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United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
[REDACTED] Brooks Towers
1020-15th Street
DENVER, COLORADO 80202

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March 25, 1980

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MAR 27 1980

DIVISION OF
OIL, GAS & MINING

Mr. Ron Daniels
Coordinator of Mined Land Development
Department of Natural Resources
1588 West North Temple
Salt Lake City, Utah 84116

Dear Mr. Daniels:

Enclosed please find copies of on-site inspection reports. The inspections were conducted within Starpoint #1 and #2 Mine during the period of March 13, 1980.

If you have any questions or problems, please contact this office.

Sincerely,

Murray F. Smith
Chief, Division of Inspection & Enforcement

REGION V ON-SITE INSPECTION REPORT

PLATEAU MINING COMPANY
STARPOINT 1 & 2
P.O. Box 539
Price, Utah 84501
(801) 637-2875

DATE: March 13, 1980
TIME: 9:30 a.m.
WEATHER: Sunny, warm, snow melting
COUNTY & STATE: Carbon County, Utah
COMPANY OFFICIAL: Steve Rigby
STATE OFFICIAL: Joe Helfrich
OSM OFFICIALS: Larry Damrau and Tom Anderson
STATE PERMIT NO: ACT/007/006
MSHA I.D. NUMBER: 42-00171
FEDERAL ENFORCEMENT
ACTIONS: NOV #79-V-3-28
STATE ENFORCEMENT
ACTIONS: Notices of Violations issued January 31, 1979
(10 violations).

An inspection was conducted to evaluate the remedial actions required under Violation #1 of Notice of Violation #79-V-3-28 (Failure to dispose of spoil within the permit area or in an area approved by the regulatory authority). Remedial actions required submission of plans for waste disposal. The plans were submitted August 2, 1979. The violation was terminated following the inspection.

The inspection also included review of the status of the ten violations issued to the company by the State Regulatory Authority on January 31, 1979. Violations #1 and #9 were issued to the company for failure to have an approved surface and ground water monitoring plan, and failure to have an approved plan available at the minesite. On July 3, 1979, the State Regulatory Authority submitted an interim hydrologic monitoring plan to the company, which included:

"Sampling water quality and monitoring flow for streams on a monthly basis and during periods of direct runoff from precipitation events...Sample water quality and monitoring flow on a monthly basis from all springs making more than five gallons per minute...Monitoring water quality and flow for any any water that is discharged from the mines," and requiring "quarterly submission of test results and a yearly report..." The plan was issued as "...effective immediately and will be enforced until a plan is submitted...and approved by the Division."

According to the company, monitoring activities have taken place for certain springs in the area. No monitoring reports of any type were able to be located at the State Regulatory Authority Office; and according to the company no surface water monitoring has been conducted on a monthly basis or during periods of direct runoff from precipitation events.

PLATEAU MINING CO/STARPOINT #1 & #2

On June 27, 1979, the company appeared before the Board of Oil, Gas, and Mining, Department of Natural Resources, State of Utah, for "an Order to Show Cause as to whether or not the Board should issue an abatement or compliance order against Plateau Mining Company for failure to correct violations discovered at the before-mentioned inspection of January 9, 1979." It was ordered, by the Board, that Violations #1 and #9 were:

"...found to be continuing violations, which will not be abated until the following requirements are met...The operator's testimony revealed that a hydrologic monitoring plan is now in the process of being prepared by a consultant Vaughn Hanson and Associates. The deadline for submission of a preliminary plan is six weeks from June 26, 1979. The Division will review said submittal within two weeks of its receipt. The operator has committed to the implementation of a temporary hydrologic monitoring plan as an interim compliance measure and a show of good faith. The temporary monitoring plan was transmitted to the operator on July 3, 1979, and is included with this order."

On July 27, 1979, the company again appeared before the Board for the same "Order to Show Cause" explanation as quoted above. It was ordered, by the Board, that Violations #1 and #9 were unabated and must meet the following requirements:

"A preliminary hydrologic plan was to be submitted to the Division by August 8, 1979, and has yet to be received. In addition to submission of the preliminary plan, the operator should commit to a date certain for submission of the Vaughn Hanson and Associate's plan."

An inspection memorandum by the State Regulatory Authority, dated November 29, 1979, stated, "There is no surface or ground water monitoring plans available."

A surface and ground water monitoring plan was submitted to the State Regulatory Authority. The cover letter of the plan was dated January 8, 1980. The State Regulatory Authority is presently reviewing the submitted material.

During this inspection, three water samples were taken at different locations below the mining operations waste disposal and tipple areas. The samples are presently being analyzed for total suspended solids and pH. Volumes of water, which were discharging off of the permit area at the points at which the samples were taken, ranged from approximately five gallons per minute to approximately fifty gallons per minute. All samples were opaque and appeared extremely laden with suspended and/or dissolved solids.

The company is in direct violation of 30 CFR Section 717.17(b) as well as the State Board Order of June 27, 1979, above. The company made verbal commitments to initiate surface water monitoring activities. A description of such activities is to be submitted in the near future to this office.

