

January 25, 1982

Inspection Memo
to Coal File:

RE: U. S. Fuel Company
Hiawatha Complex
ACT/007/011
Carbon County, Utah

On December 28, 1981, a follow-up inspection was conducted by Division Inspectors David Lof and Ken Wyatt, and Reclamation Hydrologist, Andrew Burton. They were accompanied on the inspection by Jean Semborski of U. S. Fuel. The purpose of the inspection was to determine the status of several compliance actions which were to have been completed by December 18, 1981, namely completion of parts of NOV N81-3-22-3, #2 of 3 and completion of the sediment pond.

The above-mentioned violation was written for failure to remove, protect and store topsoil or best plant growth supporting materials. There were five portions of the operation to which the notice applied, with each portion having a different remedial action. Those portions of the NOV which had abatement deadlines of December 18, 1981, are discussed below:

1. All sidewashed soil and subsoil on the downslopes of the newly developed conveyor bench road east of station west 11,250. The operator was required to seed all of the topsoil and topsoil/subsoil mix in this area and to construct a berm or grade the Class III road to convey drainage to the inside of the road. In either case, no drainage was to be allowed to pass over the downslope.

According to the operator, the sidecast materials had been seeded. However, this could not be substantiated due to the fact that there were approximately 18 inches of snow on the ground at the time of the inspection. The operator had elected to control drainage on the road by maintaining the grade to the cut side of the road. Ms. Semborski indicated that the present road grade was sufficient to convey the drainage along the inside of the road. Again, this could not be substantiated due to the amount of snow on the ground.

2. The topsoil used to begin fill work around the structure at the base of the conveyor has to be relocated in the vicinity of Lamb's Trailer and has to be protected from wind and water erosion.

Topsoil had been removed and relocated to the Lamb's Trailer soil storage location where it is properly protected. Ms. Semborski indicated that she had reseeded this additional topsoil.

3. The subsoil located near the confluence of the South Fork and Middle Fork roads needs to be protected from wind and water erosion, seeded and marked according to UMC 817.11(g).

At the time of the inspection, the subsoil was fairly level and the configuration of the surrounding watershed such that the water erosion would probably be minimal. The stockpile had been seeded but a sign had not been installed. Inspectors expressed some concern of the possibility of unnecessary compaction because there is no berm to prevent equipment working in the area from utilizing this subsoil area. The operator explained that the work had not been done because they felt that the subsoil materials were not a likely source of substitute vegetation supporting material, yet in the same breath, the operator said that the subsoil would support vegetation. Due to this and the fact that the operator has not yet demonstrated that there is an adequate volume of topsoil for final reclamation, the operator is responsible to protect the subsoil as a substitute vegetation supporting material.

As was discussed during the December 8, 1981, meeting held at the Hiawatha Complex involving representatives of Lamb's Construction, U. S. Fuel, Sharon Steel and the Division, and documented in an Inspection Memo to Coal File dated December 21, 1981, the sediment pond construction was to be absolutely completed by December 18, 1981. At the time of the inspection, the principal emergency spillway had been constructed and riprapped in order to prevent erosion. The inlet to the pond had also been completed and riprap had been placed below the inlet to provide for energy dissipation and prevention of backcutting of the sediment pond slope.

DAVID LOF
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Jean Semborski, U. S. Fuel
Chuck Jahne, Sharon Steel
Inspection Staff

DL/btb

Statistics:

See Gordon Creek #3 & 6 memo dated January 22, 1982
Grant: A & E

SHARONSTEEL • Mining Division

AN **NVE** COMPANY

SHARON STEEL CORPORATION

19th Floor, University Club Building
136 East South Temple
Salt Lake City, Utah 84111
Telephone (801) 355-5301

December 15, 1981

State of Utah
Department of Natural Resources
Division of Oil, Gas & Mining
1588 West North Temple
Salt Lake City, Utah 84116

Re: King VI Mine
ACT/007/001
Stipulation 7-81-11

file

Attention: Ms. Sandra Pruitt, Environmental Scientist

Dear Ms. Pruitt:

In response to your phone calls of December 7 and 14, concerning the subject stipulation, I am enclosing a copy of the King VI Mine area. From what I can determine from a visit to the mine site on December 11, 1981, there are three portals addressed in the subject stipulation. They are marked on the copy as Portals 1, 2 and 3.

