

Document Information Form

Mine Number: C/007/006

File Name: Incoming

To: DOGM

From:

Person N/A

Company OFFICE OF SURFACE MINING

Date Sent: MARCH 25, 1991

Explanation:

MINE SITE EVALUATION INSPECTION REPORT

cc:

File in: C/007, 006, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

RECEIVED

Perm: State to Wb
ACT/007/006 #5
Page 1 of 2 Pages

MAR 25 1991

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

DIVISION OF
OIL GAS & MINING

For Office Use Only

| | | |
|---------|-------|--------|
| 1a | 1b | 1c |
| Y Y M M | Batch | Report |

2. Name of Permittee

Cyrus-Plateau Mag

3. Street Address

PO Drawer PMC

4. City

Price

5. State

UT

6. Zip Code

84501

7. Area Code

801

8. Telephone Number

637-2875

9. MSHA Number

42-00170-

10. Date of Inspection
(Y Y M M D D)

9 1 0 3 0 8

11. State Permit Number

ACT/007/006

12. Name of Mine

Star Point

13. County Code

007

14. State Code

UT

15. Strata

16. State Area Office

17. OSM Field Office No.

02

18. OSM Area Office No.

19. OSM Sample No.

0744

20. Type of Inspection (Code)

C

21. Joint Inspection
Yes No

X

22. Inspector's ID No.

044

23. Status

A 01

Type of Permit

B 8

Mine Status (Code)

C 20

Type of Facility (Code)

D 06149.02

Number of Permitted Acres

E 00221.06

Number of Disturbed Acres

24. Type of Activity (check applicable boxes).

A Steep Slope

E Anthracite

B Mountain Top Removal

F Federal Lands

C Prime Farmlands

G Indian Lands

D Alluvial Valley Floors

H Other

25. Performance Standards (Codes)

Instructions: Indicate compliance code. For any standard marked 2 or 3 provide narrative to support this determination.

Standards That Limit the Effects to the Permit Area

- A 1 Distance Prohibitions
- B 1 Mining Within Permit Boundaries
- C 1 Signs and Markers
- D 2 Sediment Control Measures
- E 2 Design and Certification Requirements--Sediment Control
- F 1 Effluent Limits
- G 1 Surface Water Monitoring
- H 1 Ground Water Monitoring
- I 3 Blasting Proceed
- J 1 Haul/Access Road
- K 3 Refuse Impoundment
- L 2 Other: Specify

Standards That Assure Reclamation Quality and Timeliness

- M 2 Topsoil Handling
- N 1 Backfilling and Grading
- O 1 Following Reclamation Schedule
- P 1 Revegetation Requirements
- Q 1 Disposal of Excess Spoil
- R 1 Handling of Acid or Toxic Materials
- S 1 Highwall Elimination
- T 1 Downslope Spoil Disposal

lining Land Use

ion of Operations: Temporary

Water management on waste piles

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No. 0059 Date

In C/ 007, 006, Incoming

For additional information

RECEIVED

Per: *Beate to file*
ACT/007/006 #5
Page 1 of 2 Pages

MAR 25 1991

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

DIVISION OF
OIL GAS & MINING

For Office Use Only

1a
Y Y M M

1b
Batch

1c
Report

2. Name of Permittee

Cyprus-Plateau Mng

3. Street Address

PO Drawer PMC

4. City

Price

5. State

UT

6. Zip Code

84501

7. Area Code

801

8. Telephone Number

637-2875

9. MSHA Number

42-00170-

10. Date of Inspection
(Y Y M M D D)

9 10 30 8

11. State Permit Number

ACT/007/006

12. Name of Mine

Star Point

13. County Code 14. State Code

007 UT

15. Strata

16. State Area Office

17. OSM Field Office No.

82

18. OSM Area Office No.

19. OSM Sample No.

0744

20. Type of Inspection (Code)

C

21. Joint Inspection Yes No

X

22. Inspector's ID No.

244

23. Status

A 01

Type of Permit

B 8

Mine Status (Code)

C 20

Type of Facility (Code)

D 06149.2

Number of Permitted Acres

E 00221.6

Number of Disturbed Acres

24. Type of Activity (check applicable boxes).

A Steep Slope

E Anthracite

B Mountain Top Removal

F Federal Lands

C Prime Farmlands

G Indian Lands

D Alluvial Valley Floors

H Other

25. Performance Standards (Codes)

Instructions: Indicate compliance code. For any standard marked 2 or 3 provide narrative to support this determination.

