



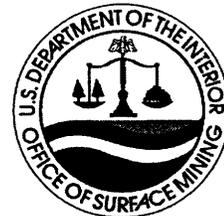
0014

# U.S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

## Mine Site Evaluation

### State Program

*Compliance*  
*ACT 10071039*



**RECEIVED**

1. Permittee/Person <b>CANYON FUEL COMPANY</b>		9. Permit Number <b>UT-007-039</b>	10. Permit Type <b>PP</b>
2. Address <b>P. O. BOX 1029</b>		11. Field Visit Date <b>04/27/2000</b>	12. Purpose <b>O</b>
3. City <b>Wellington</b>		13. SRA Present <b>Y</b>	14. Permit Status <b>A</b>
5. Zip Code <b>84542</b>		15. Site Status <b>AP</b>	16. Facility Type <b>B</b>
6. Phone Number <b>(435) 636-2872</b>		17. OSM Office # <b>140</b>	18. CCID # <b>[ ]</b>
7. Operator Name, if Different than Permittee <b>[ ]</b>		19. Land Code <b>SF</b>	20. M.S.H.A ID # <b>42-01890</b>
8. Mine Name <b>DUGOUT CANYON MINE</b>		21. State Abrev. <b>UT</b>	22. County Name <b>CARBON</b>
		23. AVS Permittee Entity ID Number <b>[ ]</b>	24. State Office <b>[ ]</b>

25. Hours	26. Signature Block	27. Reviewing Official:
<b>1.0</b> a. Permit Review	<i>Henry Austin #116</i>	<i>J. Fulton</i>
<b>4.0</b> b. Site Visit Time	Signature: <i>5/2/00</i>	Signature:
<b>6.0</b> c. Travel Time	Printed Name: <b>HENRY AUSTIN ID # 116</b>	Review Date: <b>5/31/2000</b>
<b>1.0</b> d. Report Writing	Date: <b>05/02/2000</b>	mm - dd - yyyy
		Is Supplemental MSE Page Used Y/N <b>Y</b>

**Permit Type — Item 10** IP = Interim Program, PP = Permanent Program, NP = No Permit

**Purpose Type Codes Item 12**  
 Oxx.... Oversight RFX.... Reclamation Fees CCR.... Citizen Complaint Referral (non site visit)  
 Axx.... Assistance Fxx.... Federal Actions CC.... Citizen Complaint (initial site visit)  
 CCF.... Citizen Complaint Follow-up

**Joint Inspection — Item 13** A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

**Permit Status — Item 14**  
 A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.  
 IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.  
 BR.... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)  
 AB.... Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g)  
 AB1... Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.  
 AB2... Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.  
 AB3... Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.  
 NA.... Not Applicable: When site is unpermitted.

**Site Status Codes — Item 15**  
 ND... No Disturbance: No coal mining and reclamation operations have been started.  
 EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.  
 AP... Active Coal Producing: Coal surface mining activities are occurring.  
 AN... Active Non-Producing: Active non-producing facility such as tippie or preparation plant.  
 NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.  
 MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.  
 TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).  
 P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.  
 P2... Phase II Release: At least Phase II bond release for the entire permitted area.  
 P3... Phase III Release: Reclamation completed and the RA has released all bond.  
 NS.. Non-Site Visit: Status of site not determined.  
 FP.. Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.  
 FR.. Forfeited and Reclaimed: Forfeiture reclamation completed.  
 FO.. Abandoned Site: Abandoned site that is permitted but there is no bond.  
 WC.. Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

**Facility Type Codes — Item 16**  
 A... Surface D... Ancillary (Haulroad, Conveyor, and/or Rails) H... Exploration Permits L... Remaining site permitted under 30 CFR 785.25  
 B... Underground E... Refuse and/or Impoundment I... Notice of Intent to Explore  
 C... Preparation Plant F... Loading Facility and/or Tippie J... Exempt 16 and 2/3  
 G... Stockpiles K... Government Financed Construction Exemption