Portal No. 1 is presently - and will continue to be - used as an access to the King VI Mine for heavy mining equipment. It is located at elevation 8015⁺. There is no plan to seal this portal.

Portal No. 2 is about 10 to 12 feet above elevation 8015 and is cut into a very steep hillside. Part of it has been back-filled, but it is still quite open. This portal can be considered as out of service and will be sealed with cinderblock and mortar. Backfilling may have to be done upon final reclamation of the King VI Mine South Fork yard area since it is almost out of reach of front end loading equipment.

Portal No. 3 is also located about the same height above the general grade level (8015⁺) of the yard area. This portal has also been partly filled with soil - sometime in the past. This portal is still being used - in an intermittent fashion - during inspections of the mine by the "fire boss". There are no plans to seal or close off this portal at this time.

In the space between Portals 1 and 2, there is a "cave" about 20 feet wide x 12 feet high x 50+ feet deep that may have been used for storing material at one time. It, too, is about 10 to 12 feet above grade. It is intended that this "cave" will be left as is.

RECEIVED
DEC 17 1981

**DIVISION OF
OIL, GAS & MINING**

State of Utah
Department of Natural Resources
Division of Oil, Gas & Mining

-2-

December 15, 1981

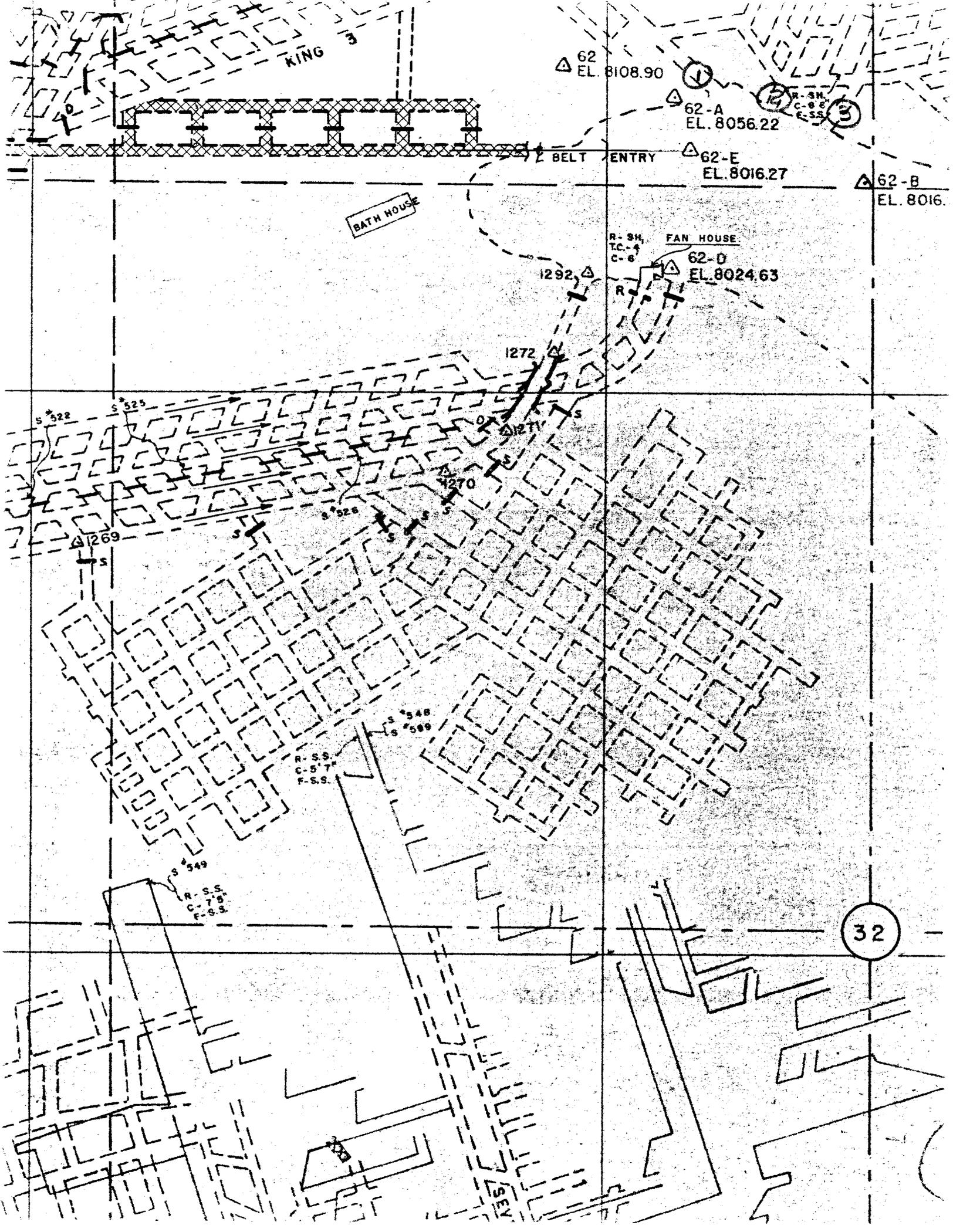
Please review this with your engineers and, if you have any questions, please call me.