Standards That Limit the Effects to the Permit Area

A 1 Distance Prohibitions

B 1 Mining Within Permit Boundaries

C 1 Signs and Markers

D 2 Sediment Control Measures

E 2 Design and Certification Requirements--
Sediment Control

F 1 Effluent Limits

G 1 Surface Water Monitoring

H 1 Ground Water Monitoring

I 3 Blasting Procedures *No blasting*

J 1 Haul/Access Road Design and Maintenance

K 3 Refuse Impoundments *No impoundments*

L 2 Other: Specify *Permit approved*

Standards That Assure Reclamation Quality and Timeliness

M 2 Topsoil Handling

N 1 Backfilling and Grading

O 1 Following Reclamation Schedule

P 1 Revegetation Requirements

Q 1 Disposal of Excess Spoil

R 1 Handling of Acid or Toxic Materials

S 1 Highwall Elimination

T 1 Downslope Spoil Disposal

U 1 Post Mining Land Use

V Cessation of Operations: Temporary

W 2 Other *Water management on waste pile*

United States Department of the Interior
Office of Surface Mining
Mine Site Evaluation Inspection Report

Page 2 of 2 Pages
Permit: ACT/007/006 # 5

26. State Permit Number

27. Date of Inspection
(Y M M D D)

ACT/007/006

4 1 0 3 0 8

28. Yes No Do mining and reclamation activities on the site comply with the plans in the permit?
If no, provide narrative to support this determination.

29. Indicate number of complete and partial inspections conducted by the State to date for this annual review period:

29a. 02 Number of Completes

29b. 06 Number of Partials

see 2/130/01

30. Indicate number of complete and partial inspections required by the State during this annual review period:

30a. 02 Number of Completes

30b. 06 Number of Partials

31. Has inspection frequency been met?

31a. Yes No Completes

31b. Yes No Partials

32. FEDERAL ENFORCEMENT INFORMATION: (Enter violation number. Check appropriate box(es))

| Ten-Day Notice No. | Notice of Violation No. | Cessation Order No. | Violation Codes |
|--|--------------------------|--------------------------|---------------------------|
| <u>9/1/02-244-005</u> | | | |
| A <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Authorizations to Operate |
| B <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Signs and Markers |
| C <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Backfilling and Grading |
| D <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Highwall Elimination |
| E <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Rills and Gullies |
| F <input checked="" type="checkbox"/> <i>written on or before plan</i> | <input type="checkbox"/> | <input type="checkbox"/> | Improper Fills |
| G <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Topsoil Handling |
| H <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sediment Ponds |
| I <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Effluent Limits |
| J <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Water Monitoring |
| K <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Buffer Zones |
| L <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Roads |
| M <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Dams |
| N <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Blasting |
| O <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Revegetation |
| P <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Spoil on the Downslope |
| Q <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Mining Without Permit |
| R <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Exceeding Permit Limits |
| S <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Distance Prohibitions |
| T <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Toxic Materials |
| U <input checked="" type="checkbox"/> <i>unapproved waste storage</i> | <input type="checkbox"/> | <input type="checkbox"/> | Other Violations |

33. Name of Authorized Representative (print or type)

Gary Fall
Signature of Authorized Representative

Date

3/19/91

Signature of Reviewing Official

Date

3/19/91

02 0
06 5
02 0
02 0

RECEIVED

MAR 25 1991

DIVISION OF
OIL GAS & MINING

March 7 & 8, 1991

Cyprus-Plateau Mining Corp
PO Drawer PMC
Price, Utah 84501

Star Point mine

Personnel Present During the Inspection:Menco Copinga Cyprus-Plateau Mining
Tom Munson Utah Division of Oil Gas & Mining (DOG M)
Bill Malencik Utah DOGM
Gary Fritz Office of Surface Mining/Albuquerque Field Office #244**Weather and Ground Conditions During the Inspection:** Partly cloudy, overcast at times and cool; four to six inches of snow on most of the mine with some snow melt occurring during the afternoon**ENFORCEMENT ACTIONS**

The State of Utah issued a three part violation during the inspection. The operator was cited for:

1 of 3. the failure to protect stockpiled topsoil from wind and water erosion -- the topsoil removed from the area that is now used for processing waste disposal was placed in an area with contour furrows, a sump and vegetation for drainage control instead of a sediment pond. The topsoil pile was snow covered but during the inspection of the area we noted that the two lower furrows were breached. A series of animal burrows in the top berm was funneling disturbed area water from the area above the berm through it and into the lower containment area. That water again was funneled down through the berm via the same type of animal burrow and dropped out into a small containment area on the bottom of the pile. I did not see any calculations for the containment area so it is doubtful that runoff and topsoil were captured at the bottom of the pile before leaving the permit area. It is the judgement of this inspector that topsoil was lost. In addition to the broken berms, the comment was made that the local rancher was allowed to run livestock through and in the process the area was grazed. Since the area was snow covered there was no sign of grazing but the pile did not appear to have a lot of cover on it. I pointed out to Mr. Copinga that the grazing of topsoil stockpiles is a violation without evidence no further action was possible.

