

November 1, 1985

TO: Coal File, Inspection and Inforcement Folder

FROM: Barton D. Kale, Mining Field Specialist *BOK*

RE: Summit Minerals Company, Blackhawk Mine, INA/043/001,  
Folder #7, Summit County, Utah

I, Barton D. Kale, Mining Field Specialist for the Utah Division of Oil, Gas and Mining (DOGGM), made a complete inspection at the Blackhawk Mine site on October 31, 1985 at approximately 10:00 a.m. I was accompanied by Joe Helfrich, Mining Field Supervisor for DOGM and Pat Garver, Attorney for the landowner involved.

Upon arrival at the site, the state vehicle was parked in front of the shop where the Division representatives were met by Mr. Dennis Garver (no relation to Pat Garver) who was employed, to my knowledge, by Mr. Jack Higgins' company. Mr. Helfrich explained that we were onsite to do a field inspection as a result of a citizen's complaint by the landowner. Mr. Dennis Garver explained that they were inactive and just waiting to receive their permit and that no recent activity had taken place.

Upon arrival it was noted that the shop was open and one pick-up truck was noted sitting just inside the opened garage door. Approximately three or four more pick-up trucks were noted parked in the lot outside the shop and about four to six workmen were noted, although no actual active work was noted. At the beginning of the site tour, Mr. Helfrich went to the south of the shop along the Mountain Fuel pipeline and took a panorama of pictures of the sand and gravel storage area and pads to the west. It was noted that sand and gravel material had been removed from this storage area. It was evident by vehicle and equipment signs which piles had been disturbed, although the amount and volume could not be determined. This disturbance had occurred since my last complete field tour. To the west of the storage area, across the main access road, another new disturbance was noted. In an area that formerly stored scrap material, a sediment basin had been constructed. On my August 13 inspection, this area had been a relatively flat pad area containing a few pieces of scrap equipment. At this time, 3-1/2 foot berms had been constructed on the east and south contour of the pad. The berm material was of the same type material as that removed from the storage area. The berms extended 20-30 yards on each boundary, connected at the northeast corner. A metal pipe, approximately 10-15 inches in diameter, had been inserted in the berm at the north side, northeast corner, to act as a decant structure. The length of the pipe on the inside of the pond was turned up 90 degrees to face the sky such that when the water reached approximately 2-1/2 to 3 feet, it would be decanted to the other side of the berm. After leaving the pond, it would flow across the road to the already established pond to the north of the storage area east of the road. A small flow, less than 1/4 gallon a

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minute was flowing into the old established pond. A depression in the main road channeled this flow to the pond. Unconsolidated dirt of a darker color lay beside this depression (less than six inches in depth) to infer that the depression had been worked on recently.

Along the main road, three foot berms were noted from the bridge south past the old sediment pond and past the new sediment basin and storage area toward the shop. This material was also of the same nature as the material removed from the storage area. Panoramic pictures were taken of the new sediment pond area.

The gravel quarry area was inspected to the south of the shop. Material had been moved in this area as was made evident by the unsealed portal at this site. In all previous inspections this year, the portal had been completely sealed. The open portal could be entered as the opening was at least three feet high with a steel supported roof. Upon looking into the portal, it was noted that the head space immediately increased, but beyond the immediate entrance, conditions could not be determined. No entrance into the portal was made. A sign in front of the portal warned people to keep out.

Prior to the walk to the portal, Mr. Dennis Garver asked Mr. Helfrich what the permit status for the mine was at this time. In asking this question, he related that it was his understanding from conversations with Mr. Jack Higgins that they would be getting a permit shortly and that everything was being resolved. Mr. Helfrich related that just the opposite was true and that Mr. Higgins was "miles away" from resolving the issues and a number of major questions stood in the way of a permit being issued. At that time, Mr. Garver (Dennis), related that Mr. Higgins had instructed him to not permit the Division to inspect the site. He said that he had no intention of baring us from our inspection as he was satisfied that we could otherwise gain access anyway. Mr. Helfrich stated that, if necessary, an appropriate action might be to have the local law officer escort us onto the property. Mr. Pat Garver stated that as legal representation of the landowner he had the right to grant permission for the Division to access the property at any time.

After viewing the quarry and portal, Mr. Helfrich thanked Mr. Garver (Dennis) for his cooperation and we left the site. Mr. Helfrich stopped in Coalville to phone the office on what had transpired but could not get through, at which time we returned to Salt Lake City.

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cc: Donna Griffin  
Joe Helfrich  
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