Merry Christmas,

A handwritten signature in cursive script that reads "Charles J. Jahne". The signature is written in black ink and is positioned above the printed name.

Charles J. Jahne

CJJ:ms



KING

62 EL. 8108.90

①

62-A EL. 8056.22

②

③

BELT ENTRY

62-E EL. 8016.27

62-B EL. 8016

BATH HOUSE

R-SH
TC-4
C-6

FAN HOUSE

62-D EL. 8024.63

1292

1272

S 522

S 525

1269

1270

S 526

S 548

S 559

R-S.S.
C-5-7
F-S.S.

S 549

R-S.S.
C-7-8
F-S.S.

32

SEV

18 DEC 1976
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 • Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE: \$90

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Division of Civil Control Planning
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 (City, State, and ZIP Code)



STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE. CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
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3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

* GPO : 1976 O - 289-363

P20 0367217

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse) *ART/1007/1011*

SENT TO		<i>Charles J Jahne</i>	
STREET AND NO.		<i>136 E. South Temple - 19th Floor</i>	
P.O. STATE AND ZIP CODE		<i>S.L.C., UT 84111</i>	
POSTAGE	\$		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢	
	SPECIAL DELIVERY	¢	
	RESTRICTED DELIVERY	¢	
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE		
	SHOW TO WHOM AND DATE DELIVERED	¢	
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢		
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢		
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢		
TOTAL POSTAGE AND FEES	\$		
POSTMARK OR DATE			

DOG M

PS Form 3800, Apr. 1976

PS Form 3811, Jan. 1976

● **SENDER:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.
 Show to whom, date and address of delivery.
 RESTRICTED DELIVERY Show to whom and date delivered.
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:** *Charles J. Jahne, University Club Bldg., 19th Floor, 136 E. South Temple, S.L.C., UT 84111* *B1B*

3. **ARTICLE DESCRIPTION:**
 REGISTERED NO. *0367217* CERTIFIED NO. *0367217* INSURED NO. *B1B*
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
J. M. Wender

4. **DATE OF DELIVERY**
12-15-81

5. **ADDRESS (Complete only if requested)**

6. **UNABLE TO DELIVER BECAUSE:** _____
 CLERK'S INITIALS _____

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

* GPO : 1976-288-848



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

December 11, 1981

REGISTERED RETURN RECEIPT REQUESTED

Mr. Charles J. Jahne
Environmental Engineer
University Club Building, 19th Floor
136 East South Temple
Salt Lake City, Utah 84111

RE: Hiawatha Complex
ACT/007/011
Carbon County, Utah
Termination of
81-3-20-1, #1 of 1
Extension of 81-1-8-7,
#5 of 7
Issuance of 81-3-22-3

Dear Mr. Jahne:

Please find enclosed:

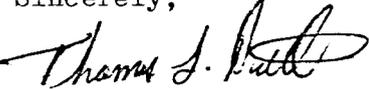
1. Notice of Termination of 81-3-20-1, #1 of 1
2. Extension of 81-1-8-7, #5 of 7
3. Notice of Violation 81-3-22-3

These notices result from field inspections and meetings on December 3, 4 and 8, 1981, along with the reception of plans received by this office pursuant to the remedial action required by Notice of Violation 81-3-20-1.

