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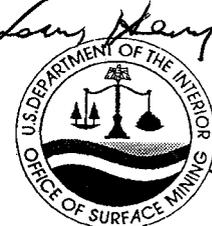
Original to ACT/015/022 #5 Copies to Joe, Sylvia, Mary



# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

### Mine-Site Evaluation Inspection Report



**RECEIVED**  
MAY - 8 1995  
DIV. OF OIL, GAS & MINING

1. Permittee/Person <b>WESTERN STATES MINERALS CORP</b>		9. Permit Number <b>UT-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, STE 130</b>		11. Inspection Date <b>04/19/95</b> <small>MM - DD - YY</small>	12. Inspection Type <b>OF2</b>
3. City <b>RENO</b>	4. State <b>NV</b>	14. Permit Status <b>A</b>	15. Site Status <b>P1</b>
5. Zip Code <b>89502</b>	6. Phone Number <b>702-856-3339</b>	17. OSM Office # <b>020</b>	18. RSI # <b></b>
7. Operator if Different than Permittee <b></b>		20. M.S.H.A. ID # <b>42-00084</b>	21. State Code <b>49</b>
8. Mine Name <b>J. B. KING</b>		23. AVS Permittee Entity ID Number <b>116895</b>	13. Joint Inspection <b>Y</b> Y/N
			16. Facility Type <b>B</b>
			19. Land Code <b>S</b>
			22. County Code <b>015</b>
			23b. State Office <b></b>

### 24. Performance Standard Categories

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

#### A. Administrative

- 1.  Mining within Valid Permit
- 2.  Mining within Bonded Area
- 3.  Terms & Conditions of Permit
- 4.  Liability Insurance
- 5.  Ownership and Control
- 6.  Temporary Cessation

#### B. Hydrologic Balance

- 1.  Drainage Control
- 2.  Inspections & Certifications
- 3.  Siltation Structures
- 4.  Discharge Structures
- 5.  Diversions
- 6.  Effluent Limits
- 7.  Ground Water Monitoring
- 8.  Surface Water Monitoring
- 9.  Drainage -- Acid-Toxic Materials
- 10.  Impoundments
- 11.  Stream Buffer Zones

#### C. Topsoil & Subsoil

- 1.  Removal
- 2.  Substitute Materials
- 3.  Storage and Protection
- 4.  Redistribution

#### D. Backfilling & Grading

- 1.  Exposed Openings
- 2.  Contemporaneous Reclamation
- 3.  Approximate Original Contour
- 4.  Highwall Elimination
- 5.  Steep Slopes (includes downslope)
- 6.  Handling of Acid & Toxic Materials
- 7.  Stabilization (rills and gullies)

#### E. Excess Spoil Disposal

- 1.  Placement
- 2.  Drainage Control
- 3.  Surface Stabilization
- 4.  Inspections & Certifications

#### F. Coal Mine Waste (Refuse Piles/Impoundments)

- 1.  Drainage Control
- 2.  Surface Stabilization
- 3.  Placement
- 4.  Inspections and Certifications
- 5.  Impounding Structures

#### G. Use of Explosives

- 1.  Blaster Certification
- 2.  Distance Prohibitions
- 3.  Blast Survey/Schedule
- 4.  Warnings & Records
- 5.  Control of Adverse Effects

#### H. Subsidence Control Plan

#### I. Roads

- 1.  Road Construction
- 2.  Certification
- 3.  Drainage
- 4.  Surfacing and Maintenance
- 5.  Reclamation

#### J. Signs & Markers

- 1.  Signs
- 2.  Markers

#### K. Distance Prohibitions

#### L. Revegetation

- 1.  Vegetative Cover
- 2.  Timing

#### M. Postmining Land Use

#### N. Other

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

### 25. Inspection Frequency

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

Frequency for previous 4 Calendar Qtrs.

b. Number of required complete inspections **0** Number of complete inspections conducted **0**

c. Number of required partial inspections **0** Number of partial inspections conducted **0**

