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*I+E SUB*

*ACT-007-007*



United States Department of the Interior  
OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT  
219 CENTRAL AVENUE, NW  
ALBUQUERQUE, NEW MEXICO 87102

**RECEIVED**

DEC 20 1982

Inspection Date: 11/23-24/82

MINED LAND RECLAMATION  
Colo. Dept. of Natural Resources

INSPECTION REPORT DISTRIBUTION

TO:	<u>          X          </u>	OSM FILE
	<u>  X                  </u>	STATE <i>007/007 #7</i>
	<u>                      </u>	COMPANY
	<u>          X          </u>	REGULATORY AND INSPECTION, WASHINGTON
	<u>          X          </u>	TECHNICAL CENTER
	<u>          X          </u>	MINERALS MANAGEMENT SERVICE
	<u>                      </u>	BUREAU OF LAND MANAGEMENT
	<u>                      </u>	BUREAU OF INDIAN AFFAIRS
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	<u>                      </u>	INDIAN TRIBE

FROM: JODIE MERRIMAN

**RECEIVED**  
DEC 29 1982

DIVISION OF  
OIL, GAS & MINING

Office of Surface Mining  
MINE SITE EVALUATION INSPECTION REPORT

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INSPECTION NUMBER	INSPECTION DATE
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I. MINE SITE

- |  |  |
|--|--|
| 1. Permittee <u>Kaiser Steel Corp.</u>                                   | 8. Status (check one)                                |
|  | a. <input checked="" type="checkbox"/> Active        |
| 2. Permittee Address<br><u>P. O. Box D</u><br><u>Sunnyside, UT 84539</u> | b. <input type="checkbox"/> In reclamation           |
|  | c. <input type="checkbox"/> Inactive                 |
|  | d. <input type="checkbox"/> Abandoned                |
| 3. Location of Mine  | 9. Type of Facility                                  |
| a. County <u>Carbon</u>  | a. <input type="checkbox"/> Surface                  |
| b. State <u>Utah</u>   | b. <input checked="" type="checkbox"/> Underground   |
|  | c. <input type="checkbox"/> Other -<br>Specify _____ |
| 4. Name of Mine <u>Sunnyside</u>   | 10. Steep Slope                                      |
| 5. Telephone _____   | Yes _____  |
|  | No <u>X</u>  |
| 6. Date of Last State<br>Inspection <u>11/2/82</u>                       | 11. Mountain Top Removal                             |
|  | Yes _____  |
| 7. Permit No. <u>ACT/007/007</u>   | No <u>X</u>  |
| MSHA No. <u>See permits</u>  | 12. Prime Farm Land                                  |
| OSM No. _____  | Yes _____  |
|  | No <u>X</u>  |

II. TYPE OF OSM INSPECTION

- A. Complete Inspection: Check appropriate box
1.  Statistical Sample Inspection
  2.  Others (citizen compliant inspections or second phase/  
assistance inspections - specify.)  
\_\_\_\_\_
- B. Other-Than-Complete-Inspection: Check appropriate box and  
reason for inspection.
1.  Statistical Sample Follow-up (date of Complete  
Inspection \_\_\_\_\_.)

- (a)  10-Day Notice follow-up (State failed to notify OSM or to take appropriate action).
- (b)  Federal NOV follow-up.
- (c)  Federal CO follow-up.
- (d)  Others - Specify \_\_\_\_\_

2.  Citizen Complaint Inspections

- (a)  Citizen's Complaint - imminent hazard or harm to public or to environment.
- (b)  Citizen's Complaint - 10-Day Notice follow-up (State failed to notify OSM or take appropriate action).
- (c)  Citizen's Complaint - 10-Day Notice follow-up (sample).
- (d)  Other - Specify \_\_\_\_\_

III. COMPLIANCE INFORMATION

Indicate the appropriate number for each performance standard (See instructions for clarification of the numbering system):

- 1. In compliance,
- 2. Not in compliance (State took action),
- 3. Not in compliance (State has not taken action),
- 4. Not in compliance (other),
- 5. Not applicable.

