

January 13, 1983

Inspection Memo
to Coal File:

RE: Black Hawk Mine
Utah Coal and Energy
INA/043/001 #7
Summit County, Utah

DATE: January 4, 1983
TIME: 10:00 to 11:00 A.M.
WEATHER: Cloudy, cool
COMPANY OFFICIALS: None
STATE OFFICIALS: Sandy Pruitt
FEDERAL OFFICIALS: Jodie Merriman, Frank Atencio

Compliance With Permanent Performance Standards

UMC 771 et al Permits

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 November 18, 1977, were deemed incomplete and more information was requested by a letter dated June 14, 1978. This letter was not responded to. 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 (6 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 and 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. On an inspection December 7, 1979 mining activities (road maintenance) were observed, so a cessation order was issued on December 19, 1979. A

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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, increases in liability insurance and the impeded access to the creek from range land above the 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. As of December 31, 1981 there was only \$535.81 in the escrow account (\$500.00 was deposited on September 3, 1980). 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.

UMC 817.11 Signs and Markers

The mine identification sign posted at the access point to the mine operation does not have the business address and telephone number or a permit number listed as required. Other than the gate and fence across the access, there are no perimeter markers posted, buffer zone markers would be required along Chalk Creek.

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UMC 817.13 Casing and Sealing of Underground Openings

No attempt has been made to locate the 12 to 18 inch diameter openings noted in the Boyer's letter dated August 7, 1981. These are probably exploration holes that were left unplugged. There is reference in the file of drilling operations conducted above the Black Hawk mine and on Boyer property by Wescar Inc from November 1978 to early 1979. John Blake, State Lands, inspected drill sites on State lands in the area in June 1979 and reported them to be adequately reclaimed. Sante Fe Mining Company conducted coal exploration in November and December 1980. The drill holes are located along the south fork of Chalk Creek and on the ridge directly above the Black Hawk mine. An abandonment notice received January 8, 1981 reported that all holes were abandoned in accordance with the approved notice of intent (cement plugging). At that time no reclamation had been initiated due to weather conditions. A letter dated January 20, 1982 reported that reclamation was completed in November 1981. These reports should be verified by a surface inspection this year. The holes noted in the Boyer's letter should be located (with the Boyer's assistance if necessary) and abandonment responsibilities determined (if possible).

The mine portals are not adequately barricaded for temporary abandonment. The western portal is caved just inside the steel culvert. Gravel has partially covered the opening to the eastern portal, but the mine is still easily accessed.

UMC 817.21 - .25 Topsoil

There was no topsoil salvaged from mine development activities. The only retrievable topsoil is that which was inadvertently saved in the sediment pond embankments or pushed aside in construction of the diversion ditches.

UMC 817.41 - .57 Hydrologic Balance

Due to snow cover it was difficult to determine the adequacy of drainage control structures. It appeared that the berms along the western perimeter of the warehouse pad and along the northern perimeter of the materials storage yards needed to be reestablished and surface grades improved to adequately divert water to the sediment pond. Some runoff from the western materials storage yard is diverted underground into the mine. There is no information on the effect this may have on the hydrologic balance. The water monitoring plan submitted January 8, 1979 was deemed inadequate and is not being implemented.

There was no water in the sediment pond at the time of this inspection. There was no evidence that runoff has ever breached or overflowed the pond.

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UMC 817.99 Slides and Other Damage

The slope stabilization plan was approved on March 13, 1981 with the stipulation that if the stabilization work was not completed within a year the approval would be revoked. The only slope stabilization work completed that year was the construction of overland flow diversion ditches above the mine portals.

UMC 817.111 - .117 Revegetation

There has been no efforts to revegetate the downslope of the mine pads or any other areas since the mine area was first disturbed.

UMC 817.131 - .132 Cessation of Operations

The mine portals are not maintained or fenced and secured as required for temporary suspension of operations. There is no approved permit to mine so there is no obligation for the operator to comply with any provisions of an approved permit. Since the Division of Oil, Gas and Mining required the cessation of operations, a notice of suspension was not required. The Division has not made any provisions for the suspension of operations.

SANDY PRUITT 
FIELD SPECIALIST

SP/lm

cc: Tom Ehmett, OSM
Joe Helfrich, DOGM

Statistics: See C & W memo, dated January 12, 1983.
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