



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

INSPECTION REPORT

opt

Michael O. Leavitt
 Governor
 Lowell P. Braxton
 Division Director

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Partial:___ Complete: XXX Exploration:___
 Inspection Date & Time: 7/12/99 / 8:30a.m.-2:00p.m.
 Date of Last Inspection: 6/9/99

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, 80's, Dry Mine Site
 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

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. 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.
 - b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	<u>EVALUATED</u>	<u>N/A</u>	<u>COMMENTS</u>	<u>NOV/ENF</u>
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 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June)_____ (date)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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/007/020

DATE OF INSPECTION: 7/12/99

(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENTS

A complete field inspection was conducted on 7/12/99, of the Horizon Mine. The permittee was represented by Vicky Miller, Consultant, Earthfax, and Larry Jones, Mine Manager.

Compliance/Division Order

The NOV 99-26-2-1 has been terminated. A Division order was responded to by the permittee on 6/18/99. A deficiency letter was drafted by the staff on 7/14/99.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

UPDES Application

A UPDES permit has been issued covering the pond 001. The permittee submitted an amendment to cover the new discharge for 002. This addition of 002 to the UPDES permit has been approved by DEQ.

BLM Federal Coal Lease

BLM has awarded Horizon a federal lease on 1288 acres. A completed application was submitted and declared complete by the Division on 6/4/99. However, the permittee stated the complete package was returned to the consultant.

4A. HYDROLOGIC BALANCE: DIVERSIONS

The two main diversions, Jewkes Creek and Portal Canyon, plus internal smaller diversion have been designed and approved by the Division.

Two diversions were flowing during the inspection, IE., Jewkes Creek, undisturbed diversion and the disturbed diversion containing mine water that discharges into the sediment pond.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS

The pond was discharging.

4C. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

The mid-term Division team reported in their formal report that the straw bales providing sediment control needs to be maintained. These controls lie below the sediment pond. The foregoing straw bales were in place and observed during the instant inspection.

5. EXPLOSIVES

Powder and cap magazines are stored on site as approved by amendments dated 3/12/99. No blasting has taken place during the reporting period. The MRP, as approved by Mr. Helfrich, is correct, as validated on the instant inspection. The original permit was deficient.

INSPECTION REPORT
(Continuation sheet)

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7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The matter of coal mine waste has been settled with this understanding that what was referred to as coal waste is high ash coal. This was documented in the board chairman's decision.

On page 11 of the interlocutory order, Chairman Lauriski stated, " DOGM conceded that the pile in question, called the coal waste pile, is a high ash coal pile." Also, he granted temporary relief on Division Order 1, 2, and 4; further, upheld 3a and 3b with exception of identifying the coal waste pile as a waste pile.

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 98 authorizing permanent storage of existing coal waste for utilization at the Sunnyside Cogeneration permit area and thence to the adjoining power plant.

Paced the pile and its dimensions are substantially the same as previously reported.

8. NONCOAL WASTE

The dumpster was nearly full. Some non-hazardous noncoal waste was observed around the dumpster and needs to be placed in the dumpster.

15. CESSATION OF OPERATIONS

Was advised the permittee will request a cessation of operations since the mine will not be operational.

20. AIR QUALITY PERMIT

The permittee's air quality order issued by DEQ authorizes 2000 tons of coal to be stored on the surface. The current storage of coal exceeds the DEQ permitted limits. This is based on Wayne Western's measurements as documented in the file. The air quality order needs to be updated before mining to cover equipment and amount of coal that will be mined and stored on the mine site.

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: July 26, 1999

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