Mr. Charles J. Jahne
ACT/007/011
December 11, 1981
Page two

Currently, a response is being prepared to the above plans. As you know, uncertainties still exist regarding the soils requirements for future reclamation of the King VI development.

If I may be of any further assistance, please call.

Sincerely,

THOMAS L. PORTLE
RECLAMATION OFFICER

Enclosures

cc: Tom Ehmett, OSM
Jean Semborski, U. S. Fuel

TLP/btb



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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CLEON B. FEIGHT
Director

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name Sharon Steel c/o Chuck Takne

Mailing Address University Club Bld. 19th Floor SLC, UT 84111

State Permit No. ACT10071011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-3-20-1 Y TV dated 11/2, 1981

Cessation Order No. C _____ Y TV dated _____, 19____

Violation No. 1 is hereby Terminated _____ Vacated because:

Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Date of Service 12/11/81 Thomas L. Pottle
Signature of Authorized Representative

Time of Service or Mailing 11:30 a.m. _____ p.m. Thomas L. Pottle #3
Name and I.D. No.

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO. N 81-3-22-3

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME Sharon Steel / U.S. Fuels

MINE Hawortha Complex SURFACE UNDERGROUND OTHER

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. ACT/0071011 MSHA I.D. NO. _____

COUNTY AND STATE Carbon, Utah TELEPHONE 355-8877

MAILING ADDRESS: _____

DATE OF INSPECTION 12/11/81, 19 81

TIME OF INSPECTION: FROM 11:00 a.m. to 5:00 a.m.
 p.m. to _____ p.m.

NAME OF OPERATOR (if other than permittee) Sharon Steel Company

MAILING ADDRESS: University Club Bldg. 19th Flr SLC, UT 84111

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "Mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 12/11/81 Thomas L. Pottle
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 11:30 a.m. Thomas L. Pottle #3
 p.m. NAME AND I. D. NO.

Person Served with Notice Mr. Charles J. Jahne
PRINT NAME AND TITLE

Signature operator not available

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 81-3-22-3

Violation No. 1 of 3

Nature of the Violation

Failure to delineate on a map all locations of topsoil storage, provide calculations to demonstrate that the volume of topsoil is adequate for final reclamation and/or show that substitute vegetation supporting material will be obtained in compliance with UMC 817.22(e) as required by stipulation 7-81-9 (B) pursuant to conditional approval of the King Mt conveyor/loadout development.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 771.19.
Stipulation 7-81-9

Portion of the Operation to which Notice Applies

- 1) conveyor loadout development
- 2) stipulation 7-81-9(B)

Remedial Action Required (including interim steps, if any)

- 1) Delineate on a map all locations of topsoil storage
- 2) Provide calculations to demonstrate that the volume of topsoil is adequate for final reclamation.
- 3) Provide the Division with a source of substitute materials as indicated by UMC 817.22(e) to make up the volume deficit.

Time for Abatement (including time for interim steps, if any)

January 25, 1981.



STATE OF UTAH

Notice of Violation No. N 81-3-22-3

Violation No. 2 of 3

Nature of the Violation

Failure to Remove topsoil or best plant growth supporting material to a depth of at least six (6) inches as required by the Division.
Failure to save, protect and store topsoil or best plant growth supporting material.

Provision(s) of the Regulations, Act, or Permit Violated

- UMC 771.19 Stipulation 7-81-9(A)
- Utah code annotated 1953. 40-10-17 (e)
- UMC 817.21 (a)
- UMC 817.22 et al.
- UMC 817.23 et al.

Portion of the Operation to which Notice Applies

- 1) All "sidewash" soil along newly developed road along hillside east of W 11,250. This includes all soil/subsoil mixture on downslopes south of and below this road.
- 2) Topsoil used as fill for base of coal storage pile
- 3) Topsoil used to begin fill work ground structure at base of conveyor.
- 4) Subsoil located near confluence of south fork and middle fork Road.

