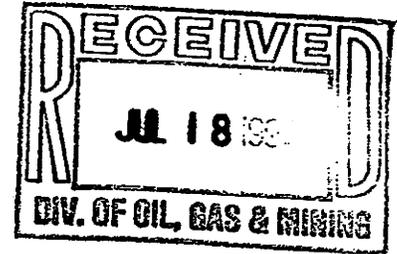




United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Suite 1200
505 Marquette Avenue N.W.
Albuquerque, New Mexico 87102

cc *orig* *new* *pub*
J. Carby
L. Braxton
P. Grobough-Lottay
J. Helfrich
PFD



July 15, 1994

CERTIFIED RETURN RECEIPT #P-293-288-858

Mr. Lowell P. Braxton, Associate Director
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, Utah 84180-1203

Re: Phase II Bond Release Inspection, Mountain Coal Co., Huntington Canyon #4 Mine

Dear Mr. Braxton:

Thank you for reminding me of the Phase II Bond release inspection which occurred on May 18, 1994. I apologize for the untimely response, but the inspector felt additional review was warranted. As a result of that review, the application for additional bond release can not be supported at this time. Please find enclosed Ten-Day Notice X-94-020-179-003.

If you have any questions regarding these matters, please contact Stephen G. Rathbun at 505-766-1486.

Sincerely,

Thomas E. Ehmett, Acting Director
Albuquerque Field Office

Enclosure

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE

Originating Office:
OFFICE OF SURFACE MINING

505 MARQUETTE AVE., N.W.

SUITE 1200 ALBUQUERQUE, N.M.

87102

Telephone Number: 505-766-1486

Number: X-94-020-179-003 TV 1

Ten-Day Notice to the State of UTAH

You are notified that, as a result of FEDERAL INSPECTION 5-18-94 (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: MOUNTAIN COAL CO.
(Or Operator if No Permit)

County: EMERY

Surface

Mailing Address: P.O. Box 1378, PRICE, UT 84501

Underground

Permit Number: ACT/015/004

Mine Name: HUNTINGTON CANYON #4

Other

NATURE OF VIOLATION AND LOCATION: FAILED TO ELIMINATE ALL HIGHWALLS AT HUNTINGTON #4 MINE.

Section of State Law, Regulation or Permit Condition believed to have been violated: A645-301-553.12D

NATURE OF VIOLATION AND LOCATION:

Section of State Law, Regulation or Permit Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION:

Section of State Law, Regulation or Permit Condition believed to have been violated:

Remarks or Recommendations:

CERTIFIED RETURN RECEIPT #P 293 288 858

Date of Notice: 7-14-94

Signature of Authorized Rep.: Edzel R. Pugh

Print Name and ID: EDZEL R. PUGH, 179



U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report



<p>1. Permittee/Person MOUNTAIN COAL CO.</p> <p>2. Address P. O. BOX 1378</p> <p>3. City PRICE</p> <p>4. State UT</p> <p>5. Zip Code 84501</p> <p>6. Phone Number 801-637-5050</p> <p>7. Operator if Different than Permittee</p> <p>8. Mine Name HUNTINGTON CANYON #4</p>	<p>9. Permit Number UT-015-004</p> <p>10. Type a. Permit PP b. RA S</p> <p>11. Inspection Date 05/18/94 <small>MM - DD - YY</small></p> <p>12. Inspection Type SP1</p> <p>13. Joint Inspection Y Y/N</p> <p>14. Permit Status A</p> <p>15. Site Status PI</p> <p>16. Facility Type B</p> <p>17. OSM Office # 020</p> <p>18. RSI #</p> <p>19. Land Code F</p> <p>20. M.S.H.A. ID # 42-01270</p> <p>21. State Code 49</p> <p>22. County Code 015</p> <p>23. AVS Permittee Entity ID Number 109235</p> <p>23b. State Office</p>
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24. Performance Standard Categories

