



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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INSPECTION REPORT

INSPECTION DATE & TIME: September 7, 1990
11:00 am to 3:30 pm

Permittee and/or Operators Name: North American Equities (NAE)(415)866-7186
Operator's Representative: %Adam Affleck; Holme, Roberts & Owen (801)521-580
Business Address: 50 S. Main Street, Salt Lake City, UT 84114
Mine Name: Blazon #1 Mine Permit Number: INA/007/021
Type of Mining Activity: Underground Surface Other
County: Carbon
Company Official (s): Rich White - EarthFax
State Official(s): Randy Harden, Tom Mitchell AG's Office
Partial: Complete: Date of Last Inspection: August 14, 1990
Weather Conditions: Clear, warm
Acreage: Permitted 320 Disturbed 1.5 Regraded Seeded Bonded 1.5
Enforcement Action: Abatement C90-17-1-1

COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	YES	NO	N/A	COMMENTS
1. PERMITS	()	(X)	()	(X)
2. SIGNS AND MARKERS	(X)	()	()	()
3. TOPSOIL	(X)	()	()	()
4. HYDROLOGIC BALANCE:				
a. STREAM CHANNEL DIVERSIONS	(X)	()	()	()
b. DIVERSIONS	(X)	()	()	()
c. SEDIMENT PONDS AND IMPOUNDMENTS	()	(X)	()	(X)
d. OTHER SEDIMENT CONTROL MEASURES	(X)	()	()	(X)
e. SURFACE AND GROUNDWATER MONITORING	(X)	()	()	(X)
f. EFFLUENT LIMITATIONS	()	(X)	()	(X)
5. EXPLOSIVES	()	()	(X)	()
6. DISPOSAL OF DEVELOPMENT WASTE AND SPOIL	(X)	()	()	()
7. COAL PROCESSING WASTE	()	()	(X)	()
8. NONCOAL WASTE	(X)	()	()	(X)
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	(X)	()	()	()
10. SLIDES AND OTHER DAMAGE	(X)	()	()	()
11. CONTEMPORANEOUS RECLAMATION	()	(X)	()	()
12. BACKFILLING AND GRADING	()	(X)	()	(X)
13. REVEGETATION	()	(X)	()	()
14. SUBSIDENCE CONTROL	()	()	(X)	()
15. CESSATION OF OPERATIONS	()	()	(X)	()
16. ROADS				
a. CONSTRUCTION	()	()	(X)	()
b. DRAINAGE CONTROLS	(X)	()	()	(X)
c. SURFACING	(X)	()	()	()
d. MAINTENANCE	(X)	()	()	()
17. OTHER TRANSPORTATION FACILITIES	()	()	(X)	()
18. SUPPORT FACILITIES				
UTILITY INSTALLATIONS	()	(X)	()	(X)

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PERMIT NUMBER: INA/007/021

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(Comments are Numbered to Correspond with Topics Listed Above)

1. PERMITS

In conjunction with review of the permit by the Division, it was found that NAE failed to provide an application for permit renewal within 120 days prior to permit expiration date (November 12, 1990). NAE was noticed on the requirements for filing a permit renewal in a letter dated August 30, 1990. This letter detailed the information that must be submitted with the application for permit renewal. Additionally, in conjunction with the permit review, the Division determined that a requirement under the currently approved rules for alternate post-mining land use had not yet been met. Rule R614-302-271.600 requires a written request from the landowner for variance from AOC requirements to render the land suitable after reclamation for the alternate post-mining land use.

Failure to meet the above requirements for an alternative post-mining land use resulted in NOV N90-28-6-1 by Daron Haddock on September 11, 1990. NAE has appealed this NOV to the Board for temporary relief.

As a result of the Board Hearing on September 27, 1990, the Board rescheduled pleadings by NAE and Mr. Otani regarding the requirement for permit renewal under reclamation only, landowner consent for alternate post-mining land use, mitigation requirements for the retained highwall(s), and Phase I bond release. A special hearing was scheduled to be held by the Board on October 17, 1990.