### 26. Inspection Hours

a. Permit Review **5.0**

b. Inspection Time **2.5**

c. Travel Time **10.0**

d. Report Writing **3.0**

### 27. Bonded Acres

a. Total bonded **30.0**

b. Phase I released **30.0**

c. Phase II released **0.0**

d. Phase III released **0.0**

### 28. Acres

a. Permitted **480.0**

b. Disturbed (Estimated) **30.0**

# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

### Mine-Site Evaluation Inspection Report

 Permit Number UT-015-002

 Inspection Date 04/19/95

#### 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: <u>R645-300-143, 353.110</u> Description: <u>DIVERSE EFFECTIVE PERMANENT VEG COVER</u>											
1	L1	N	2		5	3	2	9	X93-020-190-002 V# 01		
A. Specific State Law/Regulations Violated: _____ Description: _____											
2											
A. Specific State Law/Regulations Violated: _____ Description: _____											
3											
A. Specific State Law/Regulations Violated: _____ Description: _____											
4											
A. Specific State Law/Regulations Violated: _____ Description: _____											
5											
A. Specific State Law/Regulations Violated: _____ Description: _____											
6											
A. Specific State Law/Regulations Violated: _____ Description: _____											
7											

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

**30. Signature**  
  
 Inspector's Signature

**THOMAS WRIGHT**  
 Inspector's Printed Name

Inspector ID# 190

Dated: 05/03/95

Reviewing Official:   
 Review Date: 5/3/95

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Revised July 1, 1993

## Minesite Inspection Narrative

Inspection Dates April 19, 1995

Mine: J.B. King

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

Weather: cloudy and cool with 2 inches of snow on the site

### Comments

As a result of the March 1995 followup inspection of the J. B. King mine a request for technical assistance from the Denver Western Support Center (WSC) was made and this inspection was done in response to that request. Evaluation of bare areas covered by the TDN, the causes for these bare areas and concerns about the data used to terminate the NOV (93-25-5-1) issued by the Utah Division of Oil Gas and Mining (DOG M) were the reason for this request. Bob Postle an ecologist and Margaret Condron a soils scientist from WSC came on this inspection in response to my request to collect data for the technical evaluation. Susan White and Henry Sauer of DOGM accompanied us on this inspection.

The March inspection had been done after review of records showed that DOGM had terminated NOV 93-25-5-1 written by DOGM in response to Ten Day Notice 93-020-190-02 1 of 2. DOGM had terminated the NOV as a result of submittal of 1993 vegetation data from the company. No other measures were implemented by the company to abate the NOV and it was terminated 11/15/94.

The TDN was written for failure to establish a diverse effective and permanent vegetative cover on the north side of the refuse area and the area shown in green on permit topographical reclamation map that was disturbed during channel reclamation. DOGM had appealed the TDN to Washington and the Albuquerque Field Office's action was upheld after review. DOGM issued the NOV during the followup inspection done in August of 1993 in lieu of a Federal NOV.

Minesite Inspection Narrative  
Page 2 of 2

At the beginning of this inspection there was approximately 2 inches of snow covering the mine. This melted while we were on the area so that bare areas in question were visible.

The entire site was walked during the inspection so that Bob Postle and Margaret Condron could see sitewide conditions. There had been no changes on the site since the March inspection. During the March inspection I had limited my evaluation to areas covered by the TDN and had not viewed the two recently constructed drainage channels. During this inspection these were noted and these appear to be very marginal channels with steep side slopes that may develop erosion problems in the future. I would recommend that on any future oversight inspections of this site these be closely examined to evaluate stability.

During the inspection Margaret Condron collected soils samples from the site for laboratory analysis to determine if the bare areas were the result of toxic materials.

The location of the reference area for the mine, which is on the flat-topped ridge above the mine was viewed at the conclusion of the inspection.

This was a preliminary examination by the technical specials from WSC in order to gain knowledge of the site. Bob Postle wants to return to the site in June to evaluate vegetation after the spring growing season for comparison with the company data. Because the technical specialists are unable to make determinations until the soils are tested and the vegetation evaluated no action will be taken at this time. However further enforcement action may be taken once analysis is completed by the technical specialists.