

0019

Document Information Form

Mine Number: C/043/008

File Name: Incoming

To: DOGM

From:

Person N/A

Company SUMMIT COAL CO.

Date Sent: N/A

Explanation:

MINE SITE EVALUATION
INSPECTION REPORT

cc:

File in: C/043/008, 1788, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

ACT/043/008
File # 5 D 8m

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

For Office Use Only

1a Y Y M M	1b Batch	1c Report
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2. Name of Permittee

Summit Coal Company

3. Street Address

PO Box 752

4. City

Colville

5. State

MT

6. Zip Code

04017

7. Area Code

801

8. Telephone Number

-

9. MSHA Number

42-01401-

10. Date of Inspection (Y M M D D)

880331

11. State Permit Number

043/008

12. Name of Mine

Boyer Mine

13. County Code

043

14. State Code

MT

15. Strata

16. State Area Office

01

17. OSM Field Office No.

02

18. OSM Area Office No.

19. OSM Sample No.

0103

20. Type of Inspection (Code)

2

21. Joint Inspection Yes No

X

22. Inspector's ID No.

127

23. Status

A 21

Type of Permit

B A

Mine Status (Code)

C 20

Type of Facility (Code)

D 00170.0

Number of Permitted Acres

E 00005.5

Number of Disturbed Acres

24. Type of Activity (check applicable boxes).

A Steep Slope

E Anthracite

B Mountain Top Removal

F Federal Lands

C Prime Farmlands

G Indian Lands

D Alluvial Valley Floors

H Other

25. Performance Standards (Codes)

Instructions: Indicate compliance code. For any standard marked 2 or 3 provide narrative to support this determination.

Standards That Limit the Effects to the Permit Area

- A 1 Distance Prohibitions
- B 2 Mining Within Permit Boundaries
- C 1 Signs and Markers
- D 2 Sediment Control Measures
- E 1 Design and Certification Requirements--Sediment Control
- F 1 Effluent Limits
- G 1 Surface Water Monitoring
- H 1 Ground Water Monitoring
- I 1 Blasting Procedures
- J 1 Haul/Access Road Design and Maintenance
- K 3 Refuse Impoundments
- L Other: Specify _____

Standards That Assure Reclamation Quality and Timeliness

- M 1 Topsoil Handling
- N 1 Backfilling and Grading
- O 1 Following Reclamation Schedule
- P 1 Revegetation Requirements
- Q 1 Disposal of Excess Spoil
- R 1 Handling of Acid or Toxic Materials
- S 1 Highwall Elimination

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No. 0019 Date N/A
In C/043/008, 1988. Incoming
For additional information

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

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1a	1b	1c
<input type="text"/>	<input type="text"/>	<input type="text"/>
Y Y M M	Batch	Report

2. Name of Permittee

Summit Coal Company

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PO Box 752

4. City

Coalville

5. State

MT

6. Zip Code

84017

7. Area Code

801

8. Telephone Number

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9. MSHA Number

42-01404-

10. Date of Inspection (Y Y M M D D)

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e

21. Joint Inspection Yes No

X

22. Inspector's ID No.

107

23. Status

- A 21 Type of Permit
- B A Mine Status (Code)
- C 20 Type of Facility (Code)
- D 04170.0 Number of Permitted Acres
- E 00005.5 Number of Disturbed Acres

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Standards That Assure Reclamation Quality and Timeliness

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- N 1 Backfilling and Grading
- O 1 Following Reclamation Schedule
- P 1 Revegetation Requirements
- Q 1 Disposal of Excess Spoil
- R 1 Handling of Acid or Toxic Materials
- S 1 Highwall Elimination
- T 1 Downslope Spoil Disposal
- U 1 Post Mining Land Use
- V 1 Cessation of Operations: Temporary
- W Other _____

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

1043/08
File # 5-D6M
2/1/88

26. State Permit Number

043/008

27. Date of Inspection
(Y M M D D)

8 8 0 8 3 1

28. Yes No Do mining and reclamation activities on the site comply with the plans in the permit?
 If no, provide narrative to support this determination.