Violation #2 was issued by the State Regulatory Authority for insufficient information (telephone number, address, and permit number) being posted on the mine and permit identification sign. During the Board meeting of June 27, 1979,

the violation was determined to be abated to the satisfaction of the Board and Division. At the time of this inspection, an acceptable mine and permit identification sign was present at the main access to the mining property.

The Oil, Gas, and Mining Division Inspection Memorandum dated November 29, 1979, noted that, "There is no sign along the access road at the upper boundary of the minesite," and addressed the situation as a violation. A letter to the State Regulatory Authority dated January 15, 1980, from the company, stated that the required sign would be placed at the entrance to the permit area when weather permits. The access road at the upper boundary of the minesite is an extremely poor quality, unpaved, ungraveled, unmaintained access road. It exists at such high elevations (9,775 feet above sea level) that the road is untraversable due to snow cover throughout the winter months of the year.

During the inspection, the company found it acceptable to place the required sign at the point where the upper access road (presently snowcovered) meets the access road between the Starpoint #1 and #2 Portals and the Lion Portal, which is maintained throughout the year. When the upper access road becomes traversable, following the spring snowmelt, the company intends to relocate this sign at the entrance to the permit boundary. These actions would demonstrate good faith on the part of the company and as practically as possible, meet the intent of the regulations.

Violation #3 was issued for deposition of material on the downslope below the new road construction east of the Lion Portal. During the June 27, 1979 hearing, the Board determined that it would hear further testimony at the Board's Hearing on July 27, 1979 and listed five factors to be considered at that time to determine whether or not to grant a variance in accordance with the regulations.

During the July 27, 1979 hearing, the Board determined that the operator had made an adequate showing that a variance should be granted. The Board's variance was based on expert testimony of the company and Utah State Department of Transportation personnel, as well as commitments by the company to revegetate the fill areas which would achieve a minimum static safety factor of 1.5 utilizing the proposed road construction techniques. The violation was considered abated following the variance granted by the Board.

Violation #4 was issued for failure to have the lower coal processing waste disposal area certified by a registered professional engineer and submit each certification to the Oil, Gas, and Mining Division. The Board found the following actions taken by the company satisfactory for abatement of the violation during the June 27, 1979 Hearing:

"Exhibit "B" presented at the proceeding and entitled Report of Engineering Studies Stability and Construction Method Study - Active Coal Refuse Pile No. 1211-UT-9-0008, Wattis, Utah, satisfies this performance measure. Of particular note in this report is the consultant's recommendation that piezometers within the pile be maintained as the height of the coal refuse pile is increased. The Division and Board shares in this recommendation that the operator should maintain such records in the event that future stability analyses are required. It is also notable that the material strength data used in the analyses is only applicable to a coal refuse pile height no higher than 150 feet (page 17). The Division will further evaluate the pile's stability when this point is reached."

Violation #5 was issued for failure to segregate, stockpile, and protect topsoil at the lower coal processing waste disposal area. At the June 27, 1979 Board Hearing, the company testified to a commitment to conserve topsoil upon further expansion of the area and the violation was abated.

Violation #6 was issued for failure to segregate, stockpile, and protect topsoil at the upper coal processing waste disposal area. At the June 27, 1979 Board Hearing, the following performance measures were found to be satisfactory for abatement of the violation:

"A showing was made at the hearing that topsoil has been conserved adjacent to the upper disposal area. In addition, the operator committed to continuing tests in mulching, soil treatment, and in revegetating the upper waste pile cover material."

Violations #7 and #8 were issued for failure to have the upper coal processing waste disposal area approved for such activity and failure to submit certification that the area was inspected during critical construction periods. The two violations were found to be continuing violations of the June 27, 1979 Board Hearing. The following is the information needed to abate the violations, which were recorded during the hearing:

"The Board and Division has now been informed that the upper coal processing pile is indeed an area where coal waste is to be deposited. The operator needs to supply further information on this facility to obtain approval. Information which is lacking on the pile is:

- a. A revised certification (Exhibit "B") that states, in addition to that which is already certified, that the pile is constructed in accordance with MC 717.15 (715.15(b)).
- b. An analysis including a map showing the watershed area, which demonstrates that the culvert passing under the pile will meet the hydrologic requirements under MC 717.17.
- c. A final abandonment plan to permanently divert the drainage that flows under the upper pile.
- d. A copy of the Mine Safety and Health Administration approval for the upper pile.
- e. A drawing that shows the final configuration, including elevations, of the waste disposal facility."

During the July 27, 1979 Board Hearing, the violations were found unabated. The following statements were recorded and information required:

- a. "The Division has received the operator's certification that the upper coal processing pile is constructed in accordance with MC 717.15(b).

- b. The Division has not received hydrologic information concerning the upper coal processing pile. The operator must commit to a date certain for submission of such plan. (See Interim Order Violation 7&8 at b&c)
- c. A copy of the MSHA approval for the upper pile has not been submitted.
- d. The drawing of the final configuration of the waste disposal facility has been received and approved."