## Small Business Regulatory Enforcement Fairness Act (SBREFA)

### Your Comments Are Important

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

# U. S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

## Mine Site Evaluation

State Program

Permittee/  
Person

**CANYON FUEL COMPANY**

Permit  
Number

**UT-007-039**

Field Visit  
Date

**04/27/2000**

Continuation Page

### 28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited

- |   |  |   |         |       |       |       |       |       |       |       |             |       |       |       |       |       |       |       |          |       |       |       |       |       |       |       |  |    |    |    |       |       |       |       |
|---|--|---|---------|-------|-------|-------|-------|-------|-------|-------|-------------|-------|-------|-------|-------|-------|-------|-------|----------|-------|-------|-------|-------|-------|-------|-------|--|----|----|----|-------|-------|-------|-------|
| <p><b>A. Administrative</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Mining within Valid Permit</li> <li>2. <u>1</u> Mining within Bonded Area</li> <li>3. <u>1</u> Terms &amp; Conditions of Permit</li> <li>4. <u>1</u> Liability Insurance</li> <li>5. <u>1</u> Ownership and Control</li> <li>6. <u>1</u> Temporary Cessation</li> <li>7. <u>1</u> AML Rec. Fees -- Non-Respondent</li> <li>8. <u>1</u> AML Rec. Fees -- Failure to Pay</li> </ol> <p><b>B. Hydrologic Balance</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. <u>1</u> Inspections &amp; Certifications</li> <li>3. <u>1</u> Siltation Structures</li> <li>4. <u>1</u> Discharge Structures</li> <li>5. <u>1</u> Diversions</li> <li>6. <u>1</u> Effluent Limits</li> <li>7. <u>1</u> Ground Water Monitoring</li> <li>8. <u>1</u> Surface Water Monitoring</li> <li>9. <u>1</u> Drainage -- Acid-Toxic Materials</li> <li>10. <u>1</u> Impoundments</li> <li>11. <u>1</u> Stream Buffer Zones</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Removal</li> <li>2. <u>1</u> Substitute Materials</li> <li>3. <u>1</u> Storage and Protection</li> <li>4. <u>1</u> Redistribution</li> </ol> | <p><b>D. Backfilling &amp; Grading</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Exposed Openings</li> <li>2. <u>1</u> Contemporaneous Reclamation</li> <li>3. <u>1</u> Approximate Original Contour</li> <li>4. <u>1</u> Highwall Elimination</li> <li>5. <u>1</u> Steep Slopes (includes downslope)</li> <li>6. <u>1</u> Handling of Acid &amp; Toxic Materials</li> <li>7. <u>1</u> Stabilization (rills and gullies)</li> </ol> <p><b>E. Excess Spoil Disposal</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Placement</li> <li>2. <u>3</u> Drainage Control</li> <li>3. <u>3</u> Surface Stabilization</li> <li>4. <u>3</u> Inspections &amp; Certifications</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. <u>1</u> Surface Stabilization</li> <li>3. <u>1</u> Placement</li> <li>4. <u>1</u> Inspections and Certifications</li> <li>5. <u>1</u> Impounding Structures</li> </ol> <p><b>G. Use Of Explosives</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Blaster Certification</li> <li>2. <u>3</u> Distance Prohibitions</li> <li>3. <u>3</u> Blast Survey/Schedule</li> <li>4. <u>3</u> Warnings &amp; Records</li> <li>5. <u>3</u> Control of Adverse Effects</li> </ol> | <p><b>H. <u>1</u> Subsidence Control Plan</b></p> <p><b>I. Roads</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Road Construction</li> <li>2. <u>1</u> Certification</li> <li>3. <u>1</u> Drainage</li> <li>4. <u>1</u> Surfacing and Maintenance</li> <li>5. <u>1</u> Reclamation</li> </ol> <p><b>J. Signs &amp; Markers</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Signs</li> <li>2. <u>1</u> Markers</li> </ol> <p><b>K. <u>1</u> Distance Prohibitions</b></p> <p><b>L. Revegetation</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Vegetative Cover</li> <li>2. <u>1</u> Timing</li> </ol> <p><b>M. <u>1</u> Postmining Land Use</b></p> <p><b>N. Other</b></p> <table border="0" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: right;">General</td> <td style="width: 20px;">_____</td> </tr> <tr> <td style="text-align: right;">Performance</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td style="text-align: right;">Category</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td></td> <td style="text-align: center;">1)</td> <td style="text-align: center;">2)</td> <td style="text-align: center;">3)</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> </table> | General | _____ | _____ | _____ | _____ | _____ | _____ | _____ | Performance | _____ | _____ | _____ | _____ | _____ | _____ | _____ | Category | _____ | _____ | _____ | _____ | _____ | _____ | _____ |  | 1) | 2) | 3) | _____ | _____ | _____ | _____ |
| General   | _____  | _____   | _____   | _____ | _____ | _____ | _____ |       |       |       |             |       |       |       |       |       |       |       |          |       |       |       |       |       |       |       |  |    |    |    |       |       |       |       |
| Performance   | _____  | _____   | _____   | _____ | _____ | _____ | _____ |       |       |       |             |       |       |       |       |       |       |       |          |       |       |       |       |       |       |       |  |    |    |    |       |       |       |       |
| Category  | _____  | _____   | _____   | _____ | _____ | _____ | _____ |       |       |       |             |       |       |       |       |       |       |       |          |       |       |       |       |       |       |       |  |    |    |    |       |       |       |       |
|   | 1)   | 2)  | 3)      | _____ | _____ | _____ | _____ |       |       |       |             |       |       |       |       |       |       |       |          |       |       |       |       |       |       |       |  |    |    |    |       |       |       |       |

