Document Information Form

Mine Number: C/007/004

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 and sediment loading of streams

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?) The sediment pond had been filled beyond design capacity with water and sediment, in fact, the discharge structure was not visible above the level of the sediment in the pond. Because of this, sediment was deposited in the stream channel immediately below the discharge and some had been carried further downstream by the water being discharged from shaft #2.

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? There was approximately 4-6 in. of sediment deposited in the sediment pond discharge culvert where it empties into the "undisturbed stream channel", approximately 50 YD^3 of sediment was deposited in the channel itself immediately below the discharge point, and an undetermineable

(continued on following page)

4. How much damage might have occured if the violation had not been discovered by an OSM inspector? Describe this potential damage. Would the damage extend off the permit area? Quite a bit more damage would have occurred because the operator is continually discharging runoff from the sediment pond and the water flowing into the pond now is not being held long enough to allow for any sediment to drop out because the pond is so full of sediment. Damage would extend off permit area.

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

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.

File in:
- ☐ Confidential
- ☐ Shelf
- ☐ Expandable

Refer to Record No 0026 Date
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.

Gross negligence was evident, considering how full the sediment pond was and the amount of sediment in the stream channel. The operator and his contractor are both well aware of the need to maintain the sediment pond and meet effluent limitations. This is evidenced in the

III. Good Faith (continued below)

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.

TO THIS DATE THE SEDIMENT POND HAS NOT BEEN CLEANED

JULY 6, 1982
Date

Authorized Representative

(continued from page one)

3. amount of sediment was carried further downstream. The reason for the 50 YD^3 being deposited is that the operator had placed some strawbale dikes in the channel to try to keep the sediment from going any further downstream but they had become ineffectual and the discharged water was bypassing them. A sample was taken of the water discharging from the sediment pond and is currently being analyzed by State Health Laboratories. At the time of the inspection the pond was discharging at approximately 5-10 gpm. Damage did extend off the permit area. NOTE: THE RESULTS OF THE WATER SAMPLE ANALYSIS HAVE BEEN RECEIVED SEE EXHIBIT D.

(continued from above)

9. following letter and memos:

(A) A July 9, 1981 letter to Mr. Elwood Buxton, Project Manager for Cementation Company of America , Inc. on the Crandall Canyon Shaft Development Project, from Price River Coal Company (PRCC) explains that Cementation is responsible for complying with all applicable environmental regulations during shaft construction. The letter went on to enumerate several areas which Cementation was responsible, #4 reads as follows:

4. MAINTAIN THE CAPACITY AND FUNCTION OF THE SEDIMENTATION POND (refer to page 2 of Exhibit A)

(B) As is discussed in a memo to the coal file dated May 13, 1982, PRCC was issued NOV N81-4-4-2, #1 of 2 on March 12, 1982, for failure to pass all surface

(continued from previous page)

drainage from the disturbed area through a sediment pond prior to leaving the permit area. (Refer to page 5 of Exhibit B).

(c) During an April 13, 1982 partial inspection a concern was expressed to Mr. Wiley of a need to clean the sediment ponds. A water sample was taken of the discharge and analyzed by State Health, the results indicated that the TSS level was at 112 mg/l which is excessive. By the time the above mentioned results were received by the Division the sediment ponds had been cleaned (Refer to page 3 of Exhibit C, PRCC memo dated June 2, 1982)

File ACT/007/004
Copy to Mary Ann
and Joe
Route Copy
Jim

PRICE RIVER COAL COMPANY
P.O. BOX 629 HELPER, UTAH 84526 (801) 472-3411

July 9, 1981

EXHIBIT A.

RECEIVED
JUL 15 1981
DIVISION OF
OIL, GAS & MINING

Mr. Elwood Buxton
Project Manager
The Cementation Company of America, Inc.
P. O. Box 390
Helper, Utah 84526

Dear Mr. Buxton:

It is my understanding that the contract between our companies requires that during construction activities on our Mine Plan Area, your company complies with all applicable environmental regulations. Price River Coal and all other recognized coal mining companies must comply with many different environmental laws, including the Surface Mining Control and Reclamation Act (SMCRA), the Resource Conservation and Recovery Act (RCRA), the Clean Water, the Clean Air Act, the Toxic Substances Control Act (TSCA), and all State and local Health Department rules. We must respond and comply with all requirements of the Federal Office of Surface Mining, the Utah Division of Oil, Gas, and Mining, the Utah Division of Health, and the Federal Environmental Protection Agency.