29. Indicate number of complete and partial inspections conducted by the State to date for this annual review period:

29a. 2 Number of Completes

29b. 5 Number of Partials

30. Indicate number of complete and partial inspections required by the State during this annual review period:

30a. 3 Number of Completes

30b. 6 Number of Partials

31. Has inspection frequency been met?

31a. Yes No Completes

31b. Yes No Partials

32. FEDERAL ENFORCEMENT INFORMATION. [Enter violation number. Check appropriate box(es)]

Ten-Day Notice No.	Notice of Violation No.	Cessation Order No.	Violation Codes
88-02-107-2			
A <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Authorizations to Operate
B <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs and Markers
C <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Backfilling and Grading
D <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Highwall Elimination
E <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rills and Gullies
F <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Improper Fills
G <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Topsoil Handling
H <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sediment Ponds
I <input checked="" type="checkbox"/> 88-02-107-2(2)	<input type="checkbox"/>	<input type="checkbox"/>	Effluent Limits
J <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Monitoring
K <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Buffer Zones
L <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roads
M <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dams
N <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blasting
O <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Revegetation
P <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spoil on the Downslope
Q <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mining Without Permit
R <input checked="" type="checkbox"/> 88-02-107-2(1)	<input type="checkbox"/>	<input type="checkbox"/>	Exceeding Permit Limits
S <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Distance Prohibitions
T <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toxic Materials
U <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Violations

33. Name of Authorized Representative (print or type)

Rude H. Orell

Signature of Authorized Representative _____ Date 4-4-88

Signature of Reviewing Official _____ Date 4-5-88

14 0
04 0
04 5
04 0

Summit Coal Company
P.O. Box 752
Coalville, Utah 84017

Boyer Mine
Utah Permit #43/008

Oversight Inspection
March 30, 1988

Participants:

Rade H. Orell, Office of Surface Mining Reclamation and Enforcement, Albuquerque Field Office (AFO); Randy Harden, Utah Division of Oil, Gas and Mining (DOG M); and Jack Blonquist, Summit Mining Company.

Mine Site Evaluation Inspection Report Form:

This was an oversight inspection therefore the Mine Site Evaluation Inspection Report Form (MSEIR) has been completed accordingly. The number 2 is at performance standard codes B, Mining Within Permit Boundaries and D, Sediment Control Measures to indicate the issuance of Ten-Day Notice (TDN) 88-02-107-2,(1),(2). Each is explained in greater detail later in this report.

Items 29-31 on page two of the MSEIR address state inspection activity. In each case, complete and partial inspections, the form indicates the inspection frequency has not been met. This is based on the information in the AFO Inspection Files. It may be that DOGM has completed additional inspections for which we have not received copies. } ??

Introduction:

The inspection commenced the afternoon of March 30, 1988 and terminated at approximately 5:30 PM that same day. The weather was cold and cloudy with light snow. The ground conditions were wet. A Pentax IQ Zoom camera was used to photograph areas of interest.

Field Inspection:

The field inspection included observations of the portal area and associated facilities. We commenced the field part of the inspection at the area immediately above the office trailer. We walked the road on the east side of the area in a northerly direction to the north end of the portal area. We then traversed the west side of the same area in a southerly direction along the west road to the point where

the road meets U-133.

We noted that the operator is currently storing coal waste on the portal pad area. DOGM is currently reviewing the operator's proposal to create a coal waste disposal area. The requirement for a disposal area was originally a permit stipulation however it is now being processed as a permit revision. Until the proposal is approved by DOGM the operator is forced to store the material on site. Available storage area is a premium at the portal facility. Waste is stockpiled in numerous areas around the facility. If on-site storage continues the operator will be doing well to prevent runoff control problems. For example the material is encroaching on the east diversion near the culvert clean out described later in this report.