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

<p>A. Administrative</p> <p>1. <u>1</u> Mining within Valid Permit</p> <p>2. <u>1</u> Mining within Bonded Area</p> <p>3. <u>1</u> Terms & Conditions of Permit</p> <p>4. <u>1</u> Liability Insurance</p> <p>5. <u>1</u> Ownership and Control</p> <p>6. <u>1</u> Temporary Cessation</p> <p>B. Hydrologic Balance</p> <p>1. <u>1</u> Drainage Control</p> <p>2. <u>1</u> Inspections & Certifications</p> <p>3. <u>1</u> Siltation Structures</p> <p>4. <u>1</u> Discharge Structures</p> <p>5. <u>1</u> Diversions</p> <p>6. <u>1</u> Effluent Limits</p> <p>7. <u>1</u> Ground Water Monitoring</p> <p>8. <u>1</u> Surface Water Monitoring</p> <p>9. <u>1</u> Drainage -- Acid-Toxic Materials</p> <p>10. <u>1</u> Impoundments</p> <p>11. <u>1</u> Stream Buffer Zones</p> <p>C. Topsoil & Subsoil</p> <p>1. <u>1</u> Removal</p> <p>2. <u>1</u> Substitute Materials</p> <p>3. <u>1</u> Storage and Protection</p> <p>4. <u>1</u> Redistribution</p>	<p>D. Backfilling & Grading</p> <p>1. <u>1</u> Exposed Openings</p> <p>2. <u>1</u> Contemporaneous Reclamation</p> <p>3. <u>1</u> Approximate Original Contour</p> <p>4. <u>2</u> Highwall Elimination</p> <p>5. <u>1</u> Steep Slopes (includes downslope)</p> <p>6. <u>1</u> Handling of Acid & Toxic Materials</p> <p>7. <u>1</u> Stabilization (rills and gullies)</p> <p>E. Excess Spoil Disposal</p> <p>1. <u>3</u> Placement</p> <p>2. <u>3</u> Drainage Control</p> <p>3. <u>3</u> Surface Stabilization</p> <p>4. <u>3</u> Inspections & Certifications</p> <p>F. Coal Mine Waste (Refuse Piles/Impoundments)</p> <p>1. <u>3</u> Drainage Control</p> <p>2. <u>3</u> Surface Stabilization</p> <p>3. <u>3</u> Placement</p> <p>4. <u>3</u> Inspections and Certifications</p> <p>5. <u>3</u> Impounding Structures</p> <p>G. Use of Explosives</p> <p>1. <u>3</u> Blaster Certification</p> <p>2. <u>3</u> Distance Prohibitions</p> <p>3. <u>3</u> Blast Survey/Schedule</p> <p>4. <u>3</u> Warnings & Records</p> <p>5. <u>3</u> Control of Adverse Effects</p>	<p>H. Subsidence Control Plan</p> <p>I. Roads</p> <p>1. <u>1</u> Road Construction</p> <p>2. <u>1</u> Certification</p> <p>3. <u>1</u> Drainage</p> <p>4. <u>1</u> Surfacing and Maintenance</p> <p>5. <u>1</u> Reclamation</p> <p>J. Signs & Markers</p> <p>1. <u>1</u> Signs</p> <p>2. <u>1</u> Markers</p> <p>K. Distance Prohibitions</p> <p>L. Revegetation</p> <p>1. <u>1</u> Vegetative Cover</p> <p>2. <u>1</u> Timing</p> <p>M. Postmining Land Use</p> <p>N. Other</p> <p>1) _____</p> <p>2) _____</p> <p>3) _____</p>
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<p>25. Inspection Frequency</p> <p>a. Date of Last Complete Inspection 04/27/94</p> <p>b. Frequency for previous 4 Calendar Qtrs.</p> <table style="width: 100%;"> <tr> <td>b. Number of required complete inspections</td> <td>4</td> <td>Number of complete inspections conducted</td> <td>4</td> </tr> <tr> <td>c. Number of required partial</td> <td>2</td> <td>Number of partial inspections</td> <td>2</td> </tr> </table>	b. Number of required complete inspections	4	Number of complete inspections conducted	4	c. Number of required partial	2	Number of partial inspections	2	<p>26. Inspection Hours</p> <table style="width: 100%;"> <tr> <td>a. Permit Review</td> <td>4.0</td> </tr> <tr> <td>b. Inspection Time</td> <td>3.5</td> </tr> <tr> <td>c. Travel Time</td> <td>6.0</td> </tr> <tr> <td></td> <td>4.0</td> </tr> </table>	a. Permit Review	4.0	b. Inspection Time	3.5	c. Travel Time	6.0		4.0	<p>27. Bonded Acres</p> <table style="width: 100%;"> <tr> <td>a. Total bonded</td> <td>25.0</td> </tr> <tr> <td>b. Phase I released</td> <td>12.5</td> </tr> <tr> <td>c. Phase II released</td> <td>0.0</td> </tr> <tr> <td>d. Phase III</td> <td>0.0</td> </tr> </table>	a. Total bonded	25.0	b. Phase I released	12.5	c. Phase II released	0.0	d. Phase III	0.0	<p>28. Acres</p> <table style="width: 100%;"> <tr> <td>a. Permitted</td> <td>1320.0</td> </tr> <tr> <td>b. Disturbed (Estimated)</td> <td>12.5</td> </tr> </table>	a. Permitted	1320.0	b. Disturbed (Estimated)	12.5
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U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report