Price River Coal must be in compliance with all laws and regulations generated and enforced by the preceding listed laws and agencies or face enforcement action which could range from monetary fines to cessation orders. It is our position that you, as our contractor, be responsible to the same laws and requirements and conduct your operation in a manner which prevents any need for enforcement action against Price River Coal by any of the mentioned agencies. We cannot pass the onus of any cited violation to your company; we will, however, hold you liable for any fines or work stoppages resulting from your failure to maintain your portion of the work area in a manner acceptable to the environmental regulatory agencies. You must assure that the following minimum requirements are maintained:

1. A berm is mostly installed and must be maintained around the entire currently affected area. Sections to be completed by your company are about 2-3 hundred feet of berm from behind your trailer to behind your water and fuel tanks to the headwall of the 90' culvert and about 50' near the rock house.

2. Maintain positive flow to all installed drop inlets and culverts.

PRICE RIVER COAL COMPANY
P.O. BOX 629 - 801-472-3411 OFFICE
HELPER, UTAH 84526

3. Maintain all ditches directing water from undisturbed areas under and around the disturbed area.
4. Maintain the capacity and function of the sedimentation pond.
5. Install and maintain any septic or waste water facilities in accordance with local and State Health agencies.
6. On site dust control.
7. Control and proper disposal of all solid wastes (garbage, oil cans, beer cans, any metal, wood or paper debris, etc.).
8. Proper disposal of waste oils or other potentially hazardous substances listed in the EPA Toxic Substances Control Act: Chemical Substance Inventory, U.S. EPA, Office of Toxic Substances, Washington, D.C. 1980.
9. Proper disposal of spoil (i.e., spoil cannot be pushed over the downslope in the area — such as pushing spoil over the bank into the stream bed).

We will gladly provide any requested advise or assistance in regard to environmental compliance activities.

Sincerely,

R. L. Wiley

Robert L. Wiley
Environmental Engineer

ELW:jd

cc: K.B. Hutchinson
Gordon Cook
Ed Buoy
AEP - Lancaster
Division of Oil, Gas and Mining

May 13, 1982

EXHIBIT B.

Inspection Memo
to Coal File:

RE: Price River Coal Company
Price River Complex
ACT/007/004
Carbon County, Utah

DATE:	March 10, 11 and 12, 1982
TIME:	2:15 p.m. - 5:00 p.m.; 9:30 a.m. - 4:30 p.m.; and, 8:30 a.m. - 3:30 p.m.
WEATHER:	Partly Cloudy and Warm
COMPANY OFFICIAL:	Rob Wiley
STATE OFFICIAL:	David Lof
ENFORCEMENT ACTION:	NOV N82-4-4-2

Compliance with Permanent Performance Standards

771 et al Permits

Available at the mine office was an April 27, 1977, letter from the Division granting final approval of Price River's Mining and Reclamation Plan. Other approval letters from the Division available at the mine office were as follows:

1. A September 2, 1981, approval letter for the utilization of the lower yarding area at Crandall Canyon for materials lay down.

2. A November 12, 1981, approval for the Crandall Canyon road construction.

3. A February 3, 1982, approval to discharge water intercepted during shaft development at the Crandall Canyon shaft facilities.

817.11 Signs and Markers

Mine identification signs with complete information were posted at all points of access to the operation. The operator is currently in the process of posting perimeter markers. Buffer zone markers were in place as required along Willow Creek.

817.21-.25 Topsoil

PRC has two topsoil stockpiles located up Crandall Canyon. Both are adequately protected and the stockpile midway up the canyon has some vegetative growth.

817.41-.57 Hydrologic Balance

Sowbelly Canyon

The undisturbed drainage which is located west of sediment pond 005, and its associated storage area, is supposed to be diverted around the storage yard via diversion ditches on either side of the disturbed area. At the time of the inspection, the diversion was not completed around the west end of the storage area in order to connect the diversions on either side. This was pointed out to the operator who had the diversion completed the next day.

