Document Information Form

Mine Number: C/007/004

File Name: Outgoing

To: DOGM

From:

Person N/A

Company CASTLE GATE COAL COMPANY

Date Sent: N/A

Explanation:

RANDOM SAMPLE INSPECTION

cc:

File in:
C/ 007 , 004 , Outgoing
Refer to:
- ☐ **Confidential**
- ☐ **Shelf**
- ☐ **Expandable**

Date _____ For additional information

Castle Gate Coal Company
P.O. Box 449
Helper, Utah 84526

Price River Complex
Utah Permit #007/004

Random Sample Inspection
November 15-17, 1989

Participants: Rade H. Orell, Mitchell Rollings, Office of Surface Mining Albuquerque Field Office (AFO); Harold Sandbeck, Utah Division of Oil, Gas and Mining (DOGM); and John McCurdy and Tom Mckenna Castle Gate Coal Company (operator's representatives).

Mine Site Evaluation Inspection Report:

The Mine Site Evaluation Inspection Report form has been completed to reflect the random sample inspection (RSI). The number 2 appears at performance standard codes B, Mining Within Permit Boundaries ; C, Signs and Markers; D, Sediment Control Measures; L, Other, Permit Conditions; M, Topsoil Handling and Q, Disposal of Excess Spoil to reflect the issuance of a three part Ten-Day Notice (TDN), (TDN 89-02-107-11) by the AFO and/or Notice of Violations (NOV) by DOGM. Each is explained in greater detail later in this narrative.

Introduction:

The inspection commenced the morning of November 15 and terminated the afternoon of November 17. The weather was clear, windy and cold. Ground conditions were dry. A Pentax IQ Zoom camera was used to photograph areas of interest. The inspection included a records review as well as field observations. We provided our credentilas to the operator's representative at the beginning of the inspection.

Inspection:

The inspection commenced with field observations. We reviewed records on the morning of the second day followed by additional field observations.

Field Inspection - The field inspection commenc
Plant followed by observations of the facilitie
Canyon, Sowbelly Canyon, Utah Fuel No. 1 Mine,
Facility.

File in:
☐ Confidential
☐ Shelf
☐ Expandable
Refer to Record No 0008 Date
In C/ 007, 004, Outgoing
For additional information

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Inspection:

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Field Inspection - The field inspection commenced at the Preparation Plant followed by observations of the facilities in Hardscrabble Canyon, Sowbelly Canyon, Utah Fuel No. 1 Mine, and the Crandall Shaft Facility.

Enforcement Actions - As the MSEIR form indicates numerous actions resulted from the RSI. Each is listed below with a brief explanation as to the nature of the alleged violation.

Mining Within Permit Boundaries - This relates to the roads that provide access to the facilities in Hardscrabble Canyon and the Crandall Shaft Facility. The review of the mining and reclamation plan (MRP) at the time of the inspection as well as the field inspection indicated that the two roads are not part of the surface permit area. The road to the Hardscrabble Canyon facilities is an asphalt structure approxiamtely 1.5 miles long while the road to the Crandall Shaft Facility is approxiamtely 1.25 miles long and constructed of gravel. This road also includes two smaller roads that provide access to two topsoil stockpiles. While the two stockpiles are identified as being included in the surface permit area the roads are not. The Utah regulations at 771.11 require that no person shall engage in or carry out underground coal mining activities ..... unless that person has first obtained a permit. The regulations at UMC 700.5 provide definitions for Affected Area, Permit Area, Underground Coal Mining Activities, and Roads. Therefore, TDN 89-02-107-11(1) was issued from the AFO on November 28, 1989 via certified mail. The TDN alleges that by failing to permit the roads the operator is in violation of the regulation cited above.

Signs and Markers - The inspection indicated that affected area markers have not always been placed in locations that reflect the affected area. The Utah regulations at UMC 817.11(d), Perimeter Markers states "Each person who conducts underground coal mining activities shall clearly mark the perimeter of all areas affected by surface operations or facilities before beginning mining activities". On December 30, 1987 DOGM published a policy regarding the placement of perimeter markers. In many parts of the mine area we observed markers that were not properly located. For example, at Hardscrabble Canyon No. 4 Mine we observed that the markers were placed on the inside of the undisturbed drainage diversions. In some areas it was logical that the markers could not be placed outside the diversions because of escarpments. However this was not always the case. We observed that the markers were consistently placed on the inside of the diversions. At Sowbelly Canyon we observed the same situation in regard to the diversions, we also observed an example on the road to the water tank pad. The road makes a switch back as it traverses the slope. We observed pushout material on the slope. The perimiter marker was palced at the crest of the slope or at the top width of the road rather than at the toe of the slope. At the Crandall Shaft Facility we observed affected area markers at the toe of the slope near the substation cut rather than at the top of the cut. The slope angle and length is not preventitive in terms of placing the markers at the top of the cut slope.

The DOGM representative issued an NOV for the operator's failure to place a Mine and Permit Identification Sign at all points of public access. The north end of the Preparation Plant is accessed via a road that joins the state highway. We did not observe a sign where the road meets the permit boundary. The NOV also includes the lack of a

buffer zone marker along the Price River also at the north end of the Preparation Plant affected area.