On July 11, 1979 OSM conducted an on-site inspection to review the area which the State had issued violations on during the inspection of January 9, 1979. A Notice of Violation was issued to the company which required them to submit the information, requested at the June 27, 1979 Board Hearing, no later than August 7, 1979.

With a cover letter dated August 2, 1979, the company submitted maps and narratives in order to satisfy the State and Federal violations issued.

During this inspection, Violation 1 of 1 of Notice of Violation #79-V-3-28 was terminated. The termination was not made in respect to the completeness or adequacy of the material submitted, only that a required submittal had been made within the time set for abatement.

Portions of the plans submitted August 2, 1979, addressing culvert sizes, have been reviewed and found adequate by the State Regulatory Authority. Other portions addressing reclamation/revegetation proposals are presently being reviewed by the State.

No waste was observed being deposited at the upper coal processing waste disposal area during the inspection. The company has covered and seeded the south facing portions of the waste material. The remainder of the covering of the waste material will be conducted following anticipated differential subsidence of the deposited waste material. No further deposition of coal waste is anticipated by the company, within that area of the operation.

Violation #10 was issued for failure to remove, segregate, and stockpile topsoil associated with the Lion Portal Deck extension activities. The violation was abated by the Board during the June 27, 1979 hearing. The performance measures which the Board found satisfactory for abatement were recorded as:

"The operator demonstrated that topsoil conservation on the site of the Lion Portal Deck extension was an expensive and difficult task. He further described the properties of the existing overburden and made a commitment to undertake continuing test plantings to determine the best methods to be applied in utilizing the overburden as a plant support medium."

During the Federal inspection conducted January 9, 1979, it was noted in the report that, "All surface drainage from the disturbed area does not pass through sedimentation control structures prior to leaving the permit area..." The State

PLATEAU MINING CO/STARPOINT #1 & #2

Inspection Memorandum dated November 29, 1979 states, "Runoff from the disturbed area does not pass through a sediment pond." It was also noted in the report of the Federal inspection conducted January 10, 1980 that, "Runoff from disturbed areas does not pass through sediment ponds."

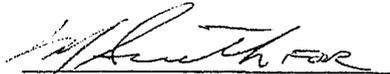
During this inspection runoff from the disturbed areas was passing off of the permit area without entering sediment control structures. It would appear that the company was in knowing and willful violation of 30 CFR Section 717.17(a) at the time of this inspection. During this inspection it was observed that the company was conducting grading activities, along the major access road, to establish control of the surface drainage emitting off the lower coal waste disposal area and the surface facilities area. The company stated that the activity was the initiation of temporary sediment control measures which were presently being implemented. The measures included control of surface drainage from the tipples, surface facilities, and lower coal waste disposal area, to the extent that the water would be passed through sedimentation ponds or straw/hay bale dikes, prior to being discharged off-site, in order to control sedimentation material from leaving the permit area. Activities proposed and dates anticipated to implement the proposed activities are to be submitted to this office in the near future. The submittal will also include proposed activities to be conducted and dates by which such activities will be completed in order to control sedimentation from the Starpoint #1 and #2 Portal areas and the Lion Portal area. General discussion of temporary measures anticipated and location of control structures was conducted during the inspection.

During this inspection, the second violation (no drainage plan for the Lion Portal access road) noted in the State Inspection Memorandum, dated November 29, 1979, was discussed with the company. The company presented a copy of material dated January 15, 1980 which they stated was submitted to the State Regulatory Authority to abate the violation. No determination has been made by the State concerning the submitted material.

Two other areas of concern noted in the State Inspection Memorandum of November 29, 1979, and also in the Federal inspection conducted January 10, 1980 were observed and discussed during this inspection.

1. The culvert running under the upper road that leads to the loadout facility of the Starpoint #1 Mine was noted blocked and required cleaning. The company stated that the culvert addressed was not a part of the present drainage control system and that the water was not presently intended to enter the blocked culvert, but continue past that point to another culvert utilized in their present drainage control plan. The culvert which the company said would receive the drainage could not be located on-site, due to snow cover, even though surface drainage was occurring down the haulroad at the area where the operable culvert was said to be existing.
2. The raw coal spillage along the outslope of the area adjacent to the crusher site of the #1 portal was also observed and discussed. The spillage is caused by

periodic cleaning of the crusher. This spillage has apparently existed since the construction of the crusher at that site. It did not appear that any new area was being affected by the activity. The immediate environmental harm appears to be the leak of sedimentation control from the area and not the dumping activity itself. The State technical staff was apparently concerned with the sedimentation factor as they suggested installation of a diversion structure to eliminate runoff from passing through the area. The sedimentation control plans anticipated to be submitted to this office in the near future are expected to address this problem. The company stated that the area would be reclaimed upon termination of mining and presently the company is retreating and pulling pillars. The company anticipated that mining activities would be terminated at that portal within one year and reclamation activities initiated.


LARRY DAMRAU
RECLAMATION SPECIALIST