Remedial Action Required (including interim steps, if any) 5) Subsoil used as fill and/or used elsewhere in the Hiawortha complex.

1) seed all topsoil and topsoil/subsoil mix in this area. Construct berm at grade class III road to convey drainage to ~~west~~ inside of road. In either case no drainage may be allowed to pass over downslope.

2) Indicate how this material (topsoil) will be retrieved for final reclamation and how it will be restored to support vegetation or obtain a variance for illicit use of topsoil for fill.

Time for Abatement (including time for interim steps, if any)

(see next page.)



STATE OF UTAH

Notice of Violation No. N 81-3-22-3

Violation No. 2 of 3 (cont.)

Nature of the Violation

Provision(s) of the Regulations, Act, or Permit Violated

Portion of the Operation to which Notice Applies

Remedial Action Required (including interim steps, if any)

- 3) Relocate this material in the vicinity of the Lamb's tracks. Protect this soil by means of ditches, berms and reseedings.
- 4) Protect this material from wind and water erosion. Seed subsoil and mark according to 817.11(g).
- 5) Provide information as to where this material is located, how it will be or has been used.

Time for Abatement (including time for interim steps, if any)

- 1) December 18, 1981.
- 2) January 25, 1981.
- 3) December 18, 1981.
- 4) December 18, 1981.
- 5) January 4, 1981.



STATE OF UTAH

Notice of Violation No. N 81-3-22-3

Violation No. 3 of 3

Nature of the Violation

Failure to provide information pursuant to stipulation 7-81-9(c) regarding the protection of topsoil and other vegetation supporting material stored in stockpiles, sediment pond embankments, downslopes of roads ^{or cuts} in place or any other placement of said materials.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 771.019 Stipulation 7-81-9 (C)
UMC 817.23 et al.

Portion of the Operation to which Notice Applies

1) all "sidewash" ^{silt} along newly developed road along hillside east of 11,250. This includes all soil/subsoil mixture on downslopes south of and below this road. 2) Topsoil used as fill at base of wood storage pile. 3) All topsoil used to begin fill work around structure at base of conveyor. 4) Subsoil located at confluence of South Fork and Middle Fork roads. 5) Subsoil used as fill and/or used elsewhere in the Hiawatha complex.

Remedial Action Required (including interim steps, if any)

Provide information pursuant to compliance with stipulation 7-81-9(c) 2. This information shall be complete and adequate and upon approval will be the topsoil protection plan for the King 6 mine.

Time for Abatement (including time for interim steps, if any)

January 11, 1981.



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
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EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

Modification of Notice or Order

To the Following Permittee or Operator:

Name Sharon Steel Company
U.S. Fuel Company
Mailing Address 19th Floor
University Club Bldg. 136 E. South Temple SLC, UT 84111
State Permit No. ACT1007/011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-1-8-7 dated 9/17, 19 81.
Y TV

Cessation Order No. C _____ dated _____, 19 ____.
Y TV

Violation No. 5 is modified as follows: To allow operator to comply with remedial
The reason for this modification are as follows: action as modified in 11/13/81 Notice
Violation No. _____ is modified as follows: and as agreed upon during 12/8/81 meeting
The reasons for this modification are as follows: the NOV is extended until 12/11/81. Please
be informed that no extension beyond this
date is possible.

Violation No. _____ is modified as follows:

The reasons for this modification are as follows:

Date of Service 12/9/81 _____
Signature of Authorized Representative Thomas L. Partle

Time of Service or Mailing 4:00 a.m. p.m. _____
Name and I.D. No. Thomas L. Partle #3

December 21, 1981

Inspection Memo
to Coal File:

RE: Sharon Steel Corp./U. S. Fuel
Main Points of Meeting on
Compliance Problems at King VI
Development
Hiawatha Complex
ACT/007/011
Carbon County, Utah

On December 8, 1981, a meeting was held at the Haiwatha Complex facility. Those in attendance were: Mike Lamb and Guy Renick, Lamb Construction and Egnineering; Jean Semborski, Engineering Department, U. S. Fuel; K. C. McKendrick, project engineer, U. S. Fuel; Chuck Jahne, Sharon Steel; Dave Lof, Ken Wyatt and Tom Portle of the Division. The purpose of the meeting was:

1. To attempt to foster better communications in light of compliance problems at the King VI development.
2. To, via a field tour of all concerned, discuss compliance problems identified by DOGM personnel and gain their input as to what solution would bring Sharon Steel into compliance in the most efficient manner.

