0005

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

Partial:___ Complete:___ Exploration: X

Inspection Date & Time: 10/6/95 / 1:30a.m.-3:00p.m.

Date of Last Inspection: 9/20/95

Mine Name: Blackhawk Site Exp County: Carbon Permit Number: ACT /007/038

Permittee and/or Operator's Name: Western Coal Company/Cyprus Plateau Mining

Business Address: P.O. Box PMC. Price, Utah 84501

Type of Mining Activity: Underground XXX Surface___ Prep. Plant___ Other___

Company Official(s):

State Officials(s): Stephen J. Demczak Federal Official(s):

Weather Conditions: Clear 50's

Existing Acreage: Permitted- 11,500 Disturbed- 3.7 Regraded-___ Seeded-___ Bonded- 3.7

Increased/Decreased: Permitted-___ Disturbed-___ Regraded-___ Seeded-___ Bonded-___

Status: XX Exploration/____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.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	[XX]	[ ]	[XX]	[ ]
2. SIGNS AND MARKERS	[ ]	[ ]	[ ]	[ ]
3. TOPSOIL	[XX]	[ ]	[XX]	[ ]
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	[XX]	[ ]	[XX]	[ ]
b. SEDIMENT PONDS AND IMPOUNDMENTS	[ ]	[ ]	[ ]	[ ]
c. OTHER SEDIMENT CONTROL MEASURES	[ ]	[ ]	[ ]	[ ]
d. WATER MONITORING	[ ]	[ ]	[ ]	[ ]
e. EFFLUENT LIMITATIONS	[ ]	[ ]	[ ]	[ ]
5. EXPLOSIVES	[ ]	[ ]	[ ]	[ ]
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	[ ]	[ ]	[ ]	[ ]
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	[ ]	[ ]	[ ]	[ ]
8. NONCOAL WASTE	[ ]	[ ]	[ ]	[ ]
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	[ ]	[ ]	[ ]	[ ]
10. SLIDES AND OTHER DAMAGE	[ ]	[ ]	[ ]	[ ]
11. CONTEMPORANEOUS RECLAMATION	[ ]	[ ]	[ ]	[ ]
12. BACKFILLING AND GRADING	[ ]	[ ]	[ ]	[ ]
13. REVEGETATION	[ ]	[ ]	[ ]	[ ]
14. SUBSIDENCE CONTROL	[ ]	[ ]	[ ]	[ ]
15. CESSATION OF OPERATIONS	[ ]	[ ]	[ ]	[ ]
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	[ ]	[ ]	[ ]	[ ]
b. DRAINAGE CONTROLS	[ ]	[ ]	[ ]	[ ]
17. OTHER TRANSPORTATION FACILITIES	[ ]	[ ]	[ ]	[ ]
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	[ ]	[ ]	[ ]	[ ]
19. AVS CHECK (4th Quarter-April, May, June)_____(date)	[ ]	[ ]	[ ]	[ ]
20. AIR QUALITY PERMIT	[ ]	[ ]	[ ]	[ ]
21. BONDING & INSURANCE	[ ]	[ ]	[ ]	[ ]

PERMIT NUMBER: **ACT/007/038** DATE OF INSPECTION: 10/6/95

(Comments are Numbered to Correspond with Topics Listed Above)

CITIZEN COMPLAINT-

This inspection was in response of a citizen complaint. That the operator may be doing activity that was not approved in the Mining and Reclamation Plan. The final conclusion after the inspection was that the permittee had done activities that were approved. Therefore, no violations were written for conducting mining activities without an approval. There were several questions about possible violation of inaccurate maps, and drainage control during the inspection but reading the MRP and discussing over the phone new documents at the Salt Lake Office these became non-issues.

1. PERMIT -

The operator had submitted updated topsoil containment maps to the Division prior to the inspection at Salt Lake City. These maps were not available at the time of the inspection to the Price Field Office. Therefore, it seemed that the maps were not up-to-date and the permittee was in violation at the time of the inspection. A conversation with the lead inspector revealed that new documents were sent to Salt Lake Office prior to the inspection, thus, this became a non-issue.

The permit area of the Exploration Permit which was also part of the Castle Gate area has been withdrawn from the Blackhawk Permit. This area is presently bonded under the Castle Gate Permit. This area had met the critical requirements of bond release for the Exploration Permit. This amendment was sent in prior to the citizen complaint but was mistaken for other correspondence. During the inspection, a silt fence had not been functioning and was required in the Blackhawk Exploration Permit. The drainage was going to a catch basin which was required in the Castle Gate Permit. Since, the disturbed drainage was being treated with a substantially better treatment facility no violation will be written.

3. TOPSOIL -

The new topsoil pile is being treated by both berm and silt fences which was approved by the Division prior to the citizen complaint. The updated maps were to be sent to the Division. These maps were sent to the Division before the complaint.

INSPECTION REPORT
(Continuation sheet)

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4A. DIVERSION -

There is one culvert under the road leading to the removal area of material which will be placed on the Castle Gate Refuse area. This culvert under the old Willow Creek Permit was to treat road drainage. It seemed likely that under the new permit it would also be used for this purpose. During the inspection, the road drainage was blocked off by dirt and a possible violation existed. After review of the drainage control plan by the Hydrologist in Salt Lake City, it was shown, in the updated plan, that this culvert is for undisturbed drainage only. Therefore, no violation exists.

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: Cyprus Western Coal Company Donna Griffin (OSM)
Given to: Joe Helfrich (DOGM) Filed to: Price Field Office
Date: October 18, 1995

Inspector's Signature: #39
Stephen J. Demczak