Diversion UD-1 - This diversion is located on the east side of the portal area; it diverts undisturbed runoff around the portal area. The diversion is oriented north-south with flow in a southerly direction. A buried 36 inch culvert is part of the diversion and is located at the upstream end of the structure. The mid to upper part of the diversion borders a land slide area. The slide apparently occurred in 1986. It originated off the permit area with a large part of the slide material deposited on the permit area across the east diversion. The operator was required to reroute the diversion around the slide. Work is being performed both on and off the permit area to alleviate the problem. The mining company is not responsible for the off permit area earth work. DOGM has apparently made the finding that the slide was not caused by the mine and is therefore not the responsibility of the operator. Due to the amount of earth work performed at the portal site it is difficult to ascertain if the company may have at least been responsible in part for the slide by removing the toe of the slope that failed. In any event earth work is underway to reduce the possibility of another slide. We also observed that because of the slide sediment is being deposited in the diversion. The operator has placed strawbale dikes downstream of the diversion outfall to alleviate the problem. The inspection indicated that the alternative sediment control methods are effective in reducing sediment.

We also observed coal waste stockpiled in an area adjacent to the upstream end of the diversion near the clean-out for the buried 36 inch diameter culvert. We discussed maintenance of the clean out such that coal waste does not exit the area via the diversion.

Diversion UD-2:

This diversion is located on the west side of the portal area. It also diverts undisturbed runoff. The inspection indicated that the diversion is in good repair and well maintained. At the upstream end of the diversion we observed wind deposited coal fines in the channel. The operator is maintaining strawbale dikes in the diversion at regular intervals towards alleviating the possibility that the coal fines will be deposited outside the permit area. The strawbales appeared to be functioning as intended. We followed the diversion in a southerly direction to the point where it exits the permit area at road U-133.

South Permit Boundary:

At the south permit boundary we observed numerous water control structures located outside the permit area. From west to east the structures include strawbales, a small settling basin, a 24 inch diameter culvert, the west access/exit road, the sediment pond principal and emergency spillway outlets, an 18 inch diameter culvert and the east access/exit road. These structures were installed by the operator when the operation was still considered exploration. The structures are currently being used to facilitate the mining operation. In addition, the permit included a stipulation, #817.42-1-RPS which requires the operator to retain strawbales or other treatment at culvert C-6. In consideration of the above TDN 88-02-107-2(1) was issued. Although the small settling basin at the toe of the west road was constructed by the operator and it is outside the permit area it was inadvertently omitted from the location description in the TDN.

We also noted that drainage from the lower part of the west road bypasses the settling basin or any other treatment structures. The area where the road ditch diverts runoff to the settling basin is located below the topsoil stockpile. In that regard TDN 88-02-107-2(2) was issued for failure to pass disturbed area drainage through a sediment pond or other treatment facility. It may have been more appropriate to cite the problem under regulations that pertain to road maintenance however 817.42(a),(4) indicates that the definition of disturbed area drainage includes roads when the upstream area is disturbed.

The inspection continued with observations of the sediment pond, office area, parking area and east road, all of which are located along the south permit boundary.

The sediment pond contained a small amount of water most of which the operator attributed to mine discharge. The water level was at the approximate level of the 60% sediment marker. The pond was found to be in good repair and well maintained. Although the pond slopes are in excess of the design requirements specified by Utah regulation the operator provided stability information, as a result of the permit approval, that confirms that the embankments are stable; DOGM approved the variance.

The inspection of the east road and office trailer area indicated that drainage bypasses the sediment pond or any other treatment facility. The area of the bypass is located to the south and east of the office downstream of the 18 inch diameter buried culvert. The area of bypass also incorporates part of the east road and since the upstream area is disturbed it has been included in TDN 88-02-107-2(2) as well.

Powder Magazine/Access Road:

The inspection of the powder magazine and associated access road indicated that the operator does not appear to be actively using the facility. We noted that the road to the small bench is covered with volunteer vegetation. At the bench we observed two "day" magazines which the operators representative indicated are not being used. The representative further stated the companies intention to reclaim the site. The pad was created by cutting a small bench, approximately 40 feet by 40 feet in the hill slope. The resultant cut material was deposited on the outslope. We noted that the area does not have the benefit of sediment control. Therefore, the failure to pass disturbed runoff through a sediment pond or other treatment facility was included in part two of the TDN.