There are three sediment ponds located in Sowbelly Canyon. Pond #3 is located by the bathhouse trailers. It has an overflow culvert which would carry any excess runoff to pond #4 which is located just south of the warehouse trailer and storage sheds. This pond in turn overflows into pond #5 via an overflow culvert. Pond #5 did not have any sort of emergency spillway to safely discharge runoff from a 25-year, 24-hour precipitation event, therefore, NOV N82-4-4-2, #2 of 2 was written. It reads as follows:

Nature of the Violation:

Failure to provide an appropriate combination of principle and emergency spillways to safely discharge the runoff from a 25-year, 24-hour precipitation event or larger event specified by the Division.

Provision of the Regulations Violated:

UMC 817.46(i).

Portion of the Operation to Which Notice Applies:

Sowbelly Canyon, #5 Mine sediment pond 005.

Remedial Action Required:

Submit adequate plans to the Division detailing the design and construction of a spillway for sediment pond 005. Implement said plan immediately upon Division approval.

Time for Abatement:

Thirty (30) days, no later than April 16, 1981.

Runoff from an old road north of the mine fan was being conveyed off the fan pad down to the pad below causing excessive erosion on the downslope. The Division inspector requested that the operator construct a diversion so that the runoff would be conveyed past this point in order to eliminate erosion problem on the downslope. The operator was given 30 days in order to comply with this request.

There were also several small maintenance problems which the operator was requested to address within 30 days. They are as follows: (a) Repair the berm west of the warehouse trailer; (b) riprap the inlets to pond #4; (c) clean the outlet of the undisturbed drainage culvert across the road from pond 005 and riprap below the outlet; and (d) clean the undisturbed drainage diversion east of the bathhouse trailers.

Hardscrabble Canyon

The primary hydrologic problem at the #3 mine had to do with the open undisturbed stream channel which passes through the upper portion of the mine yard. There were several problems along this stream channel which the operator was asked to address.

1. Southwest of the north fan, where the channel is open prior to going under the bridge to #4 Mine, the inspector felt that there had been excessive contributions of additional sediment and coal fines to the undisturbed channel. A portion of this contribution was probably from the disturbed area to the west of the channel, therefore, the operator had straw bales placed along the edge of the disturbed area to prevent any further contribution of additional sediment.

2. There were several holes in the surface of the above-mentioned bridge which would allow disturbed area runoff into the undisturbed drainage below. In discussing the problem with the operator, it was found that they had already scheduled to do some maintenance work on the bridge within the next several days.

3. The outlet of the culvert which conveys disturbed area runoff under the bridge was partially blocked by material which had sloughed into the drainage. The operator committed to having this cleaned prior to the next inspection.

The undisturbed drainage ditch on the south side of Dog Flat and the straw bales at the northeast corner of Dog Flat required some maintenance work due to snow removal and other activities in the area. The operator committed to having this work done within 30 days.

Willow Creek

The undisturbed drainage ditch north of the storage shed in Willow Creek was not completed. The operator was asked to have this completed within 30 days. The rest of the area including ditches, berms and settling basins appeared to be in good condition.

Castlegate Facilities

Directly southwest of the water treatment plant is a clear water overflow pond which discharges excess clean water from the treatment plant into the the Barn Canyon undisturbed drainage channel. It was observed that snow removal waste material from the adjacent disturbed area had been placed on the south embankment of the pond. Due to the fact that this is supposed to be a clear water overflow pond and not a sediment pond for the disturbed area, the operator was given 30 days in order to have the snow removal waste removed from the inside of the embankment.

The northeast inlet to the thickener overflow pond was blocked. Because of this, a berm was breached and a gully formed on the downslope to the pond. The gully was approximately two to three feet deep and anywhere from one to two and a half feet wide. The operator was asked to backfill this gully and properly maintain the inlet to the pond. Also, it was noticed that the overflow pond was quite full of sediment, therefore, causing some concern whether or not the overflow pond would be capable of containing an emergency discharge from the thickener. The operator explained that the cleaning of the overflow pond required a dragline and that they do have a dragline scheduled for the last week in June in order to clean out the pond.

The operator was in the process of establishing an undisturbed drainage diversion around the east and north sides of the new stack tube pad. Upon completion of the diversion, it will discharge into Price River. The operator should send to the Division a brief narrative and sizing calculations on the diversion and the culvert which will be installed to carry the undisturbed drainage underneath the road and into the river.

West of the clean coal stockpile it was questionable whether or not the disturbed area runoff was being contained within the permit area. The operator was asked to better define the drainage patterns in this area to ensure that the disturbed area runoff was contained within the permit area.

