



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

1594 West North Temple, Suite 1210
 PO Box 145801
 Salt Lake City, Utah 84114-5801
 801-538-5340
 801-359-3940 (Fax)
 801-538-7223 (TDD)

Michael O. Leavitt
 Governor
 Lowell P. Braxton
 Division Director

June 1, 1999

To: File

Thru: Sharon Falvey, Hydrologist

SKF

From: Wm. J. Malencik, Reclamation Specialist

WJM

RE: Horizon Issues, Horizon Mining, LLC., Horizon Mine, ACT/007/020, Folder #2, Carbon County, Utah

To supplement the formal mid-term analysis, here are items that need to be discussed in a setting to prevent violations:

- Item #1: The site is very confining. The current management, including Mr. Kiscaden, recognized the problems, including:
- A) High potential for windblown coal fines adjacent to the stacking tube. This is complicated by the height of the coal conveyance and up and down canyon winds.
 - B) Coal storage site is very confining. It is 150 feet to the upper and 400 feet to the lower riparian undisturbed areas, assuming no coal is stored.
 - C) Secondary water movement of coal fines within Jewkes Creek is a difficult problem to correct after the fact.
- Item #2: Consult with five surface land owners about how impacts may be monitored on the 1288 acre lease with respect to subsidence and water.
- Item #3: UPDES permit must be issued for both the pond discharge 001 and the mine water discharge 002. The current proposal for only 001 is not acceptable. The application was filed in December 1997 for 001 a pond renewal and a new 002 mine water discharge. Temporary arrangements have been carried on by DEQ and DOGM for over one year, which is an inordinate amount of time.

Items #4 through #11 were heretofore listed as a suggested Division Order.

Item #4: Explosives - Amendment approved.

Problem- The approved MRP does not contain a blasting plan. Further, the surface facilities map does not show where explosives will be stored.

Action Required- Respond to Division Order.

Coal Rule- R645-301-524.

Item #5: Mine Water

Problem- The MRP and the Technical Analysis largely based on the applicants information (pg.28 T.A.) discusses mine water. The speculation is the chances of encountering mine water are "hydraulically connected with fault zones." The operator has committed to sample mine water if water is encountered. Discharging mine water to the surface without prior appropriate approvals; DEQ/UPDES Permit and DOGM will result in a compliance action. The agencies position, as understood by the undersigned, discharge authorizations cannot be granted until mine water is encountered. However, some environmental safeguards may be prudent before water is encountered.

Environmental Considerations- Horizon Mining, LLC officials need to commit to a contingency plan, even though such a plan would, by itself, not avert a violation; however, courses of action together with other information may be considered in the assessment conference.

Action Required- Respond to Division Order.

Alternatives

- 1) Divert mine water into old mine workings
 - a) Notify Division immediately when water is encountered.
 - b) Sample water. Frequency? Parameters?

- 2) Discharge mine water to surface and store in sediment pond
 - a) Notify Division immediately when water is encountered.
 - b) Sample water. Frequency? Parameters?
 - c) Sample pond discharge on each discharge

3) Discharge mine water to Jewkes Creek

Without a contingency plan it would appear that the worst alternative would be to discharge the mine water directly into Jewkes Creek. As an inspector, the mine not having a contingency plan is tantamount to waiting until a crisis occurs. Therefore, advance planning by mine officials is essential not only for operation aspects but to seek the least damaging environmental alternatives.

Coal Rules: R645-301-731.110
R645-301-731.121

Item #6: Disturbed Boundary

Problem- MRP map needs to be updated. There are several areas where the current disturbed markers include non-disturbed and, in a few small areas, prior disturbed areas not needed for mining operations that fall within the disturbed area. Comply with Division Order.

Action Required- Update the disturbed boundary by:

- (1) Re-posting disturbed markers in the field.
- (2) Update surface facilities map.

Coal Rules- R645-301-521.200 et. al.

Item #7: Stream Buffer Zone Signs - Problem Corrected.

Problem- The stream buffer zone signs need to be reinstalled at a location between the interface of the disturbed and undisturbed where the MRP clearly shows the Division has authorized the permittee to encroach within 100 feet of a stream channel. The purpose of the sign is to prevent the operation from encroaching beyond the area authorized by the Division.

Action Required- Review signs on the ground, in the text, and on the maps. Clearly show stream encroachment areas by appropriate symbol and sign each area.

Coal Rules- R645-301-521.270

Item #8: Snow Storage Areas

Problem- On surface facilities map and MRP expand on snow handling and storage. Place sign on snow storage area. Show storage area on surface facilities map.

Action Required- Comply with Division Order.

Coal Rules- R645-301-512.120
R645-100. Definitions, "Precipitation Event"

Item #9: Power and Phone Lines/Substation

Problem- Show power poles erected by the operator on the surface facilities map. Discuss raptor protection in the MRP text.

Action Required- Comply with Division Order.

Coal Rules- R645-301-512.120
R645-301-358.510

Item #10: Storage

Problem- Update map as required to show the permanent storage for supplies and materials, bathhouse, fuel and oil, coal, temporary underground development waste, and non-coal waste. Current MRP approval calls for underground development waste to be stored adjacent to #1 mine portal for a maximum of 90 days and then stored underground.

Action Required- Comply with Division Order.

Coal Rules- R645-301-512.120 et. al.

Item #11: Riparian Fence

Problem- Part of the riparian area is fenced and part is not. The fenced portion include an area 66' x 45'. Since the seeded topsoil disturbed area lying west and contiguous to the riparian area has been topsoiled and seeded, the reclaimed and riparian and seeded areas must be protected from livestock grazing. The current riparian fence has no overall utility.

Horizon Issues
ACT/007/020
June 1, 1999
Page 5

Action Required- Update MRP on how the seeded, the riparian, and the operational areas will be protected from livestock.

Coal Rules- R645-301-200
R645-301-300

sd
A:\MEMOS\ISSUES.SF