Records Review:

The records review included but was not limited to observations and/or discussions of the Water Quality Monitoring Records, the Certificate of Liability (expiration 7-10-88), sediment pond certifications, the Mining and Reclamation Plan as approved by DOGM, self-inspection of the sediment pond (inspection dated August, September, November and January), NPDES Permit (the operator made application to the EPA in August 1987; the EPA has completed a site visit; the permit has yet to be issued), and the Permit with Stipulations.

Close-Out:

During the close-out we discussed the inspection in general terms. The TDN referenced above was completed on site. I provided the operator as well as the DOGM representative the opportunity to review the TDN. I also discussed the problems described by the TDN with the DOGM representative prior to the completion of the TDN form. The DOGM representative indicated that the situation with respect to the failure to treat disturbed area runoff may have been addressed through a small area exemption. My review of the mining and reclamation plan and associated documents did not indicate that such is the case. In addition, we discussed the fact that a small area exemption does not relieve an operator from the responsibility to provide alternate forms of treatment of disturbed area drainage. The representative advised me that he was advised by his superiors to accept the TDN rather than take a state enforcement action. Therefore, I issued the TDN. It was issued by certified mail #P 121 613 530. It was mailed to DOGM from Salt Lake City on the morning of March 31, 1988. We have not received the certified return receipt at this writing.

in + A)

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE

Originating Office: Albuquerque Field Office
625 Silver SW Suite 310
Albuquerque, New Mexico 87102
Telephone Number: 505-766-1186

Number: X-88-02-107-2 TV 2

Ten-Day Notice to the State of Utah, Division of Oil, Gas and Mining

You are notified that, as a result of an oversight inspection (3-30-88) (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>Summit Coal Co.</u> <small>(Or Operator if No Permit)</small>	County: <u>Summit</u>	<input type="checkbox"/> Surface
Mailing Address: <u>P.O. Box 646, Coalville Utah 84017</u>		<input checked="" type="checkbox"/> Underground
Permit Number: <u>043/008</u>	Mine Name: <u>Boyer Mine</u>	<input type="checkbox"/> Other _____

NATURE OF VIOLATION AND LOCATION: Failure to obtain a permit for underground coal mining activities, failure to conduct surface coal mining and reclamation activities under a permit

Section of State Law, Regulation or Permit umc 770.4
Condition believed to have been violated: umc 771.19
umc 786.27

NATURE OF VIOLATION AND LOCATION: Powder Magazine access from u-133 to the permit boundary, mine access/exit roads at culverts c-5 and c-6 from u-133 to the permit boundary, culverts c-5 and c-6 the outlet at u-1;

Section of State Law, Regulation or Permit umc 770.4
Condition believed to have been violated: umc 771.19
umc 786.27

NATURE OF VIOLATION AND LOCATION: and the principal and emergency spillway outlets from the sediment pond.

Section of State Law, Regulation or Permit
Condition believed to have been violated:

Remarks or Recommendations: _____

Date of Notice: 3-30-88
CERT # P 121 613 530

Signature of Authorized Rep.: [Signature]
Print Name and ID: Rade H. Orell #107

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE
(Continuation Sheet)

Origin Office:
Albuquerque Field Office
625 Silver SW Suite 310
Albuquerque, New Mexico 87102
Telephone Number: 505-766-1486

Number X-88-02-107-2 TV 2

Ten-Day Notice to the State of Utah, Division of Oil, Gas and Mining

NATURE OF VIOLATION AND LOCATION: Failure to pass surface drainage from disturbed areas through a sediment trap pond, a series of sedimentation ponds or a treatment facility

before leaving the permit

Section of State Law, Regulation or Permit Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION: area. The pad/road area south of the office trailer, the powder magazine area, the lower part of the west access/exit road below the

topsoil stockpile

Section of State Law, Regulation or Permit Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION: where the road drainage by passes the the sediment basin.

Section of State Law, Regulation or Permit UMC 817.42
Condition believed to have been violated:

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: 9-30-88
P 121 613 530

Signature of Authorized Rep: [Signature]
Print Name and ID: Rade H. Orrell #107