### Performance Standard Categories 30 CFR Counterpart

<p><b>A. Administrative.....</b></p> <ol style="list-style-type: none"> <li>1. Valid Permit.....773.11</li> <li>2. Mining within Bonded Area.....773.11</li> <li>3. Terms &amp; Conditions of Permit.....773.17</li> <li>4. Liability Insurance.....800.60</li> <li>5. Ownership and Control.....778.13</li> <li>6. Temporary Cessation.....842.11(e) &amp; 816/817.131</li> <li>7. AML Rec. Fees -- Non-Respondant.....870.15(b)</li> <li>8. AML Rec. Fees -- Failure to Pay.....870.15(a)</li> </ol> <p><b>B. Hydrologic Balance.....(816/817.41-57)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....45</li> <li>2. Inspections &amp; Certifications.....49(a)(10)</li> <li>3. Siltation Structures.....46</li> <li>4. Discharge Structures.....47</li> <li>5. Diversions.....43</li> <li>6. Effluent Limits.....42</li> <li>7. Ground Water Monitoring.....41(c)</li> <li>8. Surface Water Monitoring.....41(e)</li> <li>9. Drainage--Acid - Toxic Materials.....41(f)</li> <li>10. Impoundments.....49</li> <li>11. Stream Buffer Zones.....57</li> </ol> <p><b>C. Topsoil &amp; Subsoil.....(816/817.22)</b></p> <ol style="list-style-type: none"> <li>1. Removal.....22(a)</li> <li>2. Substitute Materials.....22(c)</li> <li>3. Storage and Protection.....22(c)</li> <li>4. Redistribution.....22(d)</li> </ol> <p><b>D. Backfilling &amp; Grading.....(816/817.95-107)</b></p> <ol style="list-style-type: none"> <li>1. Exposed Openings.....816/817.13, 14, 15, &amp; 823.11 &amp; 21</li> <li>2. Contemporaneous Reclamation.....100</li> <li>3. Approximate Original Contour.....102(a)(1)</li> <li>4. Highwall Elimination.....102(a)(2)</li> <li>5. Steep Slopes (includes downslope).....107</li> <li>6. Handling of Acid &amp; Toxic Materials.....102(c)</li> <li>7. Stabilization (rills and gullies).....95(b)</li> </ol>	<p><b>E. Excess Spoil Disposal.....(816/817.71-74)</b></p> <ol style="list-style-type: none"> <li>1. Placement.....71(e)</li> <li>2. Drainage Control.....71(f)</li> <li>3. Surface Stabilization.....71(g)</li> <li>4. Inspections &amp; Certifications.....71(h)</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments) .....(816/817.81-84)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....83(a)</li> <li>2. Surface Stabilization.....83(b)</li> <li>3. Placement.....83(c)</li> <li>4. Inspections and Certifications.....83(d)</li> <li>5. Impounding Structures.....84</li> </ol> <p><b>G. Use of Explosives.....(816/817.61-68)</b></p> <ol style="list-style-type: none"> <li>1. Blaster Certification.....61(c)</li> <li>2. Distance Prohibitions.....61(d)</li> <li>3. Blast Survey/Schedule.....62-64</li> <li>4. Warnings &amp; Records.....66 &amp; 68</li> <li>5. Control of Adverse Effects.....67</li> </ol> <p><b>H. Subsidence Control Plan.....(817.121-122)</b></p> <p><b>I. Roads.....(816/817.150-151)</b></p> <ol style="list-style-type: none"> <li>1. Road Construction.....150(c)</li> <li>2. Certification.....151(a)</li> <li>3. Drainage.....150(b)-151(d)</li> <li>4. Surfacing and Maintenance.....150(e)-151(d)</li> <li>5. Reclamation.....150(f)</li> </ol> <p><b>J. Signs &amp; Markers .....(816/817.11)</b></p> <ol style="list-style-type: none"> <li>1. Signs.....11(a),(b),&amp;(c)</li> <li>2. Markers.....11(a),(b),(d),(e),&amp;(f)</li> </ol> <p><b>K. Distance Prohibitions.....(761.11)</b></p> <p><b>L. Revegetation.....(816/817.111-116)</b></p> <ol style="list-style-type: none"> <li>1. Vegetative Cover.....111 &amp; 116</li> <li>2. Timing.....113</li> </ol> <p><b>M. Postmining Land Use.....(816/817.133)</b></p>
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May 1, 2000

