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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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January 12, 2001

TO: Internal File

THRU: Daron R. Haddock, Permit Supervisor 

FROM: Joe C. Helfrich, Sr. Reclamation Specialist

RE: Inspection Frequency, Summit Coal Company, Boyer Mine, C/043/008

**SUMMARY:**

Bond forfeiture proceedings for the Boyer Mine were initiated June 23, 1989, and the Boyer Mine permit was revoked by the Division of Oil, Gas, and Mining August 4, 1989. The portals were sealed under separate contract October 5, 1990. Inspections continued on a monthly basis through September of 1994 and reclamation activities administered by the AMR program commenced on November 3, 1994 and were completed April 17, 1995.

**Analysis:**

For the purpose of **R645-400** the Division has found that:

- a) All coal mining and reclamation operations had ceased prior to the portals being sealed. The portals were backfilled and fenced on October 5, 1990. The cessation of operations was precipitated by operating costs, poor roof and floor conditions as well as the interception of large volumes of mine water. The site was abandoned by the operator leaving the disturbed area unreclaimed. Inspections continued in accordance with the requirements of **R645-400** through September of 1994. On November 21, 1994 former Director James W. Carter prepared a memo to the Boyer mine file stating the Divisions position relative to future inspections at the Boyer mine. A copy of that memo is provided with this document.
- b) The bond forfeiture and permit revocation information were entered into the Applicant Violator System to ensure that the permittee and operator, and owners and controllers of the permittee and operator, would be precluded from receiving future permits.

**TECHNICAL MEMO**

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- c) .Reclamation activities were completed under the direction of the AMR Title IV on April 17, 1995.

**Findings:**

In accordance with **R645-100-200**, (definitions) the Division has found that the Boyer Mine has met the criteria for the definition of "Abandoned Site" for the purpose of **R645-400**. The Division had inspected the site as necessary to monitor for changes in environmental conditions or operational status at the site. Final reclamation was completed in 1995.

**RECOMMENDATION:**

In accordance with **R645-100-200** Abandoned Site definition (f)(ii), for the Boyer Mine, additional inspections as needed may be warranted in the event of a natural disaster or unusual site conditions.

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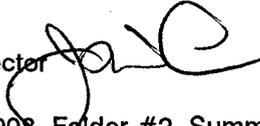


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November 21, 1994

TO: Boyer Mine File  
FROM: James W. Carter, Director   
RE: Boyer Mine, ACT/043/008, Folder #2, Summit County, Utah

The Boyer Mine permit was revoked by the Division of Oil, Gas and Mining (DOGM) August 4, 1989, and bond forfeiture proceedings were initiated June 23, 1989. On April 2, 1992, the collateral property that was the basis for the reclamation bond for the Boyer mine was sold and the proceeds of the sale were deposited. Funds were deposited on April 6, 1992, in an account maintained by the Division.

The Division has been inspecting the Boyer Mine for compliance with the requirements of the Coal Regulatory Program, the abandoned status of the mine notwithstanding.

On November 3, 1994, reclamation of this property commenced. engineering of the final reclamation configuration has been deemed adequate by representatives of the Coal Regulatory Program, and supervision of the reclamation project and requisite contract determinations will be under the control of the Division's Abandoned Mine Land Program.

With the commencement of reclamation activities by the Division, I have determined that compliance inspection of this will no longer be needed. Under bond forfeiture, there is no requirement for adherence to bond release criteria, as there is no bond to release. Performance of the reclamation conducted by a state regulatory authority has been found by the Office of Surface Mining (OSM) to be a function of funds available through bond forfeiture. In the case of Boyer the DOGM will not pursue owners and controllers for additional reclamation bonding.

When the presently budgeted reclamation has been completed, and the surface has been seeded, Randy Harden should conduct a field review of the site assisted by other DOGM staff including the AML contract manager to determine the site's configuration and performance ability under the reclamation design. This group should draft a recommendation to me indicating earliest date that this site can be returned to the surface owner for the commencement of post mining land use.

vb  
cc: L. Braxton  
G. Grubaugh-Littig  
D. Haddock  
J. Helfrich  
R. Harden  
M. Wight  
D. Donnelly

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