



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

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Partial: XXX Complete: Exploration:
Inspection Date & Time: 11/9/99 / 8:30a.m.-2:00p.m.
Date of Last Inspection: 10/14/99

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, Mr. Tanner
State Officials(s): Bill Malencik Federal Official(s): None
Weather Conditions: Clear, Cool, 50'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	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June) <u> </u> (date)	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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(Continuation sheet)

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PERMIT NUMBER: ACT/007/020

DATE OF INSPECTION: 11/9/99

(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENTS

A partial field inspection was conducted on 11/9/99, of the Horizon Mine. The permittee was represented by Vicky Miller, Consultant and Mr. Tanner. The mine is not producing coal. Three employees were on the job during the inspection.

Compliance/Division Order

-Division Order and a midterm review has been addressed by the permittee. Also, was informed that several submissions will be forwarded to the Division next week.

-In order to accommodate the proposed snow storage are, the coal pile needs to be moved. You can contact Sunnyside Cogeneration about this matter. There has been no movement since the new owners came on site.

-Alerted the permittee about two items that need attention before next spring.

Item #1: The seeded disturbed area needs to be protected from livestock grazing before the livestock are in the area next spring.

Item #2: A berm and silt fence should be used in lieu of straw bales. This will require an approved amendment.

Other Items

-Coal pile has been moved about 20' from the county road ditch. The provides an area off the county road for coal unloading and loading into trucks.

-The proposed disturbance area below the sediment pond has been roughened up. Will be seeded and will be a total containment area. The area will have a berm around two sides (west and south).

-The flow meter is at the mine and is ready to be installed.

The lower topsoil pile, the northerly diversion, and the disturbed area below the sediment pond have been roughened up and is ready to be seeded. The coal waste area is waiting for a trackhoe since the area is too steep for conventional equipment.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

UPDES Application

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(Continuation sheet)

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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 and covers the mine water discharge per new outfall 002.

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 *in order to terminate*

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 fourth quarter pond inspection report was inspected and reported on 10/13/99. The report was certified. The pond was discharging.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Water monitoring on 002 has been completed underground. The station will be placed within the mine portal or outside the mine.

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.

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.

*the cessation
order.
(page
11/19/99)*

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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.

The mine had pulled back the coal piles from the road. The pile is about 20 feet from the road ditch.

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.

21. BONDING AND INSURANCE

The bonding and insurance documents are of record and are contained in the inspections looseleaf booklet maintained by the mine. Received new liability insurance documents from the Division this week.

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: David Miller/Vicky Miller (Horizon/EarthFax) Henry Austin (OSM)

Given to: Pam Grubaugh-Littig (DOGM) Filed to: Price Field Office

Date: November 10, 1999

Inspector's Signature



Wm. J. Malencik

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