Sediment Control Measures - The DOGM representative issued the NOV to address numerous problems relative to sediment control. The problems include diverting runoff using protected channels or pipes through disturbed areas so as not to cause additional erosion. The regulation cite is UMC 817.45. We observed examples of this at the Preparation Plant near the coal stockpile on the west side on both the north and south ends, at the inflow to pond 011, at the old coal loadout, at the inflow to pond 012B. At Hardscrabble Canyon we observed examples at the pad at and above the conveyor, upstream from pond 7, above the road and where surface flow crosses the road and enters the pond, the outslope of a pad used to store cinder blocks immediately above the office. At Sowbelly Canyon we observed similar problems at the outfall of a large culvert that treats undisturbed runoff and where runoff enters pond 5.

The NOV issued by the DOGM representative also included the operator's alleged failure to pass disturbed area drainage through a sedimentation pond before it leaves the permit area in accordance wiht the requirements of UMC 817.42. The area in question is the lower part of the road f and truck dump at the preparation plant area, and the truck scales/guard shack at the south entrance to the preparation plant area.

Another part of the NOV issued by the DOGM representative includes the operator's failure to maintain the banks of the upper and lower thickner ponds. The ponds are also located at the preparation plant area. We observed that the banks of each pond had been eroded by surface inflow. The NOV cites UMC 817.46 and 817.49 as the regulation violated.

Permit Conditions - The NOV issued by DOGM addresses the operator's alleged failure to maintain berms used to control disturbed area runoff. The MRP specifies certain designs which we found were not being maintained. In addition, the MRP identifies construction, recostruction, and use of a road at the Crandall Shaft Facility to facilitate construction of a leach field for the facility. We found that the road was not being maintained. Further, a map submitted to DOGM by Amax in Janurary 1986 as part of the permit transfer does not indicate that the road is part of the permit area. The NOV also includes the operator's failure to maintain a four foot high berm around the perimeter of the upper thickner pond at the preparation plant area. The NOV cites UMC 771.19 as the regulation violated.

Topsoil Handling - The inspection of the various topsoil stockpiles indicated that the stockpile located adjacent to the Crandall Shaft Facility road at the point of access from the state highway was not being maintained. The DOGM representative issued the NOV citing UMC 817.23 as the regulation alleged to have been violated.

Disposal of Excess Spoil - The number 2 at this standard refelcts the lack of designed and maintained diversions at the site of the coal

waste pile. The coal waste pile is located east and slightly south of the preparation plant in School House Canyon. The Utah regulations at UMC 817.82(b) require that all surface drainage from the area above the coal processing waste and from the crest and face of the waste disposal area shall be diverted in accordance with Section UMC 817.72(d). The inspection indicated that diversions at the crest and face of the active parts of the refuse are not in place. We also observed that drainage from the the reclaimed benches is controlled via small diversions located at the toe of each bench and laterally on the sides of the refuse where it meets the undisturbed surface. The MRP at 4.3.2, Operational Plans and 6.3.7, Control of Drainage and 6.3.8, Construction Considerations discusses the control of runoff at the site of the refuse pile. While the MRP describes grading to maintain drainage we were not able to locate drainage designs. Therefore, the lack of diversions for drainage from the crest and face of the coal waste has been included n the TDN issued from the AFO on November 28, 1989.

Close-Out:

The close-out meeting was conducted in two parts. We met with the DOGM representative first to discuss and agree on the problems that would result in a state NOV and those that would be relayed to the AFO management for consideration as TDNs. We also discussed the possible TDNs and alleged NOVs in terms of the last state complete inspection (LSCI). We agreed that the problems identified during the RSI occurred prior to the LSCI.

After resolving our differences we met wiht the operator's representative. I advised him of the practice regarding TDNs. Specifically, I informed him that AFO inspectors collect information during inspections that we perceive as problems, relay the information to management upon our return to the office, and issue TDNs on that basis. We also informed the representative of the issues that would be relayed to AFO management that could result in TDNs.

Post Inspection:

I corresponded with representative of DOGM via telephone after my return to the AFO. I contacted DOGM on November 20 to discuss the following:

1. Small Area Exemptions - We identified a number of small areas (SAE) where the disturbed area drainage does not flow to a sediment pond. The areas we observed include the Gravel Canyon topsoil stockpile, the two topsoil stockpiles located on the road to the Crandall Shaft Facility, the substation pad in Barn Canyon and the substation pad in Hardscrabble Canyon. It is possible that DOGM has approved the areas as SAEs. On November 28 a DOGM representative contacted me by telephone to advise of the approved SAEs. The middle topsoil stockpile at the Crandall Shaft Facility road and the Hardscrabble Canyon substation have not been approved as SAEs by

DOGM. Therefore, I provided the DOGM representative the oppurtunity to take an enforcement action. DOGM declined. The situation was relayed to management and the situation has been included in part four of the TDN.