2 of 3. the operator was cited for the failure to maintain diversions and culverts-- throughout the inspection, as culvert crossings were inspected, it became obvious that they were not being maintained. The number of openings that were covered with debris are too numerous to list. In addition, we cleared a number of them as we went through the area. One culvert in the system, the one below the lower live coal stockpile near the stacker, was plugged. The tube was a part of the sediment control system for that area. It was supposed to serve as an interim sediment trap prior to the main sediment pond in that area. The pond had not breached but from appearances would have, had we not identified it during the inspection.

3 of 3. the operator was cited for the failure to build the spillway systems on their sediment control ponds according to design-- the trash racks and anti-vortex devices on the primary and secondary spillways were not installed properly for ponds 1, 3, 4, 5, 6, 7, and 8. Not all of the spillways on the ponds listed were built incorrectly but pieces and parts of them were. After checking the design data, a number of discrepancies were noted so we went back out into the field to verify the problems and list the violations. At least one of the ponds listed was discharging water from runoff or mine water but no problems were noted at the discharge point despite the building flaws.

The State of Utah was issued a Ten-Day Notice, #91-02-244-5, for two violations noted during the inspection that were not cited by the DOGM inspector. We discussed the matter during the inspection but the inspector declined to take the enforcement role in the matters.

The first violation of the TDN was issued for the failure of the permittee to comply with the terms and conditions of the permit. Coal from another mine, about 100,000 tons was trucked to the mine and placed in a temporary stockpile with the intent to use it at a later date. The coal was stockpiled on coarse refuse in their processing waste disposal area. The violation was issued for the failure to have permit approval to store the material in that area. In addition, flammable materials are not to be stored in or on coarse processing waste. One of the representatives for the company, indicated that they had a coal sorter at the base of the waste pile for small local shipments that is built on old waste which is permitted. This does not constitute approval for the storage of the other coal stockpile.

The second violation of the TDN was issued because the operator is diverting surface drainage on the coarse refuse pile out over the outslope of the pile. The refuse pile has been built in stages with some major changes in design as the operator realized that they needed additional space for storage. It is my understanding that the initial construction phase began with a pile that is now covered with the coal stockpile listed in the first TDN. From there, they built a second pile with ditches diverting runoff from above the area around the pile as well as a 100 year 24 hr diversion around the foot of the pile. In doing so, they had diversions off of the crest in that area

that were lined drop structures. Since then, they have placed waste in-between the old storage areas so you have the outer pile at approximately elevation 150, then an active disposal area of an elevation of about 80 ft, then the inactive area pile near 100 ft and finally another active disposal area at 80ft again. The 100ft pile is essentially an island. The violation comes from the failure of the operator to direct runoff off of the crest of the working faces in a designed ditch. In addition, drainage on the crest was not graded to drain in any fashion for form. In general the area was flat with some high spots and flows towards other areas but there was no control on the drainage of the crest as well as the drainage off of the face. The operator was maintaining lifts but was not paying attention as to how or where it was to drain. Evidence of runoff off of the crest out over the face was noted when we walked in the area, the waste was saturated and in places you would sink in over your boot tops. There were no designed diversions carrying runoff off of the crest, instead it was running in many directions. The comment was made that this was probably the wettest the pile had been in four or five years because of the snowfall. I considered that but do not agree that drainage is being managed on the surface. The waste appears to be placed in ~~as~~ two foot lifts but from there the drainage is left to the dozer operator with little or no drainage management on the active lifts. In addition, the drainage on the island and front storage areas was not being managed either. The island was essentially flat on the top. The coal storage area was flat in some areas and closed in others by access roads into the stockpile.

CLOSING COMMENTS

There were a number of maintenance items noted during the inspection duly noted by Mr. Copinga and addressed adequately as we progressed through the inspection that will not be mentioned at this time because I feel that they have been taken care of. I would like to comment that the operator should have the responsible party at the mine sign the inspections of the self inspections of the ponds and quarterly waste disposal inspections. Inspections were on file but I did not know who did them.

