



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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This recommendation was reviewed, however, it has been determined that monthly inspections of the Blazon site will continue.  
RZH 12/28/92

November 18, 1992

TO: Daron Haddock, Permit Supervisor

FROM: Randy Harden, Sr. Reclamation Engineer ~~RZH~~

RE: Revised inspection frequency as an "Abandoned site", Blazon Mine, ACT/007/021, Folder #2, Carbon County, Utah

In accordance with the provisions of R645-400, recommendation for reduction of inspection frequency of the Blazon Mine site is as follows:

The Blazon Mine meets the criteria as an "Abandoned site" as defined in the R645 Coal Mining rules. The definition is as follows:

*"Abandoned site" means, for the purpose of R645-400, a coal mining and reclamation operation for which the Division has found in writing that,*

- (a) *All coal mining and reclamation operations at the site have ceased;*
- (b) *The Division has issued at least one notice of violation or the initial program equivalent, and either:*
  - (i) *Is unable to serve the notice despite diligent efforts to do so; or*
  - (ii) *The notice was served and has progressed to a failure-to-abate cessation order or the initial program equivalent;*
- (c) *The Division:*
  - (i) *Is taking action to ensure that the permittee and operator, and owners and controllers of the permittee and operator, will be precluded from receiving future permits while violations continue at the site; and*
  - (ii) *Is taking action pursuant to section 40-10-20(5), 40-10-20(6), 40-10-22(1)(d), or 40-10-22(2)(a) of the Act to ensure that abatement occurs or that there will not be a recurrence of the failure-to-abate, except where after evaluating the circumstances it concludes that further enforcement offers little or no likelihood of successfully compelling abatement or recovering any reclamation costs; and*
- (d) *Where the site is, or was, permitted or bonded:*
  - (i) *The permit has expired or been revoked, or permit revocation proceedings have been initiated and are being pursued diligently; and*
  - (ii) *The Division has initiated and is diligently pursuing forfeiture of, or has forfeited, the performance bond.*
- (e) *In lieu of the inspection frequency established in R645-400-130 the Division shall inspect each abandoned site as necessary to monitor for changes of environmental conditions or operational status at the site.*
- (f) *Before ceasing to perform inspections at the frequency required by R645-400-130 at an abandoned site, the Division will:*
  - (i) *Evaluate the environmental conditions and operational status of the site; and*
  - (ii) *Document in writing the inspection frequency necessary to comply with paragraph (e) of this definition and the reasons for selecting that frequency.*

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In accordance with part (f) of the above definition, evaluation of the Blazon Mine site in regard to environmental conditions and operational status is as follows:

Mining and reclamation activities at the Blazon No. 1 Mine have not occurred on site since the fall of 1988. Two failure to abate cessation notices are still currently outstanding as a result of NOV 91-39-4-2, 1 of 2, and, 2 of 2. To date, the operator has declared insolvency, and has been unresponsive to all notices and orders submitted by the Division in regard to these violations. Bond forfeiture of the site occurred on May 31, 1991. NAE has been blocked from conducting any permitting activities via the AVS system. The Division has concluded that further enforcement offers little or no likelihood of successfully compelling abatement or recovering any future reclamation costs other than the bond amount retained by the Division under bond forfeiture. No mining or reclamation activities have occurred on the site since that time. The landowner has indicated that implementation of the post mining land use or any use of the land will be unlikely in the near future. While conditions at the site are not considered to be in strict compliance with the performance standards under the Coal Mining Rules, little change in the environmental conditions has occurred at the site since Phase I bond release. Minor surface erosion and deterioration of the pad and road areas has occurred on the site over the past four years, but no sudden or accelerated erosion conditions were found at the mine site at the time of the last complete inspection of the mine in October of 1992. While no field analysis of the vegetation success has been made, revegetation of the reclaimed areas appears to be successful and erosion of the reclaimed areas has been reduced by the vegetation. With the exception of vegetative growth, the site has remained essentially the same since activities ceased in 1988. Conditions at the Blazon site are considered unlikely to adversely affect the public health or safety, or cause significant, imminent environmental harm to land, air, or water resources.

Accordingly, it is recommended that the inspection frequency required under R645-400-130 be reduced from a monthly basis to a quarterly basis. Quarterly inspections would allow for site evaluation during critical seasonal periods such as spring runoff and summer thunderstorm seasons, but would eliminate field inspection during winter periods in which the site is covered by snow and inaccessible for months at a time. In the event that site conditions change or additional reclamation activities occur on the site, the inspection frequency could be increased as needed.

cc: L. Braxton