

0009



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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## INSPECTION REPORT

Permit No. ACT/015/007 Inspection Date: September 9, 1992  
 Permittee and/or Operators Name: Hidden Valley Coal Company  
 Bus. Address: 1801 University Dr. City: Phoenix State: AZ Zip: 85034  
 Mine Name: Hidden Valley County: Emery State: Utah  
 Type of Mining Activity: Underground  Surface  Other   
 Company Officials: Karla Knoop (JBR) State Officials: Bill Malencik  
 Time of Inspection: 10:00 a.m. - 2:30 p.m. Partial  Complete:   
 Acreage: Permitted 950 Disturbed 9' Regraded 9  
 Seeded 7 Bonded 9' Date of Last Inspection: August 20, 1992  
 Weather Conditions: Clear/Mild/Dry Site Enforcement Action: None

\*\*Follow up action by permittee suggested on items ✓

### COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>NOTES</u>
1. <u>PERMITS</u>	( <input checked="" type="checkbox"/> )	( <u>UAM</u> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
2. <u>SIGNS AND MARKERS</u>	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )
3. <u>TOPSOIL</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
4. <u>HYDROLOGIC BALANCE:</u>				
<u>a. STREAM CHANNEL DIVERSIONS</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
<u>b. DIVERSIONS</u>	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )
<u>c. SEDIMENT PONDS AND IMPOUNDMENTS</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
<u>d. OTHER SEDIMENT CONTROL MEASURES</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
<u>e. SURFACE AND GROUNDWATER MONITORING</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
<u>f. EFFLUENT LIMITATIONS</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
5. <u>EXPLOSIVES</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
6. <u>DISPOSAL OF DEVELOPMENT WASTE AND SPOIL</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
7. <u>COAL PROCESSING WASTE</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
8. <u>NONCOAL WASTE</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
9. <u>PROTECTION OF FISH, WILDLIFE AND     RELATED ENVIRONMENTAL VALUES</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
10. <u>SLIDES AND OTHER DAMAGE</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
11. <u>CONTEMPORANEOUS RECLAMATION</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
12. <u>BACKFILLING AND GRADING</u>	( <input checked="" type="checkbox"/> )	( <u>UAM</u> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
13. <u>REVEGETATION</u>	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
14. <u>SUBSIDENCE CONTROL</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
15. <u>CESSATION OF OPERATIONS</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
16. <u>ROADS</u>				
<u>a. CONSTRUCTION</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
<u>b. DRAINAGE CONTROLS</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
<u>c. SURFACING</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
<u>d. MAINTENANCE</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )
17. <u>OTHER TRANSPORTATION FACILITIES</u>	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )
18. <u>SUPPORT FACILITIES</u>				
<u>UTILITY INSTALLATIONS</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input checked="" type="checkbox"/> )
19. <u>AVS Check</u>	( <input checked="" type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )	( <input type="checkbox"/> )

\*\*Disturbed area noted herein was revised per Directors Order on  
NOV #91-26-8-2

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(Comments are Numbered to Correspond with Topics Listed Above)

General Comments -

This was the second complete inspection during the third quarter of C.Y. 1992. Environmental control measures were observed by the undersigned, Henry Austin - OSM, and Karla Knoop - JBR.

The erosion/diversions cited in NOV #91-26-8-2 and the corrective action required are still outstanding. The administrative appeal procedures have been exhausted and the case now has been appealed to the Utah District Court. Therefore, the case rests with the courts. However, since the permittee did not comply with the mandates of the hearing examiners order, a cessation order (FTACO) was issued September 9, 1992.

Following up on concerns expressed by Tom Munson in his inspection report revealed the following (per items enumerated in his report):

- 4a. Reclaimed channel separating the A & B seam relative to erosion will have to be closely observed in succeeding inspection to determine if the problem has been fully corrected.
- 4b. Access road drainage and diversion at the crest of the A seam at the lower end was not fully functional because of weeds. The operator did not remove the weeds but bermed the low areas with rocks. This segment will have to be closely observed in succeeding inspections to see if the fix is fully effective without weed removal.