A brief history of the facts related to the permitting and compliance problems was presented to those from U. S. Fuel, Sharon Steel and Lamb Construction and Engineering at the Conference Room, Hiawatha Complex. Following this meeting the aforementioned tour was conducted. Listed below are the main problems and their agreed solutions.

1. Failure to insure that runoff from the pad, the truck turnaround area and adjacent slopes was conveyed properly to the sediment pond. It was agreed that the road should be graded to the inside and a ditch constructed at the toe of all embankments along water to move readily into a ditch into a culvert and be conveyed properly to the sediment pond.
2. It was agreed that this ditch should begin below the gully fill and continue southward along the east slope of this fill. Also discussed at this time, was that the surface of this pad would be asphalted and that water would generally flow to the ditch on the east perimeter of the truck turnaround area and that any possible ponding problems that might occur would be remedied in due stead.

3. That fill would be utilized on the west side of the dam to bring to a level which would encourage water to flow in an eastwardly direction, a 15 inch PVC pipe will discharge this undisturbed drainage below and east of the disturbed area. Other items discussed in relation to this was the overall stability of the dam and proper methods of energy dissipation at the inlet to this 15 inch PVC pipe. Finally, in regard to this, a wing wall would be constructed out of boulders to properly direct water into this pipe and that these methods would be viewed on-site at a future time by Division hydrologists and that any changes that they should recommend would be carried out to bring this area into full compliance and to allow this area to function with its desired minimization of environmental impacts.
5. The diversions that have been constructed to the north and above the truck turnaround and coal stockpile area have inlets that at the time of the meeting were not protected against erosion. Methods were discussed to alleviate this problem. The solution decided upon would be to riprap at the base of both and in particular at the western outlet to be directed through earth work to shorten its path into the existing natural drainage which is natural and consists of riprap in the form of large boulders which serve as energy dissipators.
6. The stabilization and erosion prevention techniques within the diversion structures themselves were discussed. In some area, it appeared the only reasonable solution was riprap. This was agreed upon, in other areas, it was decided that some trail seeding may be appropriate due to their fairly level nature and that this would allow proper protection instead of riprap. All topsoil associated with these diversions has been cast to the side. Seeding on this is imperative and this was agreed upon.
7. Disturbances which have occurred to the north and west of the conveyor and coal pile area. These disturbances have occurred without benefit of topsoil. They have been included in the violation written (see below). One of these areas was discussed at the time of the inspection as a site for topsoil storage. However, subsequent to the inspection, Hiawatha personnel contacted this inspector and requested that they will be allowed to move the topsoil in question which was being used as fill to the previous topsoil storage site associated with topsoil from the sediment pond excavation be the Lamb's trailer area. This was agreed upon with certain provisions and understandings (see letter dated December 14, 1981). In any case, these two areas must be seeded this season. In an area along the north side and periphery of the conveyor belt, a potential for runoff to exit through a disturbed area and cause erosion was in existence. It was discussed and recommendations were made that some form of water channeling should be utilized to prevent concentration of water velocity in any of these spots since the slope below appears prone to erosion. Mr. Jahne indicated that Hiawatha would provide straw bales in this area nearby channeling water and filtering water to areas for discharge through more rocky, riprapped type terrain.

9. The road west of the conveyor around point 11,250 west, topsoil has been side cast. This topsoil must be seeded by Friday, the 18th of December. The strategy to alleviate the problems of soil protection in this area includes one of two options: (a) grade the road to the inside and via a ditch to take water off and convey it to protect the channels below the downslopes; (b) put a berm on the south side, thus, allowing water to be carried down the road rather than allowing any overland flow to pass over the soil protection area prior to entering the ditch.
10. The sediment pond deficiencies were discussed at this time. They are threefold: (1) an elbow must be placed on the inlet to the pond with riprap below it in order to allow for energy dissipation and to prevent backcutting of the slope; (2) the outlet from the pond should be riprapped to prevent erosion in the event of a discharge; (3) emergency spillway must be constructed and riprap provided. These three items must be done by Friday, December 18, 1981.

