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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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REVISED August 3, 1993

INSPECTION REPORT

Partial: XX Complete: Exploration:

Inspection Date & Time: June 30, 1993/08:30am-2:30pm

Date of Last Inspection: May 11, 1993

OIL GAS & MINING

Mine Name: J.B. King County: Emery Permit Number: ACT/015/002
Permittee and/or Operator's Name: Western States Minerals Corp.
Business Address: Suite 130, 250 South Rock Blvd., Reno, NV 89502
Type of Mining Activity: Underground XX Surface Prep. Plant Other
Officials(s): State: Bill Malencik Company:
Federal Official(s): Weather Conditions: Clear/Warm 90+
Existing Acreage: Permitted- 480 Disturbed- 30 Regraded- Seeded- 30 Bonded- 30
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ Active/ X Inactive/ Temp Cessation/ Bond Forfeiture
Reclamation (X Phase I/ Phase II/ Final Bond Release/ X Liability 1996 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 COMMENTS NOV/ENF TDN

	[XX]	[]	[XX]	[]
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	[XX]	[]	[XX]	[]
2. SIGNS AND MARKERS	[XX]	[]	[]	[]
3. TOPSOIL	[]	[]	[]	[]
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	[XX]	[XX]	[XX]	[]
b. SEDIMENT PONDS AND IMPOUNDMENTS	[]	[]	[]	[]
c. OTHER SEDIMENT CONTROL MEASURES	[XX]	[XX]	[XX]	[]
d. WATER MONITORING	[]	[]	[]	[]
e. EFFLUENT LIMITATIONS	[]	[]	[]	[]
5. EXPLOSIVES	[]	[]	[]	[]
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	[]	[]	[]	[]
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	[XX]	[XX]	[]	[XX]-Soil Cover
8. NONCOAL WASTE	[]	[]	[]	[] Refuse Exposure
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	[XX]	[XX]	[]	[XX]-Erosion
10. SLIDES AND OTHER DAMAGE	[]	[]	[]	[]
11. CONTEMPORANEOUS RECLAMATION	[]	[]	[]	[]
12. BACKFILLING AND GRADING	[]	[]	[]	[]
13. REVEGETATION	[XX]	[XX]	[]	[XX]-Vegetal Cover
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)	[]	[]	[]	[]
20. AIR QUALITY PERMIT	[]	[]	[]	[]
21. BONDING & INSURANCE	[]	[]	[]	[]

INSPECTION REPORT
(Continuation sheet)

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PERMIT NUMBER: ACT/015/002

DATE OF INSPECTION: June 30, 1993

(Comments are Numbered to Correspond with Topics Listed Above)

General Comments

A partial inspection of the mine site was conducted on 6/30/93. Before the inspection, reviewed the inspection reports, prior and outstanding violation and TDN's issued by OSM as a result of the recent oversight inspection.

Table I highlights outstanding violations issued by the Division and the current status.

Table II highlights a DOGM violation and ten day notices issued as a result of a DOGM/OSM oversight inspection conducted May 11, 1993.

This partial field inspection verified work the permittee had performed, covering and protecting a small area that had exposed coal fines. The area was located about 300 feet above the sediment pond at the base of the reclaimed refuse pile. The soil to cover the refuse was obtained from the soil that had accumulated behind silt fences on the reclaimed refuse pile.

The area involved in the TDN, refer to Table II Item 4, was observed with observations as follows:

- ◆ Area of erosion and exposed coal fines was measured with dimensions as follows: width 2 feet, length 11 feet, depth 1 feet to underlain soil.
- ◆ The problem area was covered with soil that had eroded upslope and accumulated behind silt fences. The problem area was covered with soil to a depth as required by regulation and conformed to the general lay of the land.
- ◆ As a preventative measure, runoff and erosion protection was installed with riprap underlain with straw. Further a water bar was installed above the area diverting sheet runoff to a more stable area.

All outstanding silt fences involving issue #1, Table I, have been removed from the reclaimed refuse pile.

Mr. Blackburn installed 100 feet of silt fence on a portion of the refuse pile test plot. This was the subject of an NOV. Refer to Table II, item 6. The silt fence and a short berm will direct runoff from the area into a disturbed diversion in lieu of draining into an undisturbed drainage. This silt fence is located on the easterly portion of the refuse pile on a bench and contiguous to an undisturbed diversion.

