



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Inspection Report

Permit Number:	C0150025
Inspection Type:	PARTIAL OVERSITE
Inspection Date:	Wednesday, May 13, 2015
Start Date/Time:	5/13/2015 10:45:00 AM
End Date/Time:	5/13/2015 5:45:00 PM
Last Inspection:	Tuesday, April 28, 2015

Representatives Present During the Inspection:	
OSM	Tom Medlin
OSM	Spencer Shumate
Company	Jaren Jorgensen
OGM	Lisa Reinhart
OGM	Joe Helfrich

Inspector: Joe Helfrich

Weather: cool partly cloudy

InspectionID Report Number: 4193

Accepted by: JHELFRIC

6/18/2015

Permittee: **CASTLE VALLEY MINING LLC**

Operator: **CASTLE VALLEY MINING LLC**

Site: **BEAR CANYON MINE**

Address: **2352 NORTH 7TH STREET, UNIT B, GRAND JUNCTION CO 81501**

County: **EMERY**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

10,991.83	Total Permitted
40.64	Total Disturbed
	Phase I
	Phase II
	Phase III

Mineral Ownership

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The purpose of this inspection was to conduct a partial oversight inspection of the Bear Canyon mine. Jaren Jorgensen provided an overview of the layout of the surface facilities and current underground operations. The group started the inspection of the surface facilities at sediment pond B walked to pond C and the lower end of the stream buffer zone then across the drainage below sediment pond A and upstream between the buffer zone and pond A to the pond's inlet and down across the stream to the scalehouse and up to the shop and wash pad and on up the access road to the end of the surface facilities. The group drove to the #4 portal on the east side of the canyon and walked down the road to the mine office.

Four notice of violations were issued as a result of the inspection, they include:

Sediment pond maintenance (19151), Non-coal waste (19152), stream Buffer Zone protection (19153) and maintenance of sediment controls and conveyor structures (19154).

Items noted:, sediment ponds (ABCD) inlet head cutting and maintenance, non-coal waste, activities in the stream buffer zone, damaged cross culvert C 7U at surface facility main access road, partially crushed culverts along road to #4 mine, conveyor maintenance, coal spill under conveyor near the transfer point, ASCA maintenance, headcutting on the outslope of the repaired leachfield, small shear cave between portal #4 and the hunting cabin.

Inspector's Signature:

Joe Helfrich,

Inspector ID Number: 1

Date

Monday, May 18, 2015

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining. telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

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 Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference 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, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Signs and Markers

The sign at the entrance contained the required information

4.a Hydrologic Balance: Diversions

Culvert C7U that transports undisturbed drainage underneath the main access road to Bear creek needs to be repaired to prevent disturbed area drainage from entering Bear creek untreated.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The four sediment ponds were inspected in the following order:

Pond B, the inlet to sediment pond B located just below the scalehouse and entrance to the office and bathhouse was removed in 2011 as an abatement measure for notice of violation #10068. Runoff has created an additional inlet that is eroding the inslope of the pond. The source is from disturbed area drainage from a small portion of the access road to the office and bathhouse facilities. In order to abate this portion of NOV 19151 an update to the MRP is required that includes designs for the additional inlet, the location of the CMP inlet culvert and a demonstration that the configuration of the pond as updated will not be short circuiting. The plans must be complete and adequate and implemented upon approval.

Pond C, the inlet to this pond does not appear to have been maintained to the current design standards noted on page 7-99 of the MRP that require 4" MD riprap. There is evidence of some riprap along the inlet to the pond. The riprap may be covered by the loose soil material that has been transported from the repaired leachfield area by surface runoff. Disturbed area drainage has also eroded the outslope of the leachfield repair area that reports to sediment pond C. These two areas need to be repaired in order to abate this portion of NOV 19151. Non-coal waste was observed in the pond.

Pond A, is also showing eroded areas at the inlet that need to be repaired and it appears as though there is some clean out material located on the cleanout access road that should be moved to the stockpile pad in order to abate this portion of NOV 19151.

Pond D has developed an eroded inlet channel from surface drainage coming off of the #3 pad area. In order to abate this portion of NOV 19151 an update to the MRP is required that includes designs for the additional inlet and a demonstration that the current configuration of the pond as updated will not be short circuiting. Plans must be complete and adequate and implemented upon approval.

4.c Hydrologic Balance: Other Sediment Control Measures

Several ASCAS located along the access road to the East portals have not been maintained to prevent piping under and around the straw bale/silt fence structures. They are shown on plate 7-1G as BTCA H area 7 and plate 7-1F BTCA H area 4. Several of the cross culverts need to be repaired to allow runoff from precipitation events to adequately pass through them. The silt fence located in the drainage at the base of sed pond A (south end) is silted in. The sediment needs to be removed and the silt fence needs to be replaced if it is shown to be deteriorated. The sediment may be suitable growth media that could be stored on the topsoil stockpile.

4.d Hydrologic Balance: Water Monitoring

A sample of the milky substance in the stream flow above the access road crossing to the East portals should be taken during the next inspection. The change in the color of the water stretches upstream for approximately 50 yards. Jaren indicated that other people had also inquired about the difference in color at that location and perhaps it was attributed to the rock formation adjacent to the stream.

8. Noncoal Waste

Noncoal waste was observed in the following areas: The stream buffer zone area that runs the length of the surface facilities disturbed area, Sediment ponds A, B, C and D, the outslope of the pad at the # 3 portal (NOV19152).

16.b Roads: Drainage Controls

The drainage controls for the access road to the #4 mine pad were not functioning as designed to prevent erosion on the outslopes and deposition of coal fines and sediment from accumulating in the undisturbed drainage that feeds into Bear creek. The cross culvert at the junction of the main access road and the primary tippel road as depicted on plate 7-1C has been damaged allowing some sediment from the road to enter the stream (NOV19154).

18. Support Facilities, Utility Installations

The conveyor that transports coal from the # 3 portal to the mine yard is not adequately covered and maintained which has resulted in the deposition of coal slurry into the undisturbed drainage that flows into Bear creek. See Figure 7K-1 (NOV19154).

22. Other

Stream Buffer Zone Encroachment, (NOV19153):

Several areas were marked "Stream Buffer Zone-Do Not Disturb" throughout the permit area. They are shown on plates 5-2b and c of the approved MRP. The markers were well within the 100ft of mine disturbance that is allowed by R645-301-731.600.

The disturbances identified within the Stream Buffer Zones included:

- 1.A wooden structure that appeared to be some sort of "fort" or "hideout";
- 2.A mine employee cutting lbs off a tree with a sawzall;
- 3.Various non-coal waste items ranging from gear lubricanbony coal, coal fines, metals and an empty bag of Calcium-Chloe
4. The equipment used to decant pond C (pump hose and pump) into pond B is located in the stream buffer zone.

Further review of the permit at Chapter 7, R645-301-731.600 Hydrology, Page 7-61F states that "Anywhere that mining and reclamation activities are conducted within 100 feet of a perennial stream runoff and sediment control structures exist to protect water quality. These areas are designated as "Stream Buffer Zone do not Disturb".