0009

UTAH NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • (801) 538-5340

inspection report

Permit No. Act/015/002

Inspection Date July 30, 1992

Permittee/Operator Name Western States Minerals

Business Address Suite 130, 250 S. Rock Blvd.

City Reno State Nv. Zip 89502

Mine J. B King ☐ Surface ☒ Underground ☐ Other

County Emery State Ut

Company Official(s) None

State Official(s) Bill Malencik

Time of inspection 9 : ___ ☒ a.m. ☐ p.m. to 2:00 ☐ a.m. ☒ p.m. ☒ Partial ☐ Complete

Date of last inspection 6/26/92 Weather conditions Clear

Acreage 480 ☐ Permitted 30 ☐ Disturbed 30 ☐ Regraded 30 ☐ Seeded 30 ☐ Bonded

Enforcement Action None

NOV still outstanding: N91-35-06-01
N91-35-07-01
N91-32-06-01

COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	YES	NO	N/A	COMMENTS
1. Permits	☐	☐	☐	☐
2. Signs and markers	☒	☐	☐	☒
3. Topsoil	☐	☐	☐	☐
4. Hydrologic balance				
— Stream channel diversions 1]	☒	☒	☐	☒
— Diversions	☒	☐	☐	☐
— Sediment ponds and impoundments	☒	☐	☐	☒
— Other sediment control measures	☒	☒	☐	☒
— Surface and groundwater monitoring	☐	☐	☐	☐
— Effluent limitations	☐	☐	☐	☐
5. Explosives	☐	☐	☐	☐
6. Development waste and spoil disposal	☐	☐	☐	☐
7. Coal processing waste	☐	☐	☐	☐
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				
— Construction	☐	☐	☐	☐
— Drainage controls	☐	☐	☐	☐
— Surfacing	☐	☐	☐	☐
— Maintenance	☐	☐	☐	☐
17. Other transportation facilities	☐	☐	☐	☐
18. Support facilities and utility installations	☐	☐	☐	☐

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/IR-1 an equal opportunity employer 11/86 001049

1] NOV 91-32-6-1 still pending
2] Rill erosion on refuse pile NOV is still outstanding (NOV. 91-35-07-01)

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Please number comments to correspond with topics on previous page.

General Comments. Recent rain storms hit the J.B. King mine site. Weeds on the reclaimed areas are still green. Further, the pond had about two feet of water. The pond was dry on June 26, 1992 the last routine inspection.

Signs & Markers. The signs and markers are in place. Two I.D. signs were observed, one at the main gate the other where an access road exited the mine site.

Divisions. It appears the operator has done some interim work on diversion commonly called the feeder ditch. It is my understanding the permittee has not performed the required field work and/or submitted plans that would postpone the case so that the Division could terminate the diversion NOV. The permittees response of 6/30/92 to the Director on the feeder and main feeder ditches in substance says no further repair, re-construction, or resurrection of man made erosional control structures will be undertaken. Furthermore "these features" assumed to be ditches, will be allowed to naturally erode. This in my opinion is not in conformance with the Utah Coal Mine Regulations and the abatement measures cited in the NOV. Recommend

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the permittee be notified as follows:

(1) that his proposal on the feeder ditches is disapproved and

(2) that he must submit a plan in 30 days from receipt of notice that would demonstrate that practices or a combination of practices would stablize the diversions and minimize erosion.

The urgency for on the ground corrective action is more critical at this time than when the NOV was written. The reason being the high risk for high intensity storms in August and September. Further, since the ditches in question have failed twice, reconstructing per the existing design and layout must be questioned as to its acceptability of being in the best interests of both the permittee and the Division. While this is my assessment and recommendation to the permit supervisor, it in no way binds or should be construed to bind the operator into taking the aforecited action.

Other Sediment Control No substantial work has taken place on the former refuse outslope. Rill erosion is still

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evident and on going. The main cause of the rill erosion is concentration and failure to control sheet runoff. The contour furrows were (1) not constructed to a proper grade and (2) not large enough. As a result thereof the runoff concentrated in the lower furrow areas. The furrows breached as a result of sediment deposition and primarily because of the low spots in the contour furrows. With the failure of the first contour furrow near the top of the refuse pile, succeeding contour furrows failed, resulting in rill erosion. Silt fences were installed in the failure areas to correct the erosion and control runoff. This practice, at the most, a stop gap measure has largely been ineffective.

The regrading operation left the site in a smooth configuration without depressions that would have the capacity to detain rainfall. The J.B King reclamation was one of the first in Utah; however, environmental control measures that have failed need to be evaluated by the operator and a patch work approach in most instances will not correct the problem i.e., silt fences to correct a uncontrolled runoff problem.

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Vegetation. Because of the summer rains the mine site and open range areas have a green aspect. The established plants made excellent growth and produced a good seed crop. However, annual weeds have invaded many areas where the ground was bare. The weeds are still green and contribute to the green aspect.

General Observation. Three violations are still outstanding. The permittee has for the most part proposed non-traditional solutions. Concepts such as natural ecosystem approach, investment/economic land value approach; off site work in lieu of on mine site reclamation work are far reaching and controversial to say the least. While such long range approaches require serious consideration and by there very nature are time consuming; nevertheless, the permittee should be required to take interim on the ground customary corrective action which has been the standing style of operation in the past. The far reaching proposals should not obviate the need for immediate on the ground corrective work.

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Inspector's signature Wm. J. Malinich No. 26

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7/31/92