0004

Document Information Form

Mine Number: C/043/001

File Name: Incoming

To: DOGM

From:

Person N/A

Company N/A

Date Sent: N/A

Explanation:

COMPLIANCE ORDER AND SCHEDULE

cc:

File in:
C/043/001 1978, Incoming
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Date _____ For additional information

UTAH STATE BOARD OF OIL, GAS, AND MINING

IN THE MATTER OF THE INVESTIGATION OF THE ALLEGED VIOLATION OF THE UTAH MINED LAND RECLAMATION ACT, TITLE 8 CHAPTER 40, UCA, 1953, AS AMENDED, BY UTAH COAL AND ENERGY COMPANY AT BLACK HAWK MINE, SUMMIT COUNTY, UTAH	)	COMPLIANCE ORDER AND SCHEDULE CASE NO. ACT/043/001 November 29,1978

THE BOARD OF OIL, GAS, AND MINING, having conducted a hearing of this matter on November 29, 1978, now hereby finds, from the evidence presented that Utah Coal and Energy Company failed to comply with the requirements of the Utah Mined Land Reclamation Act of 1975, Title 8, Chapter 40, Utah Code Annotated, 1953, as amended, and has further failed to comply with the rules and regulations of the Board; in particular, that said Company has failed to comply with Section 40-8-13 of said Act and with Rules M-3 and MC Part 700 et. seq. of the Act's implementing regulations; and based upon the Board's finding that such violation does not now create an imminent danger or hazard to health or safety of persons or property within the State of Utah;

NOW THEREFORE, the Board hereby issues the following compliance schedule and orders Utah Coal and Energy Company and Clem Cafarelli, its President, to bring the operation at the Black Hawk Mine, Summit County, Utah, into compliance with the above mentioned statutes and regulations, in accordance with the schedule hereinafter set forth by submitting information as required by the schedule to the Division of Oil, Gas, and Mining within 30 days of the date of this Order, and further, to obtain an approved Notice of Intent to Mine from the Division within 60 days of the date of this order;

AND FURTHER ORDERS that in the event that an approved Notice of Intent to Mine has not been obtained from the Division within 60 days of this order, an authorized representative of the Utah Coal and Energy Company appear before the Board on January 31, 1979, in the Executive Room to the Holiday Inn, 1659 West North Temple, Salt Lake City, Utah at 9:00 A.M., to show cause why the Board should not issue an immediate abatement order halting mining activities at The Black Hawk Mine, Summit County, Utah;

AND SAID COMPLIANCE SCHEDULE IS AS FOLLOWS:

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In C/043/001, 1978, Incoming
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I. MC 700 Rules

The operator must comply with the following requirements and submit the necessary information to the Division within 30 days of the date of this order:

MC-717.12 Sign and Markers

A. Signs shall be constructed of durable material and be placed at all entrances to the mine property.

B. Signs shall depict the name of the operator, business address, telephone number, and identification numbers of federal and state permits.

MC-717.14 Backfilling and Grading

A. The operator shall make an affirmative commitment to backfill and grade road cuts, entry areas, and other surface work areas, following their intended use in the mining operation. Said areas shall be depicted on a map per specifications of Rule M-3.

1. Backfilling shall acheive the standards for static safety and other standards as set forth in this section.

MC-717.15 Disposal of Excess Rock or Earth Material

A. The operator shall make an affirmative commitment to place these materials in accordance with the standards set forth in this section.

MC-717.17 Protection of the Hydrologic System

A. A system shall be developed by the operator to minimize the degradation to both surface and ground water adjacent to the

mine and meet the standards set forth in this section including but not limited to the following procedures:

1. Monitoring surface and ground water.

2. Applying for and attaining a NPDES permit for effluent discharge from the area affected.

3. Collect and settle in an approved pond, all runoff water and suspend sediment which emenates from the area affected.

4. Design, construct, and maintain roads in accordance with the standards set forth in this section.

MC-717.18 Dam Constructed of or Impounding Waste Material

A. The operator shall commit to the design, construction, and maintenance of dams in accordance with the standards set forth in this section and demonstrate the development of plans to meet such commitment.

MC-717.20 Topsoil Handlings and Revegetation

A. The operator shall remove and segregate topsoil to the extent available from areas disturbed by surface operations.

B. Topsoil shall be stockpiled and protected from wind and/or water erosion or contaminants.

C. The operator shall use the stockpiled topsoil, following the succession of mining activities, by spreading said topsoil over the areas disturbed, and demonstrate a plan for planting it to suitable species as described in this section.

D. The operator shall commit to establish, on areas disturbed by mining operations, a diverse, effective, and permanent cover,

capable of self-regeneration and plan succession which is adequate to control soil erosion and sustain post mining land uses. A seed mixture shall be specified in this plan.

II. M Rules

The operator must comply with the following requirements and submit the necessary information to the Division within 30 days of the date of this order.

Rule M-3 - Maps and Plans.

A. A completed Division form MR-1 shall be submitted by the operator.

B. A true or correct copy of a map shall be submitted of the mining operation which is in accordance with Rule M-3(1)(a) through M-3(1)(h).

Rule M-5 - Surety.

A. The operator shall post adequate surety to cover the cost of reclamation of the land affected. Surety shall be posted in accordance with this rule and in accordance with 40-8-14, Utah Code Annotated, 1953, as amended.

Signed:

Scheree Wilcox
Secretary of the Board of
Oil, Gas, and Mining