



0003

# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

### Mine-Site Evaluation Inspection Report

*File Act/015/002 #4*



1. Permittee/Person <b>WESTERN STATES MINERALS CORPORATION</b>		9. Permit Number <b>ACT/015/002</b>	10. Type a. Permit <input type="checkbox"/> b. RA <input type="checkbox"/> <b>PP</b> <b>S</b>
2. Address <b>250 S. ROCK BLVD., SUITE 130</b>		11. Inspection Date <b>12/04/1996</b> <small>MM - DD - YY</small>	12. Inspection Type <b>SCX</b>
3. City <b>RENO</b>	4. State <b>NV</b>	13. Joint Inspection <b>Y</b> <small>Y/N</small>	14. Permit Status <b>A</b>
5. Zip Code <b>89502</b>	6. Phone Number <b>702-856-3339</b>	15. Site Status <b>P1</b>	16. Facility Type <b>B</b>
7. Operator if Different than Permittee		17. OSM Office # <b>140</b>	18. RSI #
8. Mine Name <b>J. B. KING</b>		19. Land Code <b>S</b>	20. M.S.H.A. ID # <b>42-00084</b>
		21. State Code <b>49</b>	22. County Code <b>015</b>
		23. AVS Permittee Entity ID Number <b>116895</b>	23b. State Office

### 24. Performance Standard Categories

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

- |   |   |   |
|---|---|---|
| <b>A. Administrative</b><br>1. <u>1</u> Mining within Valid Permit<br>2. <u>1</u> Mining within Bonded Area<br>3. <u>1</u> Terms & Conditions of Permit<br>4. <u>1</u> Liability Insurance<br>5. <u>1</u> Ownership and Control<br>6. <u>3</u> Temporary Cessation<br><br><b>B. Hydrologic Balance</b><br>1. <u>1</u> Drainage Control<br>2. <u>1</u> Inspections & Certifications<br>3. <u>1</u> Siltation Structures<br>4. <u>1</u> Discharge Structures<br>5. <u>1</u> Diversions<br>6. <u>1</u> Effluent Limits<br>7. <u>3</u> Ground Water Monitoring<br>8. <u>3</u> Surface Water Monitoring<br>9. <u>3</u> Drainage -- Acid-Toxic Materials<br>10. <u>1</u> Impoundments<br>11. <u>3</u> Stream Buffer Zones<br><br><b>C. Topsoil &amp; Subsoil</b><br>1. <u>1</u> Removal<br>2. <u>1</u> Substitute Materials<br>3. <u>3</u> Storage and Protection<br>4. <u>1</u> Redistribution | <b>D. Backfilling &amp; Grading</b><br>1. <u>1</u> Exposed Openings<br>2. <u>1</u> Contemporaneous Reclamation<br>3. <u>1</u> Approximate Original Contour<br>4. <u>1</u> Highwall Elimination<br>5. <u>3</u> Steep Slopes (includes downslope)<br>6. <u>3</u> Handling of Acid & Toxic Materials<br>7. <u>1</u> Stabilization (rills and gullies)<br><br><b>E. Excess Spoil Disposal</b><br>1. <u>3</u> Placement<br>2. <u>3</u> Drainage Control<br>3. <u>3</u> Surface Stabilization<br>4. <u>3</u> Inspections & Certifications<br><br><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b><br>1. <u>3</u> Drainage Control<br>2. <u>3</u> Surface Stabilization<br>3. <u>3</u> Placement<br>4. <u>3</u> Inspections and Certifications<br>5. <u>3</u> Impounding Structures<br><br><b>G. Use of Explosives</b><br>1. <u>3</u> Blaster Certification<br>2. <u>3</u> Distance Prohibitions<br>3. <u>3</u> Blast Survey/Schedule<br>4. <u>3</u> Warnings & Records<br>5. <u>3</u> Control of Adverse Effects | <b>H. <u>1</u> Subsidence Control Plan</b><br><br><b>I. Roads</b><br>1. <u>3</u> Road Construction<br>2. <u>3</u> Certification<br>3. <u>3</u> Drainage<br>4. <u>3</u> Surfacing and Maintenance<br>5. <u>1</u> Reclamation<br><br><b>J. Signs &amp; Markers</b><br>1. <u>1</u> Signs<br>2. <u>3</u> Markers<br><br><b>K. <u>1</u> Distance Prohibitions</b><br><br><b>L. Revegetation</b><br>1. <u>1</u> Vegetative Cover<br>2. <u>1</u> Timing<br><br><b>M. <u>1</u> Postmining Land Use</b><br><br><b>N. Other</b><br>___1)_____<br>___2)_____<br>___3)_____ |
|---|---|---|