Items discussed during the inspection requiring follow up action by the permittee:

- √4b. Diversions - The undisturbed ditch east of the A seam needs routine maintenance in one small segment. This work is suggested in order to assure that the undisturbed runoff would not in the future overtop the ditch and flow into the disturbed area.
- √4d. Other Sediment Control Measures - The unmatted outslope adjacent to the A seam needs to be watched by the permittee. Some rilling has started and should it continue some corrective action is suggested before it becomes a compliance problem.

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√13. Revegetation - Seeded plant species in the disturbed area lying inside and outside of the protective fence has been documented in previous reports.

The permittees' consultant in accordance with the MRP has stated that a vegetal survey will be conducted this C.Y. 1992. Most of the halogeton above the gate has dried and contains numerous seeds.

It would appear reasonable that vegetal concerns expressed by the Division should be held in abeyance pending the permittee vegetal survey. It would behoove the permittee to conduct the survey promptly. Should the survey show augmentation seeding is required in order to meet final bonding requirements it could be staged so the seeding would be done this fall.

√ Wells - The MRP pages 16 and 16b together with a small scale map are included as a reference to this inspection report. The aforementioned reference documents reviewed prior to the inspection leaves some questions concerning water rights and moreover, if the wells were properly reclaimed. Page 16, lines 1-7 leaves some unanswered questions about well reclamation on six of the seven wells. Page 16, lines 9-11 states that drill hole #6 was plugged.

(Water Rights) Page 16, lines 18-21 does not square with information provided by Bill Warmack, State Engineers Office. He stated the water filing lapsed on March 3, 1992, after a 14 year statutory period. The company has the option to refile. According to the State Engineers Office the well was 600' deep, 8½" hole, and the top 200' was cemented. From the legal description, the filing was for only one well. This being well #7, as shown on the reference map. According to the State Engineer records, no filings were made on 1, 2, & 3 as may be inferred on page 16, lines 14-21. Also, water filings were transferred from Soldier Creek to Hidden Valley.

(Well Reclamation) In addition, the following contacts were made to validate well reclamation:

Tom Paluso, Soldier Creek Mine: In summary he stated that all holes (drill) were open when he departed from Hidden Valley mine in 1980. He also stated that, (a) one well was being developed for the main water source, and, (b) that a filing was prepared and submitted to the State Engineer.

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Lee Edmonson: Discussed on September 10, 1992, the contents of pages 16 and 16b and requested Mr. Edmonson to recheck his records to bring to rest and to clarify some confusion on whether or not the wells had been properly reclaimed (page 16: lines 8 & 9, lines 14-21; page 16a: lines 26-34, lines 39-42). Also, gave him the benefit of the information obtained from the aforementioned contacts.

Mr. Edmonson promptly called me and advised me he has searched his records. On the matter of the water filing he stated he thought the filing had lapsed long ago. On the drill hole reclamation, he stated the work was done by contract with JBR involvement and he would do some follow up with various sources who were paid for well reclamation and supervision work by his company.

Also, as a courtesy provided the highlight of the above information to Karla Knoop. On Wednesday, September 16, 1992 will brief Henry Austin, OSM.

Recommendation (Wells) -

Capping and reclaiming wells is a function of Phase I bond release and is customarily documented in that process. Since the matters in question resulted from an inspection, I recommend that the completed well reclamation results together with field checks as necessary be documented as part of the Mining and Reclamation Plan amendment and/or addition. Such documentation could be included in page or pages following page 16a. This process as indicated above has been started by Mr. Edmonson, i.e., records search.

Copy of report

Mailed to: Lee Edmonson (Hidden Valley Coal Company)

Mailed to SLC for: Brian Smith (OSM) Joe Helfrich (DOGM)

Filed to: PFO

Date: September 16, 1992

Inspector's Signature and Number:



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Wm. J. Malencik