I would also like to comment that there is some question in my mind as to how much cover will be put on the waste pile as it is reclaimed. I did not have enough time to go through that information in detail but would question selenity and other toxic levels of materials in the waste and the uptake of those through rooting zones with something less than four feet of cover on the pile. Evidently studies are underway at this time to evaluate that possibility. The data should be carefully evaluated before approvals are granted for something less.

UNITED STATES DEPARTMENT OF THE INTERIOR

Office of Surface Mining
Reclamation and Enforcement

TEN-DAY NOTICE

COPY

Originating Office:

625 S. Silver Ave., SW
Suite 310
Albuquerque, New Mexico

Number: X-91-02-244-5 TV 2

Telephone Number: 505-766-1486

Ten-Day Notice to the State of Utah

You are notified that, as a result of oversight inspection (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

| | | |
|--|------------------------------|---|
| Permittee: <u>Cyprus-Plataean Mining Co</u> <small>(Or Operator if No Permit)</small> | County: <u>Carbon</u> | <input type="checkbox"/> Surface |
| Mailing Address: <u>PO Box PMC ; Price, Utah</u> | | <input checked="" type="checkbox"/> Underground |
| Permit Number: <u>ACT/007/06</u> | Mine Name: <u>Star Point</u> | <input type="checkbox"/> Other |

NATURE OF VIOLATION AND LOCATION: Failure of the permittee to comply with the terms and conditions of the permit. (stack piling of coal in a non-permitted area)

Castle Gate coal pile on processing waste pile Section of State Law, Regulation or Permit R614-300-143
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION: ~~Failure to~~ Diversion of surface drainage over the outslope of the refuse pile

outslope on the southern end of the coarse refuse pile below two working faces. Section of State Law, Regulation or Permit R614-301-746-212
Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION:

RECEIVED

Section of State Law, Regulation or Permit Condition believed to have been violated:

MAR 25 1991

Remarks or Recommendations: DIVISION OF OIL GAS & MINING

Date of Notice: 03/15/91
cert. filed mail #
P 965 799 043

Signature of Authorized Rep.: Gary Fritz
Print Name and ID: Gary Fritz #244

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
RANDOM SAMPLE MEIR SUPPLEMENT

1. Permittee Cyprus- Plateau Mng Corp
 2. Permit Number ACT/007/006
 3. Joint Inspection Y Y/N 4. Date 03-08-94

5. Days since Last State Complete Inspection (LSCI) 129
 6. Block 25 Categories in NON-COMPLIANCE this RSI 5
 7. Total Violations this RSI 5

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.

TDIR

State

| LAW | A 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 IMPACT | I OSMRE ACTION | J OPTIONAL | K |
|-----|--|---------------------------|----------------------|----------------------|---------------------------|------------|-------------------------|-------------|----------------------|---------------|---|
| 1. | 614 1300 11431 | L | N | 2 | | 1 | 3 | 3 | 2 | | |
| | Description: <u>Permit conditions (Storage of logs)</u> | | | | | | | | | | |
| 2. | 614 1301 746 2121 | W | N | 2 | | 4 | 3 | 2 | 2 | | |
| | Description: <u>Water management on waste piles</u> | | | | | | | | | | |
| 3. | 614 1301 234 2301 | M | N | 2 | | 4 | 3 | 4 | 1 | | |
| | Description: <u>topsoil loss</u> | | | | | | | | | | |
| 4. | 614 1301 742 3121 | D | N | 4 | | 4 | 3 | 1 | 1 | | |
| | Description: <u>Maintenance on diversions & culverts</u> | | | | | | | | | | |
| 5. | 614 1301 512 12401 | E | N | 2 | | 4 | 3 | 1 | 1 | | |
| | Description: <u>Failure to be built according to design</u> | | | | | | | | | | |
| 6. | / / / / / | | | | | | | | | | |
| | Description: | | | | | | | | | | |
| 7. | / / / / / | | | | | | | | | | |
| | Description: | | | | | | | | | | |
| 8. | / / / / / | | | | | | | | | | |
| | Description: | | | | | | | | | | |
| 9. | / / / / / | | | | | | | | | | |
| | Description: | | | | | | | | | | |
| 10. | / / / / / | | | | | | | | | | |
| | Description: | | | | | | | | | | |

- 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) None 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) TDM issued
 - 3) IM-CO issued
 - 4) Previously Cited, Abatement Pending
 - 5) Abated during or before OSMRE inspection