### 25. Inspection Frequency

a. Date of Last State Complete Inspection **09/09/1996**

Frequency for previous 4 Calendar Qtrs.

b. Number of required complete inspections	<b>4</b>	Number of complete inspections conducted	<b>4</b>
c. Number of required partial inspections	<b>8</b>	Number of partial inspections conducted	<b>8</b>

### 26. Inspection Hours

<b>3.0</b>	a. Permit Review
<b>2.5</b>	b. Inspection Time
<b>6.0</b>	c. Travel Time
<b>3.0</b>	d. Report Writing

### 27. Bonded Acres

<b>30.0</b>	a. Total bonded
<b>30.0</b>	b. Phase I released
<b>0.0</b>	c. Phase II released
<b>0.0</b>	d. Phase III released

### 28. Acres

<b>440.0</b>	a. Permitted
<b>28.0</b>	b. Disturbed (Estimated)

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Revised July 1, 1993

# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

### Mine-Site Evaluation Inspection Report

RECEIVED  
 DEC 16 1996  
 DIV. OF OIL, GAS & MINING

Permit Number ACT/015/002

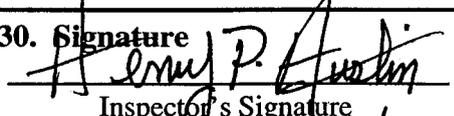
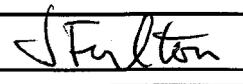
Inspection Date 12/04/1996

#### 29. Identified Violation Data.

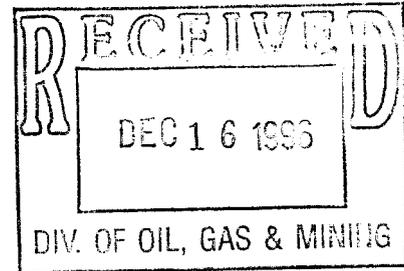
For inspection types C (Complete Random Sample) and SC or SP (Complete or Partial In-depth Review), list all violations present during the current Federal inspection and all violations, cited or uncited, identified in the last State complete inspection report. For any other inspection type, including Federal program inspections, list only violations observed during the current inspection or subject of current Federal follow-up actions.

B Per. Std. Category	C Abated (Y/N)	D State Action	E Reason if Uncited	F Cause	G Seriousness		H Impact	I OSM Action	J OSM Action Number	K Optional
					PEO	Impact				
A. Specific State Law/Regulations Violated: _____ Description: _____										
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____										
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____										
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____										
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____										
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____										
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____										
7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- |   |  |  |  |
|---|--|--|--|
| <b>D. State Action</b><br>1) Existed on LSCI, Cited<br>2) Existed on LSCI, Not Cited<br>3) Cited Prior to LSCI, Abatement Pending<br>4) Occurred Since LSCI<br>5) N/A Federal Program<br>6) N/A Permit Defect   | <b>E. State's Reason for not Citing Violation</b><br>1) Not a Violation<br>2) Precluded by State Policy<br>3) Not Included under State Program<br>4) Warning Given in Lieu of a Citation<br>5) Violation Not Recognized<br>6) Practice Allowed under Approved Permit<br>7) Too Minor to Cite<br>8) Working with Operator to Correct<br>9) Other _____    | <b>F. Cause</b><br>1) Permit Defect<br>2) Unusual Weather Conditions<br>3) Unofficial Waiver<br>4) Operator Negligence<br>5) Other _____ | <b>G. Probability of Event Occurrence</b><br>1) None or Unlikely<br>2) Likely<br>3) Occurred |
| <b>H. Impact</b><br><b>Damage Remains Within the Permit Area</b><br>1) None or Minor<br>2) Moderate<br>3) Considerable<br><b>Damage Extends Beyond the Permit Area</b><br>4) None or Minor<br>5) Moderate<br>6) Considerable<br><b>Obstruction to Enforcement</b><br>7) None or Minor<br>8) Moderate<br>9) Considerable | <b>I. OSM Action This Inspection</b><br>1) Deferred to State Action<br>2) TDN Issued<br>3) NOV Issued<br>4) FTA-CO Issued<br>5) IH-CO Issued (Imminent Environmental Harm)<br>6) ID-CO Issued (Imminent Danger to Public)<br>7) Previously Cited by RA, Abatement Pending<br>8) Abated during or before OSM Inspection<br>9) Follow-up of Federal Action |  |  |

