



United States Department of the Interior

OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT

219 CENTRAL AVENUE, NW  
ALBUQUERQUE, NEW MEXICO 87102

November 1, 1983

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ACT/043/001  
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**RECEIVED**  
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CERTIFIED MAIL NO. P213300669  
RETURN RECEIPT REQUESTED

Dr. Dianne Nielson, Director  
Division of Oil, Gas and Mining  
4241 State Office Building  
Salt Lake City, UT 84114

**DIVISION OF  
OIL, GAS & MINING**

Dear Dr. Nielson:

Attached is Ten Day Notice No. 83-2-31-2-1 is issued as a result of a Federal oversight inspection conducted September 30, 1983 at the Blackhawk Mine.

Please notify the Office of Surface Mining (OSM) within ten days of receipt of this letter as to what action the Utah Division of Oil, Gas and Mining will take regarding this notice.

If you have any questions please contact either Frank Atencio or myself at the OSM Albuquerque Field Office.

Sincerely,

  
Robert H. Hagen, Director  
Albuquerque Field Office

cc: Joe Helfrich

Attachment

Office of Surface Mining  
MINE SITE EVALUATION INSPECTION REPORT

INSPECTOR NUMBER 0031

INSPECTION DATE 09/30/83

I. MINE SITE

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| <p>1. Permittee <u>Utah Coal &amp; Energy Co.</u></p> <p>2. Permittee Address<br/><u>5511 South 4385 West</u><br/><u>Kearns, Utah 84118</u></p> <p>3. Location of Mine<br/>a. County <u>Summit</u><br/>b. State <u>Utah</u></p> <p>4. Name of Mine <u>Blackhawk</u></p> <p>5. Telephone <u>(801) 298-5901</u></p> <p>6. Date of Last State<br/>Inspection <u>01/13/83</u></p> <p>7. Permit No. <u>ACT/043/001</u></p> <p>MSHA No. _____</p> <p>OSM No. _____</p> | <p>8. Status (check one)<br/>a. <input type="checkbox"/> Active<br/>b. <input type="checkbox"/> In reclamation<br/>c. <input checked="" type="checkbox"/> Inactive<br/>d. <input type="checkbox"/> Abandoned</p> <p>9. Type of Facility<br/>a. <input type="checkbox"/> Surface<br/>b. <input checked="" type="checkbox"/> Underground<br/>c. <input type="checkbox"/> Other -<br/>Specify _____</p> <p>10. Steep Slope<br/>Yes _____<br/>No <u>X</u></p> <p>11. Mountain Top Removal<br/>Yes _____<br/>No <u>X</u></p> <p>12. Prime Farm Land<br/>Yes _____<br/>No <u>X</u></p> |
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II. TYPE OF OSM INSPECTION

- A. Complete Inspection: Check appropriate box
1.  Statistical Sample Inspection
  2.  Others (citizen complaint inspections or second phase/assistance inspections - specify.)  
\_\_\_\_\_
- B. Other-Than-Complete-Inspection: Check appropriate box and reason for inspection.
1.  Statistical Sample Follow-up (date of Complete Inspection \_\_\_\_\_.)

- (a)  10-Day Notice follow-up (State failed to notify OSM or to take appropriate action).
- (b)  Federal NOV follow-up.
- (c)  Federal CO follow-up.
- (d)  Others - Specify \_\_\_\_\_

2.  Citizen Complaint Inspections

- (a)  Citizen's Complaint - imminent hazard or harm to public or to environment.
- (b)  Citizen's Complaint - 10-Day Notice follow-up (State failed to notify OSM or take appropriate action).
- (c)  Citizen's Complaint - 10-Day Notice follow-up (sample).
- (d)  Other - Specify \_\_\_\_\_

III. COMPLIANCE INFORMATION

Indicate the appropriate number for each performance standard (See instructions for clarification of the numbering system):

- 1. In compliance,
- 2. Not in compliance (State took action),
- 3. Not in compliance (State has not taken action),
- 4. Not in compliance (other),
- 5. Not applicable.