The sediment basin at Utah Fuel #1 was almost completely full of sediment. The operator was asked to have the basin cleaned within 30 days. On March 29, Mr. Wiley called Mr. Lot and informed him that they would not be able to have the sediment basin cleaned by the end of the 30 days due to equipment breakdown, however, they would have the sediment basin cleaned as soon as possible.

Crandall Canyon

At the time of the inspection, the culvert for the main channel crossing by the yarding area was in place, however, the channel relocation had not been completed. Due to the amount of disturbance in the area, the inspector requested that the operator place several straw bale dikes in the stream, below the construction area, in order to provide some treatment for the water

prior to entering Price River. This was complied with during the course of the inspection. The inspector also requested that the diversion ditch on the north side of the yarding area be properly maintained and repaired within 30 days.

At the shaft development area, the operator was in the process of building a retaining wall along the stream channel diversion. Due to the construction activity immediately adajcent to the stream channel, the operator had placed straw bales in the stream channel below the shaft area. Upon inspection of the straw bales, it was determined that they were not functioning properly and the operator was asked to reinstall the bales so that they would properly filter the stream flow. While walking back up the stream channel from the straw bales, Mr. Lof and Mr. Wiley observed a berm intentionally breached to allow disturbed area runoff to drain off the #2 shaft development pad. Approximately 600 gallons of runoff at approximately 100,000 parts per million left the permit area. This runoff entered the ephemeral stream channel, which flows into the Price River and had appeared to be fairly clear prior to the disturbed runoff entering it. Mr. Wiley immediately had the backhoe operator repair the berm. If he hadn't done so, 3,000-4,000 gallons more of the above-described runoff would have left the permit area within a matter of 10 minutes or less. Due to the obvious negligence involved, Notice of Violation N82-4-4-2, #1 of 2 was written. It reads as follows:

Nature of the Violation:

Failure to pass all surface drainage from the disturbed area through a sedimentation pond or treatment facility prior to leaving the permit area.

Provisions of the Regulations Violated:

UMC 817.42(a)(1).

Portion of the Operation to Which the Notice Applies:

Crandall Canyon shaft #2 development pad.

Remedial Action Required:

Ensure that all runoff is passed through the sediment pond.

Time for Abatement:

Immediately.

817.52 Surface and Ground Water Monitoring

PRC's discharge points are covered by NPDES permit #UT-0023086 issued September 29, 1977. The expiration date of the permit is June 30, 1982. The operator has made reapplication for a new permit. At the time of the inspection, water monitoring data through December of 1981, were available at

the office. Also available at the mine office was a March 10, 1982, letter from Price River Coal Company to EPA and copied to the Division and the Utah Department of Health. The letter was a notification to the agencies that pond 014, covered by the NPDES permit, was failing to meet the TSS effluent limitations due to an unintentional short-circuiting of a portion of the inflow to the pond. The problem was first noticed the morning of March 9. The problem had been corrected by March 12.

817.81-.93 Coal Processing Waste

During the winter, due to some poor road conditions, the operator was not able to traverse the haul road to the coal refuse dump. Because of this, the operator had to on occasion stockpile refuse on the new stack tube pad. Since there is no longer any problem reaching the refuse dump, the operator was asked to have the refuse removed from the stacking tube pad.

817.150-.176 Roads

The Class III road to the water tank at the #5 Mine was showing signs of excessive erosion. The operator was asked to regrade and establish proper drainage controls within 30 days.

DAVID LOF
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Rob Wiley, Price River Coal Company
Inspection Staff

DL/btb

Statistics:

See Belina #1 and #2 Mine memo dated May 6, 1982
Grant: A & E

June 2, 1982

Memo to Coal File: EXHIBIT C.

RE: Price River Coal Company
Price River Complex
ACT/007/004
Carbon County, Utah

On April 13, 1982, Division Inspector David Lof visited the above-mentioned minesite. He was accompanied on the vist by Rob Wiley of Price River Coal. The purpose of the visit was to conduct a partial inspection and follow-up on abatement deadlines given during the March 10 complete inspection.

