

0013

Document Information Form

Mine Number: C/043/008

File Name: Incoming

To: DOGM

From:

Person N/A

Company UTAH COAL AND ENERGY INC.

Date Sent: MARCH 7, 1983

Explanation:

MINE SITE EVALUATION
INSPECTION REPORT

cc:

File in: C/043/008 1983, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

Office of Surface Mining
MINE SITE EVALUATION INSPECTION REPORT

MAR 07 1983

DIVISION OF

INSPECTION NUMBER

INSPECTION DATE

I. MINE SITE

- | | |
|--|--|
| 1. Permittee <u>UTAH COAL AND ENERGY Inc.</u> | 8. Status (check one) |
| 2. Permittee Address
<u>5511 South</u>
<u>4385 West</u>
<u>Kearns, UT 84118</u> | a. <input type="checkbox"/> Active |
| 3. Location of Mine | b. <input type="checkbox"/> In reclamation |
| a. County <u>SUMMIT</u> | c. <input checked="" type="checkbox"/> Inactive |
| b. State <u>UTAH</u> | d. <input type="checkbox"/> Abandoned |
| 4. Name of Mine <u>BLACK HAWK</u> | 9. Type of Facility |
| 5. Telephone <u>(801) 298-5901</u> | a. <input type="checkbox"/> Surface |
| 6. Date of Last State
Inspection <u>09/27/82</u> | b. <input checked="" type="checkbox"/> Underground |
| 7. Permit No. <u>ACT/043/001</u> | c. <input type="checkbox"/> Other -
Specify _____ |
| MSHA No. _____ | 10. Steep Slope |
| OSM No. _____ | Yes _____ |
| | No <u>X</u> |
| | 11. Mountain Top Removal |
| | Yes _____ |
| | No <u>X</u> |
| | 12. Prime Farm Land |
| | Yes _____ |
| | No <u>X</u> |

II. TYPE OF OSM INSPECTION

- A. Complete Inspection: Check appropriate box
- Statistical Sample Inspection
 - Others (citizen complaint inspections or second phase/ assistance inspections - specify.)

- B. Other-Than-Complete-Inspection: Check appropriate box and reason for inspection.
- Statistical Sample Follow-up (date of Complete Inspection _____.)

File in:

- Confidential
 Shelf
 Expandable

Refer to Record No. 0013 Date 3-7-83
In 043/008, 1983, Incoming
For additional information

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

B. Performance standards that assure reclamation quality and timeliness:

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

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

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

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

Please note that weather conditions prevented the inspectors from seeing the ground with clarity.

A.1. A berm was to be built along the NW side of the property. Its existence is still unknown due to heavy snow cover.

2,5,6. A water monitoring plan was submitted but not formally approved by the state. Therefore, no monitoring has taken place.

A.3. & 9. Perimeter and buffer zone markers weren't visible. Could be due to snow.

B.1. No topsoil was salvaged.

VI. ADMINISTRATION INFORMATION

- 6 1. Hours travel to and from site
- 2. Acreage of permit
- 1.5hrs 3. Inspection time (on site)
- 2 hrs 4. Permit review time
- 1 hr 5. Report-writing time

Jodie Merriman
Signature

2-16-83
Date

JODIE L. MERRIMAN
Print Name of Authorized Representative

[Signature]
Reviewed By

3-2-83
Date

GENERAL COMMENTS

This inspection was conducted on 01/04/83 by Sandy Pruitt, UDOGM; Jodie Merriman and Frank Atencio, OSM. Mine personnel were not present during the inspection. The mine is inactive with a no trespassing sign displayed on entrance gate.

PERMITS

The following information was derived from a memorandum to the file dated 01/13/83 written by State Inspector Sandy Pruitt.

According to inspection reports in the DOGM file, mine development was first observed on August 4, 1976. The notice of intent and mine reclamation plans submitted on November 18, 1977, were deemed incomplete and more information was requested by a letter dated June 14, 1978. No response was received. As of March 27, 1978 the mine was still active but an OSM inspection memo reported that on October 31, 1978 the operation was inactive. (Six violations (NOV 78-V-4-1) were issued by OSM as a result of this inspection. A Board Hearing on November 29, 1978 resulted in a compliance schedule for the interim performance standards which also required that a surety be posted within thirty days. A December 6, 1978 inspection memo reported that additional mine development work had been conducted since the last inspection. A response to the compliance schedule submitted December 12, 1978 updated the incomplete notice of intent and mine reclamation plan. An addendum submitted January 8, 1979 addressed sediment pond requirements, slope stabilization of downslopes (by revegetation) and water monitoring plans.