The following violations were issued pursuant to information provided to the Division during this inspection and previous inspections on the 3rd, 4th and 7th of December. These violations were issued from the office on December 11, 1981.

Notice of Violation #81-3-22-3, #1 of 3:

Nature of Violation:

Failure to delineate on a map all locations of topsoil storage, provide calculations to demonstrate that volume of topsoil is adequate for final reclamation and/or show that substitute vegetation supporting material will be obtained in compliance with UMC 817.22(e) and as required by Stipulation 7-81-9(b) pursuant to the conditional approval of the King VI conveyor/loadout development.

Provision of the Regulation, Act or Permit Violated:

UMC 771.19, Stipulation 7-81-9.

Portion of Operation to Which Notice Applies:

1. Conveyor/loadout development.
2. Stipulation 7-81-9(b).

Remedial Action Required:

1. Delineate on a map all locations of topsoil storage.
2. Provide calculations to demonstrate that the volume of topsoil is adequate for final reclamation.

3. Provide the Division with a source of substitute materials as indicated by UMC 817.22(e) to make up the volume deficit.

Time for Abatement:

January 25, 1982.

#2 of 3

Nature of Violation:

Failure to remove topsoil or best plant growth supporting material to a depth of at least six (6) inches as required by the Division. Failure to save, protect and store topsoil or best plant growth supporting material.

Provision of the Regulation, Act or Permit Violated:

UMC 771.19, Stipulation 7-81-9(a), UCA 1953, 40-10-17(e), UMC 817.21(a), UMC 817.22 et al., UMC 817.23 et al.

Portion of Operation to Which Notice Applies:

1. All side wash (soil on newly developed road or drill site east of W11,250), this includes all soil/subsoil mixture and downslope down, up and below the road.
2. Topsoil used as fill at base of coal storage pile.
3. Topsoil used to being fill work around structure at base of conveyor.
4. Subsoil located near confluence of south fork and middle fork road.
5. Subsoil used as fill and/or used elsewhere in the Hiawatha Complex.

Remedial Action Required:

1. Seed all topsoil and subsoil and topsoil/subsoil mix in this area. Construction berm or grade Class III road to convey drainage to inside of road. In either case, no drainage can be allowed to pass over downslopes.
2. Indicate how this material (topsoil) will be retrieved for final reclamation and how it will be restored to support vegetation or obtain a variance for elicited use of topsoil for fill.
3. Relocate this material on the vicinity of the Lamb's trailer. Protect this soil by means of ditches, berms and reseeding.
4. Protect this material from wind and water erosion. Seed subsoil and mark according to 817.11(g).

5. Provide information as to where this material is located. How it will be or has been used.

Time for Abatement:

1. December 18, 1981.
2. January 25, 1981.
3. December 18, 1981.
4. December 18, 1981.
5. January 4, 1981.

#3 of 3:

Nature of Violation:

Failure to provide information pursuant to Stipulation 7-81-9(c) regarding the protection of topsoil and other vegetation supporting material stored in stockpiles, sediment pond embankments, downslopes of roads or cuts in place or any other place of said material.

Provision of Regulations, Act or Permit Violated:

UMC 817.19, Stipulation 7-81-9(c), UMC 817.23 et al.

Portion of Operation to Which Notice Applies:

1. All sidewash soil on newly developed road on hill side east of 11,250. This includes all soil, subsoil mixture or downslope south of and below the road.
2. Topsoil used as fill at the base of coal storage pile.
3. All topsoil used to begin fill work around structure at base of conveyor.
4. Subsoil located at confluence of south fork and middle fork road.
5. Subsoil used as fill and/or used elsewhere in the Hiawatha Complex.

Remedial Action Required:

Provide information pursuant to compliance and Stipulation 7-81-9(c). This information shall be complete and adequate and upon approval be the topsoil protection point for the King VI Mine.

INSPECTION MEMO TO COAL FILE
ACT/007/011
December 21, 1981
Page 6

Time for Abatement:

January 11, 1982.

