



Suzanne Steab <suzannesteab@utah.gov>

Failure to Abate CO #21155

Suzanne Steab <suzannesteab@utah.gov>
To: Alex Walker <awalkerlaw@aol.com>
Cc: Amanda Daniels <amandadaniels@utah.gov>

Tue, Aug 4, 2015 at 2:50 PM

Alex,

Please see the attached Failure to Abate CO #21155. It will be sent certified mail on 8/4/15.

Also attached is the inspection report dated 8/3/15 for your reference.

Thank you.

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Suzanne Steab, Engineering Technician II
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

2 attachments

 **CO21155.pdf**
113K

 **0720P0803.pdf**
920K



Citation for Non-Compliance
Utah Coal Regulatory Program
 1594 West North Temple, Salt Lake City, UT 84114
 Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 21155
Permit Number: C0070020
Date Issued: 08/04/2015

<input type="checkbox"/> NOTICE OF VIOLATION	<input type="checkbox"/> CESSATION ORDER (CO)	<input checked="" type="checkbox"/> FAILURE TO ABATE CO
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Permittee Name: HIDDEN SPLENDOR RESOURCES	Inspector Number and ID: 67 ADANIELS
Mine Name: HORIZON MINE	Date and Time of Inspection: 08/03/2015 11:00 am
Certified Return Receipt Number: 70123460000295596588	Date and Time of Service: 08/04/2015

Nature of condition, practice, or violation:
 Failure to completed required abatement of Notice of Violation (NOV) 21151. The inlet to culvert DC-2 was completely blocked, and the outlet of UC-1 was still half full of sediment. See inspection report 5260 from August 3, 2015.

Provisions of Act, regulations, or permit violated:
 R645-301-752.100, R645-301-731.121, R645-301-742.100

This order requires Cessation of ALL mining activities. (Check box if appropriate.)

<input type="checkbox"/> Condition, practice, or violation is creating an imminent danger to health or safety of the public.	<input type="checkbox"/> Permittee is/has been conducting mining activities without a Permit.
<input type="checkbox"/> Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.	<input checked="" type="checkbox"/> Permittee has failed to abate Violation(s) included in <input checked="" type="checkbox"/> Notice of Violation or <input type="checkbox"/> Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: <input type="checkbox"/> Yes <input type="checkbox"/> No	Abatement Times (if applicable).

Action(s) required: Yes No
 Complete the abatement requirements of NOV 21151.

ALEX WALKER _____ (Print) Permittee Representative	AMANDA DANIELS _____ (Print) DOGM Representative
_____ Permittee Representative's Signature - Date	 _____ DOGM Representative's Signature - Date

SEE REVERSE SIDE Of This Form For Instructions And Additional Information



GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Inspection Report

Permit Number:	C0070020
Inspection Type:	PARTIAL
Inspection Date:	Monday, August 03, 2015
Start Date/Time:	8/3/2015 11:00:00 AM
End Date/Time:	8/3/2015 12:00:00 PM
Last Inspection:	Wednesday, July 15, 2015

Representatives Present During the Inspection:
OGM Amanda Daniels

Inspector: Amanda Daniels

Weather: Overcast

InspectionID Report Number: 5260

Accepted by: DHADDOCK
8/4/2015

Permittee: **HIDDEN SPLENDOR RESOURCES**

Operator: **HIDDEN SPLENDOR RESOURCES**

Site: **HORIZON MINE**

Address: **57 WEST 200 SOUTH, SUITE 400, SALT LAKE CITY UT 84101**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

1,577.00	Total Permitted
9.50	Total Disturbed
	Phase I
	Phase II
	Phase III

Mineral Ownership

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

An inspection was conducted to evaluate if NOVs 21151 and 21153 were abated as required. The abatement date for both of these NOVs was August 3rd, the day of the inspection. FTACO 21155 was issued, NOV 21153 was terminated. It was not raining during the inspection, but it had recently rained.

Inspector's Signature

Amanda Daniels

Date

Tuesday, August 04, 2015

Amanda Daniels,

Inspector ID Number: 67

Note: This inspection report is issued under the authority of the Division of Oil, Gas and Mining. It is subject to the regulatory program of the Division of Oil, Gas and Mining. telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



3. Topsoil

NOV 21153 was issued during last months inspection due to failure to protect topsoil, specifically topsoil piles D and E. These piles are located on the south facing slope of Portal Canyon and have waddles placed on the lowest part of the piles to prevent topsoil from eroding off the piles. The waddles do not appear to be adequately protecting topsoil from eroding, since it appears that all it takes is one or two storms to hit the site, and the erosion from the piles either over tops the waddles or under cuts them. The waddles are also showing signs of ware that would prevent them from fully functioning. (see inspection pictures) To abate NOV 21153, the waddles were re-staked, but it should be emphasized that this is a temporary fix at best. NOV 21153 was terminated.

4.a Hydrologic Balance: Diversions

NOV 21151 was issued for failing to maintain the inlet to culvert DC-2 and the outlet of culvert UC-1. At the time of the NOV issuance, the inlet to DC-2 had been completely buried by mud, and the outlet of UC-1 was half full of sediment. The outlet of UC-1 still appears to be half full of sediment. It looked like some mud had been removed from the outlet, but not enough to remove any significant sediment.

During the inspection there was evidence that some mud and sediment had been pulled from the inlet of DC-2 but there was a large pond of water at the inlet, and almost no water was passing through the outlet of DC-2. The culvert appears to be completely blocked. See inspection pictures for more details.

NOV 21151 was not abated as required, as a result, FTACO 21155 was issued.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The sediment pond is filling with water, it seems likely that the pond may discharge this fall. The inlets are continuing to erode and bank erosion is getting worse. FTACO 12147, issued August 5, 2014, is still outstanding.

4.c Hydrologic Balance: Other Sediment Control Measures

The site is seeing more and more erosion taking place. This will only make problems appearing with the sediment ponds worse, and disturbed drainage culvert DC-2 will continue seeing sediment and mud deposits at the inlet.

4.e Hydrologic Balance: Effluent Limitations

The sediment pond was not discharging.

7. Coal Mine Waste, Refuse Piles, Impoundments

Coal refuse is piled throughout the site. It erodes easily and is continuing to contribute sediment to the pond.