A. Performance standards that limit the effects of surface mining to the permit area:

<u>2 &amp; 3</u> <u>1</u> <u>1</u>  <u>5</u> <u>1</u>	1. Run-off control 2. Surface water monitoring 3. Mining within permit boundaries 4. Blasting procedures 5. Effluent limits	<u>1</u>  <u>1</u>  <u>*1</u>  <u>1</u>	6. Ground water monitoring 7. Haul road maintenance 8. Refuse impoundment 9. Signs and markers
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\*See report under Hydrologic Balance #3

B. Performance standards that assure reclamation quality and timeliness:

<u>*1</u>	1. Topsoil handling	<u>1</u>	7. Timing of revegetation
<u>1</u>	2. Backfilling & grading		
<u>1</u>	3. Timing of reclamation	<u>1</u>	8. Highwall elimination
<u>1</u>	4. Success of revegetation		
<u>5</u>	5. Disposal of excess spoil	<u>5</u>	9. Downslope spoil disposal
<u>5</u>	6. Handling of acid or toxic materials	<u>5</u>	10. Post mining land use

\*See report under Topsoil.

C. For each standard marked (2), what action(s) has the State taken to cause the violation to be corrected?

State inspector issued NAOC (Notice of Area of Concern) for inadequate maintenance at sediment control structures. See State Enforcement Actions in report.

D. For each standard marked (3), indicate what action(s) the State should have taken.

OSM issued Ten-Day Notice 82-II-242-5 on 12/2/82 for failure to maintain the sediment pond below Slaughter Canyon. See OSM Enforcement Actions in report.

E. For each standard marked (4), explain why it is unknown whether or not the State has failed to take appropriate action.



VI. ADMINISTRATION INFORMATION

- 11 1. Hours travel to and from site  
(disturbed)
- 400 2. Acreage of permit
- 13 3. Inspection time (on site)
- 6 4. Permit review time
- 3 5. Report-writing time

Jodie Merriman  
Signature

12-10-82  
Date

Jodie Merriman  
Print Name of Authorized Representative

Steve Schultz  
Reviewed By

12-11-82  
Date

GENERAL COMMENTS

This inspection was conducted with Bart Kale of UDGGM and John Huefner of Kaiser Steel. All disturbed areas, including Pre-Act disturbance were checked. Mines #1 and #3 are active, #2 is inactive.

PERMITS

The following permits and approvals were available for review at the mine office:

1. NPDES permit UT-0022 942, issued on 11/1/82.  
Point 001 - Manshaft pond.  
Point 002 - Mine Water pond.  
Point 003 - Mine Water.  
Point 004 - Mine Water.  
Point 005 - Water Canyon.
2. Approval for the mine water pond was given by the Department of Health on 8/21/81 and by UDGGM on 9/1/81.
3. Approval from the Division of Water Rights on 6/23/81.
4. A letter of tentative approval for the mine plan from UDOGM dated 5/11/78.
5. MSHA approval for the slurry pond (1211-UT-9-0017) dated 8/25/78.
6. A stream crossing and small area exemption variance was requested by Mr. Huefner on 10/15/82. The stream crossing was approved by UDOGM on 10/19/82 with the stipulation that railroad ties be installed in the creek bed before heavy equipment would be moved across and that the crossing be temporary (30 days). The request for a small area exemption was denied in this same letter.
7. The manshaft pond was approved by the Division of Water Rights on 11/9/82.
8. Neither OSM nor UDOGM have approved design calculatins for any of the sediment ponds. Several letters disapproving the plans were on file (from 1980 through 1982).

9. Two new points were applied for under the NPDES permit on 2/10/82. One point is the sediment pond in #2 Canyon. The other point is the sediment pond below the refuse pile. Approval is doubtful since neither pond has been approved by OSM or UDOGM.
10. A letter was sent by UDOGM in April informing the company that no power pole modifications were needed at that time as a result of the USFWS raptor survey.

No bond has been posted.

*John  
for what??* BONDING

SIGNS AND MARKERS

All signs and markers were posted as required.

TOPSOIL

Topsoil stockpiled at the borrow area has been bermed and will be seeded as soon as possible. The course refuse area where the conveyor crossed an ephemeral drainage may pose a problem in relation to topsoil protection. A NOV written by Dave Loff required the company to clean coal fines out of the drainage and protect it from further contamination. Material from the borrow area was dumped along the bank in order to cover coal refuse which could not be removed. This material may be topsoil (the operator calls it soil material) and has not been graded out or seeded. The operator contends that Ron Daniels approved of this work, but this may not be the case. Technical staff at UDOGM have been advised of the problem. A review of the work will be conducted and soil tests will be performed to determine if the material is topsoil.

HYDROLOGIC BALANCE

All sediment ponds, minewater ponds and slurry ponds were checked. The existing sediment pond at the manshaft area will be enlarged to serve as a mine water pond and a new pond will be constructed to serve as a sediment pond. In the meantime, Mr. Huefner is planning to discharge mine water directly into Grassy Trail Creek. Inspectors urged him not to do this until he received approval from the appropriate agencies. I asked him why he was building a mine water pond if he felt the quality of the water was such that it could be discharged directly. He stated that when the longwall reactivates, more sediment will be encountered and a settling pond would be needed.