In the installation of the silt fence mentioned above, a 6" x 6" trench was constructed. Some fine coal was observed on the surface and below. Also, some larger coal was uncovered, the largest uncovered was 4" x 4". The uncovered coal described herein lies on the refuse pile easterly bench on the test plot area.

Information for Table I was abstracted from the Price Field Office mine files concerning recent NOV's and the current status of the same:

#	ISSUE	NOV	DATE ISSUED	ABATEMENT REQUIRED	INFORMAL	WHAT HAS BEEN DONE		CURRENT STATUS
					CONFERENCE DECISION 3/10/92	PLANS SUBMITTED	FIELD WORK	
1	Rill Erosion	N91-35-6-1	11/18/91	Comply with Permit Stip- ulation Rill Erosion and implement cor- rective measure ³	Upheld	X ¹	None ²	Pending
		N91-35-7-1	11/19/91	Minimize Erosion Refuse Pile Area	Upheld	X ¹	None	Terminated 12/14/92 ⁴
2	Undisturbed Ditch	N91-32-6-1	12/19/91	Modify & Construct To Conform To Approved Design	Upheld/ Modified	X ¹	None	Pending

¹Erosion Control Plan prepared by S. A. Bamberg Ph.D. and Ingrid E. Hanne dated March 1992, submitted by letter from D. J. Crossland. "This Erosion Control Plan is in response to Utah Notices of Violation No's N91-35-6-1, N91-35-7-1, N91-32-6-1, Stipulation Response R614-301-742.113, and Informal Conference of 11 February 1992....."

²Silt fences removed, refer to inspection report text.

³Stipulation "Within 60 days of permit approval, the applicant must submit a plan to provide long term solutions for phasing out silt fences and incorporating more permanent erosion control structures in their place. The plan must identify the structure that will be used and how they will be designed and implemented...."

⁴Terminated by Associate DOGM Director on 12/14/92 pursuant to Director's letter of 12/7/92.

The inspection of 5/11/93 identified the following compliance issues, TDNs, and NOV's issued to date as a result thereof:

#	ISSUE	COMPLIANCE ACTION		DATE ISSUED	INFORMAL CONFERENCE	WHAT HAS BEEN DONE	CURRENT STATUS
		NOV	TDN				
3	Vegetal Cover		X ¹	5/11/93		Field Meeting 6/21/93 Observed conditions at the mine site ²	DOGM responded, OSM field office non concurrence, and DOGM request OSM - WO review
4	Exposed Refuse		X ³	5/11/93		"	Permittee covered exposed refuse with soil and provided erosion control field verified on 6/30/93 ⁴
5	Erosion/Stabilized Refuse Area		X ³	5/11/93		"	Pending
6	Disturbed Area Drainage	X ⁵		?	6/21/93	"	Decision on Informal Conference is pending

¹Ten Day Notice, OSM #93-020-190-02 TV2

²Refer to page 5 herein

³Ten day Notice, OSM #93-020-190-03 TV2
OSM inspection report states TDNs issued in field but official mailed to the Division by Certified Mail.

⁴Rocks underlain with soil and straw provided the erosion control and covered exposed coal fines.

⁵Notice of Violation, DOGM, #93-25-2-1

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PERMIT NUMBER: ACT/015/002

DATE OF INSPECTION: June 30, 1993

Field Meeting June 21, 1993

On June 21, 1993 the Division personnel, the permittee and his representatives met at the mine site for the following reasons:

- (1) Informal Conference on NOV #93-25-2-1,
- (2) Review outstanding violations and field conditions associated therewith,
- (3) Review TDNs and field conditions and possible solutions and/or required followup action.

Conclusions and actions as a result of this field meeting are in the process of being finalized.

Copy of this Report:

Mailed to: Western States Minerals Corp.

Mailed to: Bernie Freeman (OSM)

Given to: Joe Helfrich (DOGM)

Filed to: Price Field Office

Date: August 3, 1993

Inspector's Signature and Number


Wm J. Malencik

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