Sowbelly Canyon

During the March complete inspection, the operator received NOV N82-4-4-2, #2 of 2 for failure to provide an appropriate combination of principal emergency spillways to safely discharge the runoff from a 25-year, 24-hour precipitation event. The remedial action required the submittal of adequate plans to the Division determining design construction of a spillway for sediment pond 005. On April 8, 1982, the operator submitted to the Division plans detailing the rainfall runoff characteristics and required evaporation pond capacities for Sowbelly Canyon. From these plans, Sally Kefer, Reclamation Hydrologist of the Division, was able to determine that the sizing of the sediment pond was more than adequate to contain the 25-year, 24-hour event. In light of these findings, a discharge structure for the sediment pond is not required, therefore, the violation was vacated by the issuing inspector on April 23, 1982.

The Division inspector had requested that the operator construct a diversion to convey runoff from an old road, immediately north of the mine fan, in order to eliminate an erosion problem which was occurring on the downslope from the fan pad to the pad below. A ditch and straw bales had been installed as requested. However, in constructing the ditch, it was extended much further than needed.

There were also several small maintenance problems which the operator was requested to address within 30 days. These problems are listed below:

1. The berm west of the warehouse trailer had been repaired.

2. The outlet of the undisturbed drainage culvert across the road from pond 005 had been cleaned. However, it still required riprapping below the outlet.

3. The undisturbed drainage diversion east of the bathhouse trailers had been maintained.

There are still several areas which need to be addressed. They are listed below:

1. The ditch which was installed to convey undisturbed drainage in the canyon above pond 005 still needs some more work to better establish it.

2. The inlets to pond 004 still need to be riprapped.

3. Noncoal waste in the undisturbed diversion on the east side of the yarding area above the shower house needed to be removed.

Castlegate Facilities

The snow removal waste material had not been removed from the south embankment of the clear water overflow pond as requested. Also, there is now disturbed area runoff entering the southwest corner of the pond. The operator was given one week in order to have the snow waste material removed, the berm around the overflow pond repaired, the road on the south side of the pond graded so that runoff would flow to the south side of the road, and a small catch basin developed across the road from the southwest corner of the sediment pond. Also at this time, a water sample was taken for analysis by State Health. The results from the analysis were received by the Division on May 28, 1982 and indicated that the discharge from the overflow pond was well within the effluent limintations set by State and Federal regulations.

The northeast inlet to the thickener overflow pond where a berm had been breached and a gully formed had not been repaired. Once again, the operator was given one week in order to comply.

During the complete inspection, the operator was given 30 days in order to have the sediment basin at Utah Fuel #1 cleaned of sediment. On March 29, Mr. Wiley called Mr. Lof and informed him that they would not be able to have the sediment basin cleaned by the end of the 30 days due to equipment breakdown. However, they would have the sediment basin cleaned as soon as possible. At the time of this inspection, the basin had still not been cleaned and the inspector granted the operator an additional 30 days as long as the operator would continue to maintain the straw bale dike on the perimeter of the Utah Fuel #1 area.

The coal processing waste which had been placed on the new stack tube pad during the winter, due to poor road conditions to the coarse refuse dump, had not yet been removed from the stack tube pad. The operator was given 30 days in order to comply with this request.

Crandall Canyon

At the time of the inspection, the operator was in the process of establishing the proper grade at the intersection of the Crandall Canyon access road with Highway 6. The channel relocation on the north side of the

lower yarding area had been completed and the operator was still maintaining several straw bale dikes in the stream below the construction area in order to provide some treatment for the water prior to entering the Price River.

The operator was in the process of maintaining the disturbed area runoff diversion from shaft #1 to the sediment ponds during the inspection. The operator was still in the process of constructing the retaining wall along the stream channel diversion. Mr. Wiley said that, weather permitting, it would take another two to three weeks to complete the retaining wall.

Upon inspection of the sediment ponds, the Division inspector expressed concern to the operator of a need to clean the sediment ponds in order to ensure that the proper runoff retention time could be maintained. The inspector also took a water sample of the sediment pond discharge for analysis by State Health to determine whether or not the discharge was in compliance with effluent limitations. The water analysis was received by the Division on May 28, 1982, and indicated that the TSS level was at 112 mg/l which is in excess of State and Federal effluent limitations. Since the time of this inspection, the sediment pond has been cleaned out.

DAVID LOF
OIL, GAS AND MINING
FIELD SPECIALIST

cc: Tom Ehmett, OSM
Rob Wiley, Price River Coal Company
Inspection Staff

DL/btb

Statistics:

Vehicle: #EX 45428--406 miles
Per Diem: 1 person X 3 days, 5 hours - $127.34
Grant: A & E