Permit Number UT-015-004

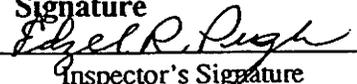
Inspection Date 05/18/94

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				V#	
A. Specific State Law/Regulations Violated: <u>R645-301-553-.120</u>					Description: <u>FAILED TO ELIMINATE ALL HIGHWALLS</u>						
1	<input type="checkbox"/> D4	<input type="checkbox"/> N	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> X94-020-179-003	<input type="checkbox"/> V# 01	<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"/> V#	<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"/> V#	<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"/> V#	<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"/> V#	<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"/> V#	<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"/> V#	<input type="checkbox"/>

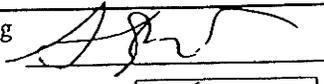
- | | | | |
|---|--|--|--|
| D. State Action
1) Existed on LSCI, Cited
2) Existed on LSCI, Not Cited
3) Cited Prior to LSCI, Abatement Pending
4) Occurred Since LSCI
5) N/A Federal Program
6) N/A Permit Defect | E. State's Reason for not Citing Violation
1) Not a Violation
2) Precluded by State Policy
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 _____ | F. Cause
1) Permit Defect
2) Unusual Weather Conditions
3) Unofficial Waiver
4) Operator Negligence
5) Other _____ | G. Probability of Event Occurrence
1) None or Unlikely
2) Likely
3) Occurred |
| H. Impact
Damage Remains Within the Permit Area
1) None or Minor
2) Moderate
3) Considerable
Damage Extends Beyond the Permit Area
4) None or Minor
5) Moderate
6) Considerable
Obstruction to Enforcement
7) None or Minor
8) Moderate
9) Considerable | I. OSM Action This Inspection
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

EDZEL PUGH
 Inspector's Printed Name

Dated: 07/14/94 179

31. OSM Inspector ID#

Reviewing Official: 

Review Date: 7/19/94

Page 2 of

INSPECTION NARRATIVE

Mountain Coal Co.
P.O. Box 591
Somerset, CO 81434

Huntington #4
ACT/015/004

Phase II Bond Release Inspection

Persons Present:

Susan White, DOGM
Pam Grubaugh-Littig, DOGM
Tom Munson, DOGM
Henry Sauer, DOGM
Dan Guy, Blackhawk Engineering (Mountain Coal Co.)
Dana Ballard, Blackhawk Engineering
Carol Bjork, Earth Fax
Carter Reed, USFS, Price, UT
Dennis Kelly, USFS, Price, UT
Bob Thompson, USFS, Price, UT
Phil Reinholtz, OSM, Denver, CO
Daylan Figgs, OSM, Denver, CO
Russ Porter, OSM, Albuquerque, NM
Edzel Pugh, OSM, Albuquerque, NM

Although this site has been given Phase I bond release and was being inspected for Phase II bond release, mining operations had started prior to the Surface Mining Control and Reclamation Act and continued until 1984. This mine does not qualify as a remined area and there is no provision approved in Utah's program to leave highwalls on continuous mined area; therefore, the highwall must be eliminated. There should be no further bond release until this situation is properly resolved. Ten-Day Notice X-94-020-179-003 is being issued to address this situation.