A. Performance standards that limit the effects of surface mining to the permit area:

<u>3</u>	1. Run-off control	<u>1</u>	6. Ground water monitoring
<u>1</u>	2. Surface water monitoring	<u>1</u>	7. Haul road maintenance
<u>1</u>	3. Mining within permit boundaries	<u>5</u>	8. Refuse impoundment
<u>5</u>	4. Blasting procedures	<u>1</u>	9. Signs and markers
<u>1</u>	5. Effluent limits		

B. Performance standards that assure reclamation quality and timeliness:

<u>1</u>	1. Topsoil handling	<u>1</u>	7. Timing of revegetation
<u>1</u>	2. Backfilling & grading		
<u>1</u>	3. Timing of reclamation	<u>1</u>	8. Highwall elimination
<u>1</u>	4. Success of revegetation		
<u>5</u>	5. Disposal of excess spoil	<u>5</u>	9. Downslope spoil disposal
<u>1</u>	6. Handling of acid or toxic materials	<u>1</u>	10. Post mining land use

C. For each standard marked (2), what action(s) has the State taken to cause the violation to be corrected?

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D. For each standard marked (3), indicate what action(s) the State should have taken.

See Narrative.

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E. For each standard marked (4), explain why it is unknown whether or not the State has failed to take appropriate action.

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VI. ADMINISTRATION INFORMATION

- 3   1. Hours travel to and from site
- 2. Acreage of permit
- 2   3. Inspection time (on site)
- 4. Permit review time
- 2   5. Report-writing time

Frank Atencio  
Signature

11-7-83  
Date

Print Name of Authorized Representative

Lawrence E. Glantz  
Reviewed By

11-2-83  
Date

GENERAL COMMENTS

This inspection was conducted on September 30, 1983, by Joe Helfrich, Utah Division of Oil, Gas and Mining; and Tom Ehmett and Frank Atencio, Office of Surface Mining. The mine is inactive and there were no signs of recent activity.

COMPLIANCE WITH PERMANENT PERFORMANCE STANDARDS

The following information is derived from a State inspection report dated January 13, 1983. This report was written for the DOGM coal file by State Inspector, Sandy Pruitt. An important point is made in this report where part UMC 817.131-.132 "Cessation of Operations" is commented upon. This point mentions the fact that an approved permit to mine did not exist for the Blackhawk Mine. Further research fails to turn up any permit having been granted for this operation. The report does indicate, however, that mining activities were still occurring after May 3, 1978.

The January 13, 1983, inspection report also mentions that at a February 28, 1979 DOGM Board Meeting an order was issued for activities at the Blackhawk mine to cease. In addition mine equipment was to be seized to help cover reclamation costs. Furthermore, the report mentions that the DOGM board forfeited to the State a mine land reclamation escrow account which had been opened for this operation. The forfeited funds amounting to \$535.81 were deposited into the State's fines and forfeiture fund.

HYDROLOGIC BALANCE

The berm along the north-western perimeter of the mine property is in need of repair. There are numerous places where the existing berm has been breached. Surface runoff from the mine yard area has been escaping into adjacent farmland. There was evidence of coal fines having been deposited by the runoff unto a nearby field. On the extreme northwest corner of the mine yard a protective berms needs to be built to prevent disturbed area runoff from going into Chalk Creek. Measures need to be taken to ensure that water from the disturbed area is diverted to the sediment pond.

UNITED STATES DEPARTMENT OF THE INTERIOR Office of Surface Mining Reclamation and Enforcement <b>TEN-DAY NOTICE</b>		Originating Office: OSM - Albuquerque Field Office 219 Central Avenue, NW, Suite 216 Albuquerque, NM 87102 Telephone Number: (505) 766-1486	
Number: X - 83 - 2 - 31 - 2 TV 1			
Ten-Day Notice to the State of <u>UTAH</u>			
You are notified that, as a result of <u>Federal inspection on 9/30/83</u> (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: <u>Utah Coal and Energy</u> <small>(Or Operator if No Permit)</small>		County: <u>Summit</u>	<input type="checkbox"/> Surface <input checked="" type="checkbox"/> Underground <input type="checkbox"/> Other _____
Mailing Address: <u>511 South 435 West</u>		<u>Kearns, UT 84118</u>	
Permit Number: <u>INA/043/001</u>		Mine Name: <u>Blackhawk Mine</u>	
NATURE OF VIOLATION AND LOCATION: <u>Failure to pass all disturbed area drainage through a sedimentation pond or treatment facility before leaving the permit area.</u>			
<u>Various points along northwestern perimeter of mine property.</u>			
		Section of State Law, Regulation or Permit Condition believed to have been violated: <u>UMC 817.42(a)(1)</u>	
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: _____			
Date of Notice: <u>10/24/83</u>		Signature of Authorized Rep.: <u>Frank Atencio</u>	
		Print Name and ID: <u>Frank Atencio #0031</u>	