Canyon Fuel Company  
P.O. Box 1029  
Wellington, UT 84542

Dugout Canyon Mine  
Complete, oversight inspection  
April 27, 2000

Participants:

Dave Spillman, Canyon Fuel Company (CFC)  
Chris Hansen, CFC  
Gary Taylor, CFC  
Steve Demczak, Utah Division of Oil, Gas and Mining (DOGGM)  
Joe Wilcox, Office of Surface Mining (OSM)  
Henry Austin, OSM

I participated in a complete, joint, oversight inspection of the Dugout Canyon Mine with the above participants. Weather conditions were warm and fair, and ground conditions were wet in some spots, but no surface water runoff from disturbed areas was evident during the inspection. This mine was selected by the joint DOGM/OSM evaluation team for a routine, complete, oversight inspection during the 2000 Evaluation Year.

Prior to the inspection I reviewed permitting and inspection/enforcement files both at the OSM Denver office and DOGM's Salt Lake City office. The review included: 3/28/00 letter from the USFWS to DOGM concerning Section 7 Consultation; 4/7/00 letter from USDI/BLM to DOGM: R2P2 revision comments and determination; 11/8/99 Comprehensive T.A. from DOGM to the permittee; follow-up T.A. comments from several DOGM staff; 3/15/00 Annual Report from the permittee to DOGM; 3/20/00 4<sup>th</sup> quarter 1999 water monitoring and UPDES/DMR's; Utah Coal Mining Hydrology Data Access (DOGGM website/electronic water quality information); several DOGM inspection reports; and permitting actions correspondence files. Mr. Wilcox reviewed DOGM records concerning the pending Federal mine plan action on this permit and other permitting/correspondence files.

Mr. Demczak began the inspection by reviewing permitting and environmental monitoring records at the mine site office. The review included: The current water monitoring, UPDES / DMR's, and sediment pond inspection reports were in order; 5/20/98 UPDES permit approval which expires 4/30/2003; liability insurance is current through 7/31/00; 2/1/00 SPCC Plan is on file; and the bond dated 7/24/98 is held by Liberty Mutual Insurance for \$3,682,000.

Disturbed acreage at this site is currently 20.1 acres.

Dugout Canyon Mine; pg. 2

We began the field inspection and walked all the disturbed areas at the site. We started up canyon at the undisturbed area surface, water runoff bypasses which are diverted through cmp's, under the length of the entire facilities pad. These two bypass inlets were inspected and are clear and functional. The bypass inlets are well designed and constructed, and appear very stable. The entire facility area is extremely well maintained and orderly. Diversion ditches are concrete lined and all diversion inlet/outlet areas are well designed and protected. Facility pad construction, which occurred here during 1999, appears to have had a minimal impact to the background hydrologic characteristics of this canyon, and the permittee should be commended for their design innovation and careful construction techniques. ✓

The bypass outlet is well stabilized both in the stream channel and with a large wire basket / rock gabion structure. All culvert inlets / outlets inspected were clear. The sediment pond storage capacity was reestablished last July/August 1999 after a large rain / storm event and subsequent runoff deposited sediment into the pond. The pond embankment appears stable and spillways are functional. Adjacent areas disturbed by pond construction activity have been seeded and are stable. The permittee has also hydroseeded south facing cutslopes throughout the facility area and these slopes should be monitored to insure revegetation success sufficient to provide cutslope surface stabilization. Erosion control blankets / reseeded should be considered if necessary to help stabilize these slopes. All appropriate signs and markers are in place where required. We concluded the inspection by inspecting the topsoil storage area located at the nearby Soldier Canyon Mine. Topsoil from the Dugout Canyon Mine development was hauled here for storage. The area is fenced and the topsoil piles appear stable. This concluded the inspection.

Please address any questions concerning this report to Henry Austin at [haustin@osmre.gov](mailto:haustin@osmre.gov) or to (303) 844-1400 X1466.