A Board Hearing was conducted on February 1, 1979 where tentative approval was granted conditional upon the posting of a reclamation bond (estimated at \$15,000) by February 12, 1979. On February 28, 1979 the Board determined that the company had failed to comply with the February 1, 1979 Board order, therefore all mining activities were to cease and the security of interest in the mine equipment on site was considered to cover reclamation costs. In an inspection December 7, 1979 mining activities (road maintenance) were observed, so a cessation order was issued on December 19, 1979. A January 23, 1980 Board order required the payment of a \$750.00 fine by February 23, 1980 (DOGM records have no evidence of payment). The Board order also required that a performance bond of \$15,000 and an adequate mine reclamation plan (to meet interim requirements) be submitted by April 23, 1980. Failure to meet either of these requirements would result in an increase of the total fine to \$5,000 dollars. A mine land reclamation

agreement for an escrow account (built up to \$15,000 by monthly installments) in lieu of bond was approved by the Board on September 2, 1980.

Slope stabilization plans and plans to construct diversion ditches above and in front of the mine portal and to repair the sediment pond were approved with stipulations on March 13, 1981. The ditches were constructed and repair work on the sediment pond initiated as of April 6, 1981. The repair work on the pond consisted on the construction of a new pond which was not permitted and was in violation of the stipulations dated March 13, 1981, so NOV N81-2-2-1 was issued. The \$480.00 fine which was required by a finalized assessment dated August 6, 1981 has not been paid yet.

There has been no additional mining activity since April 1981. A complaint from the Boyer family (property owners) dated August 7, 1981 referred to the infringements to their property rights, increase in liability insurance and the impeded access to the creek from range land above resulting from the operation. They complained about openings (12 to 18 inches in diameter) on their property. These complaints were aired at the August 1981 Board hearing. The company indicated that they will approach the Division for permission and assistance in fencing/plugging the openings on the property, there is no record of this being done.

According to the records the escrow payments for the reclamation contract were not kept up in accordance with the agreement. The February 1, 1979 approval of the mine plan was contingent upon an adequate bond. As of December 31, 1981 there was only \$535.81 in the escrow account (\$500.00 was deposited on September 3, 1980). Since an adequate bond was not posted, the approved permit was invalid. On August 27, 1981 the Board declared these funds to be forfeited to the Division of Oil, Gas and Mining due to Cafarelli's failure to comply with the escrow agreement. The forfeited funds were deposited into the fines and forfeiture fund.

BONDING

A reclamation bond was never posted, a situation which could pose a serious problem when a decision is made to reclaim the disturbed surface area of this now inactive mine.

SIGNS AND MARKERS

Perimeter signs weren't visible nor were buffer zone markers along Chalk Creek. Due to the snow on the ground, however, we may not have been able to see the markers. There were approximately 12" of snow on the ground on the day of the inspection.

TOPSOIL

Topsoil was not salvaged or stockpiled.

HYDROLOGIC BALANCE

The outline of the sediment control pond was visible but with the snow cover its structural and operational condition couldn't be evaluated. No water was present in the pond. Also there was no evidence of any overflow or flooding from the sediment pond which could have adversely affected nearby Chalk Creek. Chalk Creek is a perennial stream which runs about 50 yards from where the sediment pond is located.

The existence of a berm way along the northwest side of the property remained open to question. When the snow melts, an effort to determine its status should be made. If a berm does not exist here drainage from the mine yard will end up in fields of the surrounding farm land.

The State Inspector also discovered that a water monitoring plan submitted for this mine on January 8, 1979 was rejected. No records exist which indicate that water monitoring has ever taken place here.

PORTALS

This mine has two portals, Portal B has caved in sealing itself off. Portal A, situated east of B, remains open and accessible. There are no hazardous warning signs posted on or around Portal A, nor is there a fence or barricade across the mouth of this portal. The mine site itself is barricaded by a gate.

An area adjacent to Portal A is apparently being considered for use as a gravel pit. It was difficult to tell if there had been any surface disturbance due to gravel extraction. A diversion channel has been built around this area to divert discharge away from the top of Portal A. A full fledged gravel operation would greatly affect slope stabilization and pose a subsidence problem in the mine area.