0021

File

January 4, 1985

TO: Coal File, Inspection and Enforcement

FROM: Barton Kale, Mining Field Specialist BDK

RE: Plateau Mining Company, Star Point Mine, ACT/007/006, Folder #7, Carbon County, Utah

A partial inspection was conducted at the above mentioned mine site on December 19, 1984, by Barton Kale of the Division. The inspector was accompanied by Ben Grimes of Plateau Mining Company.

The topsoil sign for the stockpile north of the access road (near the access to Pond #9) has been moved as was requested during the previous inspection (see memo dated December 18, 1984). The sign is now visible from the main approach to the stockpile.

Although not field checked, Mr. Grimes also noted that the oil skimmer had been replaced at Pond #4.

The new underflow ponds are now functioning and approved. The area has not been reseeded and the final fencing has not been done pending improving weather conditions. The ponds were inspected and no problems noted.

Discussion was held concerning the soil salvage in the refuse pile expansion area. The area has been the subject of conflicting opinions since the problem was brought to light by the previous inspector. According to a letter written by Tom Portle, Division Soils Specialist (dated November 2, 1984) the position of the Division permitting staff was such that there was enough evidence that topsoil was present that they made the following requests.

1. Strawbales and or silt fencing should be put in place immediately and maintained.

2. Information on available volume, overall deficit or surplus of soil and cost benefits of obtaining other materials versus salvage operations must be supplied to the Division by December 31, 1984.

3. The Division noted that 30 days later they would make a decision on the fate of the materials.

Plateau Mining Company's position at this point is that the material is not worth salvaging and until a response is given to a letter by Ben Grimes, Plateau Environmental Coordinator (dated November 8, 1984) they were not planning to do anything.

The position of the Inspection and Enforcement at this time is as follows:

1. The permitting staff has reason to believe that viable topsoil is located at this site.

2. A proper request in writing was made to the company requesting topsoil protection.

3. During the inspection no such topsoil protection was in place and no plans for any additional information was going to be submitted until they had what they felt was an adequate Division response.

It is the opiniion of the I&E staff that the company should have protection in place during the resolution of this problem. The issuance of this violation will hopefully bring the controversy to a rapid close. The violation is issued as follows:

Nature of the Violation

Failure to protect topsoil, failure to remove topsoil, failure to gain an exception to the requirements of UMC 817.22 for removal of remaining topsoil.

Provision of the Regulations

UMC 817.21 (a)
UMC 817.22 (f)(3),(g)

Portion of the Operation to Which Notice Applies

Soil salvage in the refuse pile expansion area

Remedial Action Required

Implement required topsoil protection as per NOV 1984 letter from the Division Soil Specialist. Submit required information.

Time for Abatement

2 Weeks

re
cc: Donna Griffin, OSM
Ben Grimes, DOGM
Joe Helfrich, DOGM
Statistics:
Vehicle: 45429X = 408 miles
Per Diem: Per Diem = 3 days, 3 hours = $138.00
Grant: A&E
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