The following problems were noted:

1. Tracks from a piece of equipment were observed on the stream crossing. As mentioned under permits, railroad ties were to be installed prior to any such use (See State Enforcement Actions).
2. Several small areas require maintenance to insure adequate sediment control, including the storage area in #2 Canyon, another storage area northwest of #2 Canyon, and the area along the fence and Grassy Trail Creek. (See State Enforcement Actions.)
3. Water passing through the coal refuse pile and entering a drainage (ephemeral or intermittent) which flows into Grassy Trail Creek, contains a reddish substance. This substance, probably iron, is precipitating out and has covered the drainage bed. Two samples, up and downstream, were taken by Mr. Kale. Results of the analysis are not yet available, but appropriate enforcement action will be taken if the water quality is unacceptable for any parameter. I questioned Mr. Huefner about where this water was coming from, since there seemed to be more than would be generated by any runoff. Mr. Huefner said it was possible that the large slurry pond was leaking. I have talked to Wayne Headburg and Tom Munson of UDOGM to inform them that a problem may exist here. I also notified MSHA and asked that they check the slurry pond on their next inspection.
4. The area being used for storage at the left fork of Water Canyon needs to have some type of sediment control implemented. Although the area is Pre-Act, any part of it that is currently being used must have sediment control measures. The meter has broken off the pipe at NPDES pt 005. Water seeping out has not gone offsite and the situation did not seem to be serious. This pipe needs to be repaired as soon as possible.
5. The sediment pond below Slaughter Canyon has sustained quite a bit of damage. Mr. Huefner said he has had problems with the pond because it was built in a drainage and it is undersized. There was evidence of water flowing over the bank and a great deal of erosion and sloughage had occurred along the embankment. According to Mr. Huefner's records, the rainfall event (1.16") which caused the damage occurred in September 1982. A ten year, 24 hour event in this area is considered to be 1.9". See OSM Enforcement Actions.

6. The small sediment pond below the course refuse pile was recently reconstructed. It appears doubtful that the pond is adequately sized. Plans will have to be submitted to the Division to document this. See State Enforcement Actions.

#### WATER QUALITY

NPDES information is discussed under Permits. Water monitoring data was available through 10/19/82. Points 001,003 and 005 did not discharge during the past quarter. No instances of noncompliance were noted. Two points along Grassy Trail Creek, one above the mine area and one below, are being monitored quarterly. Ground water is not yet being monitored.

#### COAL PROCESSING WASTE

The prep plant generates both fine and course refuse. The fine refuse is conveyed to the slurry ponds via a ditch and the course refuse is hauled to the course refuse pile.

#### CONTEMPORANEOUS RECLAMATION

The breakouts and pad at Slaughter Canyon have been regraded to AOC and were seeded during the fall of 1981. Vegetation appears to be successful. The fan pad at Pole Canyon was reclaimed and seeded in the fall of 81 and the Spring of 82. Vegetative success could not be observed due to snow cover. One of the "cat" roads to access the refuse pile has been reclaimed. No vegetation was noted. Cottonwood trees have been planted below the bathhouse at the Manshaft area. The highwall slopes on this pad have been seeded but no vegetation was observed.

#### PORTALS

The #2 outcrop fan, a substation and a portal, which has been fenced, are located at the right fork of Water Canyon. Five portals are located at the left fork of Water Canyon. One is sealed and the others are being used. Five portals, a substation, and the #1 mine outcrop fan are located in Fan Canyon. One portal is fenced and another is blocked. The other portals need to be barricaded in some way.

#### ROADS

No major problems were noted.

STATE ENFORCEMENT ACTIONS

Mr. Kale issued the following NAOC on 11/24/82:

NAOC 82-6-2-2 #1 of 2 was issued for inadequate sediment control measures concerning five small areas. Maintenance of berms appears to be the biggest problem. The remedial action requires the implementation and maintenance of sediment control measures by 12/17/82.

#2 of 2 was issued to generate plans for sediment control at the course refuse area. These plans must be submitted by 12/14/82 and must be implemented as soon as UDOGM approval is given. The actions taken by the state, concerning the areas covered under the NAOC, appear to be adequate since these areas did not pose serious problems.

OSM ENFORCEMENT ACTIONS

Ten-Day Notice #82-II-242-5 was issued on 12/2/82. This notice was issued pursuant to UMC 817.42(a) (2), failure to maintain the sediment pond below Slaughter Canyon. Utah has not yet responded to the Ten-Day Notice.