4. HYDROLOGIC BALANCE:

c. SEDIMENT PONDS AND IMPOUNDMENTS

Previous inspection of the sediment pond by Mr. Kunzler indicated that the primary discharge structure was leaking. Even though the water was not at the top of the primary spillway, seepage from the barrel of the structure was occurring. Mr. White of EarthFax, inspected the 24" culvert with which the barrel of the principle spillway was constructed. It was determined by Mr. White that possible leakage of the culvert has occurred at joint approximately 1 foot in from the riser. Mr. White repaired the joint utilizing asphalt caulking to the exterior of the joint and recompacting the soil around the conduit with a soil/bentonite mixture. These repairs occurred on September 12, 1990.

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Mr. Kunzler wrote NOV N90-17-6-1 on September 21, 1990 for unauthorized discharge from sediment pond in exceedence of water quality limits for discharge from reclaimed areas. This violation was written on the basis of a water sample taken from the outlet of the principle spillway upon receipt of analysis demonstrating that the effluent limitations had been exceeded.

d. OTHER SEDIMENT CONTROL MEASURES

Cessation order C90-17-1-1 was terminated at the time of the inspection. The holes in the silt fence had been repaired and sediment had been removed from behind the silt fence.

In addition to the repairs on the silt fence, straw bales were placed to treat any flow which may overtop the silt fence in a low area just upgrade of ditch B. This low area tended to accumulate sediments behind the silt fence and consequently impound water. The straw bales were placed so as to treat the water in the event that it overtops the silt fence.

e. SURFACE AND GROUNDWATER MONITORING

Quarterly water analysis of surface water samples taken in June of 1990 were provided by the operator in a report received by the Division on July 2, 1990.

f. EFFLUENT LIMITATIONS

A water sample was taken from the discharge pipe of the sediment pond on September 9, 1990 by Lynn Kunzler. Leakage of the barrel of the principle spillway of the sediment pond was determined to be the source of the flow. Measurements by Mr. Kunzler at the time the sample was taken found the flow to be less than 1 gpm. NOV N90-17-6-1 was subsequently written by Mr. Kunzler on September 21, 1990 for unauthorized discharge from sediment pond in exceedence of water quality limits for discharge from reclaimed areas.

8. NONCOAL WASTE

Very minor amounts of trash and litter were found on the site at the time of the inspection. Rich White was on site attending to the maintenance of the sediment control structures and had been patrolling the site and collecting the trash and litter as he found it.

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12. BACKFILLING AND GRADING

Backfilling and grading of the highwall is currently not considered to be in accordance with the requirements of the regulations. NOV N90-13-3-1 has been issued by the Division regarding reclamation of the highwall at the portal bench and portal access road areas. This violation is currently under appeal by the operator and will be presented before the Board in the October 17, 1990 hearing as mentioned under Permitting in this inspection report.

16. ROADS

b. DRAINAGE CONTROLS

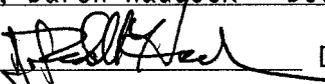
Straw bales and ditches were found to be maintained and in good condition at the time of the inspection. Several storms had occurred during the past few weeks which resulted in the need for repair and maintenance of the drainage controls for the roads.

18. SUPPORT FACILITIES UTILITY INSTALLATIONS

NOV N90-13-4-1 was written to include the cut slope areas along the west side of the mine access road in the disturbed area boundary. The operator has been required to revise drawings of this area accordingly and to include these slopes in the reclamation plan. This violation is currently not under appeal by NAE and the abatement date for the violation has been modified to October 24, 1990.

Copy of this Report:

Mailed to: Brian Smith - OSM, Mr. Adam Affleck - Holme, Roberts & Owen
Given to: Joe Helfrich - DOGM, Daron Haddock - DOGM

Inspectors Signature and Number: #13  Date: September 28, 1990