2. NPDES Permit - The review of the NPDES permit indicated that the only permit that appears to be in effect is the one issued to Price River Coal Company. It is questionable that it applys to Castle Gate Coal Company. The Utah Department of Health assigned a new NPDES number to Castle Gate in September 1987 but the new permit had not been issued at the time of the RSI. This issue has not been resolved at this writing.

3. Hanging Culvert - The undisturbed diversion at Hardscrabble Canyon includes a suspended culvert. The concern about culvert design was resolved.

4. Roads - We discussed the two access roads addressed in part one of the TDN.

5. Affected Area Markers - We discussed the placement of affected area markers as described by part two of the TDN.

On November 22, 1989 I contacted Susan Linned with DOGM to advise her that the AFO would be forwarding a three part TDN to the Division for the situations described above.

Permit Status - Another issue identified during the RSI is that of the status of the permit. The 5 year permit expires on December 24, 1989. A review of DOGM files indicates that the permit may not be in a form that it can be renewed by the expiration date. DOGM informed Castle Gate Coal Company of its concern in a letter dated October 30, 1989. The letter specifically states that the MRP is not complete and the public notice cannot be published. On November 14, 1989 I became aware that the notice was published on November 13 in the newspaper in Price, Utah. The issue concerning the renewal will be relayed to the appropraite individuals in the AFO for additional review.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
RANDOM SAMPLE MEIR SUPPLEMENT

1. Permittee Castle Gate Coal Company
2. Permit Number 007/004
3. Joint Inspection | Y | Y/N 4. Date 11-17-89
5. Days since Last State Complete Inspection (LSCI) 34
6. Block 25 Categories in NON-COMPLIANCE this RSI 6
7. Total Violations this RSI 10

8. List (only once) all violations:
1) where State enforcement was required and taken during the LSCI;
2) recorded in the LSCI report but the State failed to take enforcement;
3) observed during this RSI which clearly existed during the LSCI but the State failed to take enforcement; and;
4) existing during this RSI which are not already listed under one of the categories above.

	A LAW / SPECIFIC STATE REGULATION VIOLATED	B BLOCK 25 CATEGORY	C ABATED (y/n)	D STATE ACTION	E REASON IF UNCITED	F CAUSE	G SERIOUSNESS PEO	H SERIOUSNESS IMPACT	I OSMRE ACTION	J OPTIONAL	K OPTIONAL
1.	___ / ___ / ___ / 771. / 11	B	N	2			2	2	2		
	Description: Mining with permit boundaries - 2 access roads										
2.	___ / ___ / ___ / 817. / 11	C	N	2		4	2	2	2		
	Description: Affected Area markers										
3.	___ / ___ / ___ / 817. / 11	C	N	2		4	2	2	1		
	Description: Stream buffer zones + Mine ID sign										
4.	___ / ___ / ___ / 817. / 42	D	N	2		4	2	2	2		
	Description: Failure to pass - topsoil pile + substation										
5.	___ / ___ / ___ / 817. / 46 817. 49	D	N	2		4	1	2	1		
	Description: Inadequate erosion on two impoundments										
6.	___ / ___ / ___ / 817. / 45	D	N	2		4	2	3	1		
	Description: Failure to route runoff through disturbed areas using protected channels...										
7.	___ / ___ / ___ / 771. / 19	L	N	2		4	2	2	1		
	Description: Permit conditions - Maintenance of berms,										
8.	___ / ___ / ___ / 817. / 42	D	N	2		4	2	2	1		
	Description: Failure to pass dist. runoff through pond										
9.	___ / ___ / ___ / 817. / 23	M	N	-2		4	2	2	1		
	Description:										
10.	___ / ___ / ___ / 817 / 82	Q	N	2		4	2	2	2		
	Description: Failure to install required diversions at toe/crest of fill										

STATE ACTION
1) Existed on LSCI, cited
2) Existed on LSCI, not cited
3) Cited Prior to LSCI, Abatement Pending
4) Occurred since LSCI

STATE'S REASON FOR NOT CITING VIOLATION (AFTER DISCUSSION WITH THE STATE)
1) Not a Violation
2) Precluded by State Policy
3) Not included under State Program
4) Warning given in lieu of a Citation
5) Violation not recognized (missed)
6) Practice allowed under approved Permit
7) Too minor to cite
8) Working with Operator to Correct
9) Other:
:_____

CAUSES
1) Permit Defect
2) Unusual Weather Conditions
3) Unofficial Waiver
4) Operator Negligence
5) Other:
:_____

PROBABILITY OF EVENT OCCURRENCE
1) Near or Unlikely
2) Likely
3) Occurred

IMPACT
Damage Remains Within the Permit Area
1) None or Minor
2) Moderate
3) Considerable
Damage Extends Beyond the Permit Area
4) None or Minor
5) Moderate
6) Considerable
Obstruction to Enforcement
7) None or Minor
8) Moderate

OSMRE ACTION
1) Deferred to State Action
2) TDN issued
3) IN-CO issued
4) Previously Cited, Abatement Pending
5) Abated during or before OSMRE inspection