**30. Signature**  
  
 Inspector's Signature  
**HENRY AUSTIN** 12/10/96  
 Inspector's Printed Name  
 31. OSM Inspector ID# 116  
 Dated: 12/10/1996  
 Reviewing Official:   
 Review Date: 12/10/96  
 Page 2 of 2  
Revised July 1, 1993

Western States Minerals Corp.  
250 South Rock Blvd., Suite 130  
Reno, Nevada 89502



J. B. King Mine  
Complete Inspection, 12/4/96  
Participants:  
Susan White, DOGM  
Henry Austin, OSM

I participated in a complete inspection of the above site with Susan White of the Utah Division of Oil, Gas and Mining ( DOGM ). This site was selected by the DOGM / Office of Surface Mining ( OSM ) oversight team for evaluation during the 1997 evaluation year. The last OSM inspection of the site was conducted on 4/19/95 and included a preliminary site evaluation by two technical specialists ( ecologist / soil scientist ) from OSM's Western Service Center in Denver, CO.

Weather conditions were cool and fair and ground conditions were dry throughout the site. We walked all of the reclaimed area and also walked portions of the shadow area above the mine workings to make general observations of subsidence features.

We reviewed the Reclamation Plan revision approved by DOGM on 10/5/95. This revision was in response to three Notices of Violation issued by DOGM and incorporated remedial actions accomplished through 1994 as well as approved methodologies for monitoring rill / gully erosion and main / feeder drainage channel morphology. Surveyed cross sections have been established throughout the site to facilitate the above monitoring and the cross sections were photographed during 8/95. These areas were approved for monitoring semi annually for a two year period. The Reclamation Plan revision as approved incorporates a 1990 OSM draft Technical Note entitled " Method for Evaluation of Erosion on Reclaimed Coal Lands in the Western United States ." The primary reference to OSM's Technical Note is to define " Normal Erosion ." I discussed the draft Technical Note with the author, Mark R. Humphrey, via telephone on 12/10/96. Mr. Humphrey indicated the Technical Note was never formally approved / implemented by OSM and remains as a draft document to date. In both the authors opinion and my own, this document is useful for field personnel to utilize as a guide for preliminary erosion classification but should NOT be used as a standard or criteria for approving bond release at any Phase. Contact myself or Mr. Humphrey ( 307 ) 261-6543 if additional discussion is necessary on the use of the erosion classification document.

Partial site regrading approved by DOGM was completed during Fall 1994 which included primarily the refuse disposal area, main and feeder channel(s) reconfiguration, and reclamation of the temporary access road used to accomplish these tasks. Refuse disposal area regrading included application of gravel / soil material mixture borrowed from a nearby UDOT stockpile which is serving as a gravel mulch and also application of sewage sludge at approximately 24 tons per acre ( dry weight ).

J. B. King Mine, pg. 2

Revegetation success is poor on the regraded refuse pile area due to droughty conditions since reseeding. Ms. White indicated there was a large rain event during September 1996 and there is evidence of downcutting in the main and feeder channel upper reach. The majority of the main channel below this upper reach appears stable. DOGM is continuing to monitor the progression of additional headcutting in the upper reach of these channels and other areas on site which have developed erosive patterns and are not being monitored by the permittee.

The approved permanent impoundment has not discharged according to DOGM. DOGM is currently discussing relocation of the open channel / combined spillway with the permittee. The UPDES permit has been terminated at this site and surface / ground water monitoring is no longer required. A ground water well has been left on site at the request of the landowner, the State of Utah.

We concluded the inspection with a review of the following documentation: 4/13/96 Annual report which included annual subsidence monitoring and annual impoundment recertification. ( Ms. White and I discussed the possibility of eliminating the required subsidence monitoring as no significant changes have been noted during the last four years and given the limited extent of coal removal at this operation. ) Liability insurance is current through 4/1/97, sediment pond / impoundment inspection reports are current through 10/4/96; and the permit was renewed 8/13/95 with the bond amount remaining at \$ 126,078.

Please address any questions concerning this report to Henry Austin at ( 303 ) 844-1466.