

Document Information Form

Mine Number: C/1007/004

File Name: Internal

To: DOGM

From:

Person N/A

Company N/A

Date Sent: N/A.

Explanation:

INSPECTOR'S STATEMENT

cc:

File in:
C/007,004, Internal

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

INSPECTOR'S STATEMENT

(A) Event Violations (go to (B) if this is an obstruction to enforcement violation)

1. What harmful event was this regulation designed to prevent? (Insert the event listed on the Reference List and remember that the event is not the same as the violation.)

WATER POLLUTION

2. If the event has happened, describe it. If it has not happened, what would cause it to happen and how likely is that? (For example, if there is an area for which no sediment control is provided, has runoff from that area reached a stream? If it hasn't reached a stream, what would cause it to get there and how likely is that to happen?)

NOT OCCURRED. A SUBSTANTIAL PRECIPITATION EVENT COULD CAUSE IT.

3. How much damage has already occurred as a result of the violation? Also, is the damage on the permit area or does it extend off the permit area?

LITTLE DAMAGE HAS OCCURRED. DISTURBED AREA RUNOFF DID LEAVE THE PERMIT AREA UNTREATED BUT NOT IN LARGE ENOUGH VOLUME TO ENTER THE PRICE RIVER.

4. How much damage might have occurred if the violation had not been discovered by an OSM inspector? Describe this potential damage. Would the damage extend off the permit area?

A LARGE AMOUNT OF DAMAGE MAY HAVE OCCURRED (VARYING WITH THE SIZE OF THE PRECIP EVENT)

PART A. SEDIMENT POND 012 WAS DESIGNED AND CONSTRUCTED TO HANDLE DISTURBED AREA RUNOFF FROM APPROX. 19 ACRES IN ORDER TO CONTAIN THE RUNOFF FROM A 10 YR. 24 HOUR

(B) Obstruction to Enforcement Violations (answer for obstruction violations only, such as violations concerning recordkeeping, monitoring, plans, and certifications). CONTINUED NEXT PG.

5. Describe how violation of this regulation actually obstructed enforcement by OSM and/or the public.

-II. Degree of Fault (only one question applies to each violation; first decide which question to answer).

6. If you think this violation was not the fault of the operator (perhaps due to vandalism or an act of God, for example), explain. Remember that the permittee is considered responsible for the actions of all persons working on the minesite.

7. If you think this violation was the result of not knowing about OSM regulations, indifference to OSM regulations, or the result of lack of reasonable care, explain.

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In C/ 007, 004, Internal _____
For additional information _____

8. If the actual or potential environmental harm or harm to the public should have been evident to a careful operator, describe the situation and what, if anything, the operator did to correct it prior to being cited.

9. Was the operator in violation of a specific permit condition? Did the operator receive prior warning of violation by the State or by OSM concerning this violation? If so, give the dates and the type of warning.

THE INADEQUACIES OF SEDIMENT POND 012 HAD BEEN DISCUSSED WITH THE OPERATOR DURING PREVIOUS INSPECTIONS (AS EARLY AS MARCH 1982). THE OPERATOR RECEIVED NAOC 62-4-9-3 ON OCT. 15, 1982 FOR FAILURE TO DESIGN, CONSTRUCT AND MAINTAIN ADEQUATE SEDIMENT CONTROL STRUCTURES

III. Good Faith

10. In order to receive good faith for compliance with an NOV or CO, an operator must have taken extraordinary measures to comply as rapidly as possible. ~~The violation must have been abated before the time set for abatement. If you think this applies, describe how rapid the compliance was and what extraordinary measures the operator took.~~

SEE ATTACHED COPY OF NAOC.

Nov. 19 1982
Date

David L. [Signature]
Authorized Representative

4. CONTINUED

EVENT A CAPACITY OF 46,219 FT³ IS NEEDED. FOR SOME REASON AN ADDITIONAL 101 ACRES OF UNDISTURBED AREA IS CONTRIBUTING TO THE POND. BECAUSE OF THIS IF THE OPERATOR RECEIVED A 10 YEAR, 24 HR. EVENT THE POND WOULD BE DEFICIENT 51,308 FT³ OF CAPACITY. IN ADDITION TO THIS PROBLEM THE OPERATOR HAS JUST RECENTLY STARTED TO PUMP MINE WATER FROM THE #3 MINE INTO THE POND IN ORDER TO KEEP THE MINE FROM FLOODING. IN DOING THIS AN ADDITIONAL STRAIN HAS BEEN PLACED ON THE POND.

PART B.

POND 011 IS SUPPOSE TO HANDLE DISTURBED AREA RUNOFF FROM THE CLEAN COAL STORAGE/LOADOUT AREA, THE AREA NORTH FROM THE MAIN PREP PLANT BUILDING TO THE BARN CANYON CHANNEL AND THE BARN CANYON STORAGE AREA. THIS AREA HAS BEEN IMPROPERLY CONSTRUCTED AND MAINTAINED ONLY A PORTION OF THE RUNOFF FROM THE AREAS LISTED ABOVE IS PROPERLY CONVEYED INTO SEDIMENT POND 011. SOME OF THE RUNOFF HAS BEEN PONDING ALONG THE ROAD TO THE NEW STACKING TUBE, ADJACENT TO A BERM WHICH PROTECTS THE BARN CANYON UNDISTURBED DRAINAGE FROM DISTURBED AREA RUNOFF. THIS PONDING HAS IN THE PAST CAUSED THE BERM TO BREAK DOWN ALLOWING DISTURBED AREA RUNOFF TO LEAVE THE PERMIT AREA UNTREATED. ADDITIONAL RUNOFF CAN AND HAS LEFT THE PERMIT AREA UNTREATED VIA AN ACCESS TO THE RAIL ROAD FROM THE PREP PLANT, AT THE SOUTH END OF THE POND.

DAMAGE WOULD EXTEND OFF THE PERMIT AREA.



DEPARTMENT OF NATURAL RESOURCES - DIVISION OF OIL, GAS, AND MINING
4241 STATE OFFICE BUILDING, SALT LAKE CITY, UTAH 84114 (801) 533-5771

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STATE OF UTAH

Account No. ACT/007/004

NAOC No. 82-4-9-3

Notice of Area of Concern: 3 of 3

This notice is intended to inform the operator of a condition or practice which may result in a violation of the performance standards promulgated under Title 40, Chapter 10, UCA 1953. Failure to comply with this notice by the agreed deadline may result in issuance of a Notice of Violation.

Nature of Concern: Design, construction and maintenance of sediment control structures to ensure that structures are adequate to prevent additional contributions of suspended sediments to runoff outside the permit area.

Pertinent Regulation of Permit Condition:

UCA 1953 40-10-15 (2)(i)(ii)
UMC 817.41 (d), UMC 817.42 (a)(1), UMC 817.43(c)
UMC 817.45

Portion of Operation to which Notice Applies: (1) Area west of the water treatment plant and north of the clean coal stockpile, (2) sediment 012

Compliance Action Required: submit plans addressing those areas which may be inadequately designed and constructed to ensure proper conveyance and treatment of disturbed area runoff. Implement the plans immediately upon approval by the Division.

Deadline: No later than Oct. 30, 1982

The undersigned hereby agree that the above-mentioned measures should be accomplished prior to the mutually agreed deadline.

Signature of Authorized Representative:

Date: Oct. 15, 1982

Signature of Operator: Issued from office

Date: 10-15-82