require Topsoil during reclamation. On the ground, the northern temporary fan portal area, the temporary fan portal access road, and the northern refuse slope adjacent and above the main topsoil stockpile have been reclaimed. The following are needed:
 - (1) Update the all relevant MRP text, tables and maps, including Appendix 8-1.
 - (2) Dates that reclamation took place and who performed the reclamation.
 - (3) Identify the soil source, location, volumes and characterization of the soil resource used for reclamation.