THOMAS L. PORTLE
RECLAMATION OFFICER

TLP

cc: Tom Ehmett, OSM
Chuck Jahne, Sharon Steel
Jean Semborski, U. S. Fuel
Mike Lamb and Guy Remick, Lamb Engineering & Construction
Inspection Staff

TLP/btb

Statistics:

Vehicle: #EX 70237--458 miles
Per Diem: 1 person X 1 day, 15 hours = \$56.78
Grant: A & E

December 23, 1981

Inspection Memo
to Coal File:

RE: Sharon Steel/U. S. Fuel
Hiawatha Complex
ACT/007/011
Carbon County, Utah

On December 3 and 4, 1981, Division Reclamation Officer Ken Wyatt and Reclamation Soils Specialist Tom Portle visited the above-mentioned minesite. The purpose of the inspection was to perform a partial inspection to monitor construction activities at the King VI development area. At the time of the inspection, material that was thought to be topsoil was being used as fill for a structure at the terminal point of the conveyor belt. This was discussed with Jean Semborski who accompanied inspectors at this time. The following day, Mr. Chuck Jahne of Sharon Steel was contacted and agreed to halt all this activity until a decision was rendered as to what should be done with this material. Later that day, the above-mentioned inspectors again went to the site. However, the fill work was still in occurrence. At this time, they proceeded to contact Mr. Guy Remick who was in a meeting at a conference room in Hiawatha and discussed with him, Casey McKendrick and Mike Lamb the problems involved and set up a meeting for the following Tuesday (see memo dated December 21, 1981). At this time, Mr. Lamb and Mr. Remick were able to halt all construction work. Soil samples were taken to show the difference between topsoil and subsoil in this area, since some material had obviously been excavated in the immediate proximity to the structure. Inspectors felt that the topsoil should not have been used in this fashion as fill and wanted to have commitments on protection plans for this material prior to any additional fill work. Therefore, it was agreed that on December 7, 1981, Mr. Portle would come down to the minesite to supervise handling of this material. So, on December 7, I went to the mine and found they had run into a series of mechanical problems, however, material was still in place. No other use as fill had occurred and the situation was subsequently resolved (see memo dated December 21, 1981, dealing with a meeting and field tour on the minesite).

THOMAS L. PORTLE ^{TLP}
RECLAMATION SOILS SPECIALIST

cc: Tom Ehmett, OSM
Inspection Staff

TLP/btb

Statistics:

See Sunnyside Complex memo dated December 24, 1981
Grant: A & E

December 30, 1981

Memo to Coal File:

RE: Hiawatha Complex
U. S. Fuel Company
ACT/007/011
Carbon County, Utah

Inspectors Joe Helfrich, Tom Portle, Dave Lof and Sandy Pruitt met with Charles Jahne on November 18, 1981, to discuss compliance with stipulations accompanying an approval for minor modification to the interim King VI mine plan dated July 15, 1981. As a result of the meeting, Mr. Jahne submitted a compilation of all stipulation responses to date on November 20, 1981.

7-81-1:

A vegetation survey dated September 15, 1981, and range site descriptions dated February 1981, have been forwarded to Lynn Kunzler for review. More information may be required. Deadline: March 15, 1981.

7-81-2:

A revegetation plan is being developed based on the survey completed for Stipulation 7-81-1. Deadline: March 15, 1981.

7-81-3:

Haul road reclamation has not been determined. Currently the proposed postmining land-use is grazing and wildlife habitat. No deadline.

7-81-4:

DWR granted approval of conveyor construction plans (which have been submitted to DOGM) on September 3, 1981.

7-81-5:

- A-F. All drainage control structures have not been completed, therefore, compliance to design criteria could not be determined.
- G. Receipt of plans was acknowledged by DOGM on August 17, 1981. The diversion has since been modified and plans dated November 13 and November 25, 1981, are currently being reviewed by Wayne Hedberg.
- H. An August 26, 1981, submittal includes a map delineating the area of the watershed used in sizing the sediment pond. The sediment pond was not adequately constructed to design and needed modification. A modified pond will allegedly meet the approved design specification.

7-81-6:

Southeastern Utah Health District approved the new sewage system on August 5, 1981. This permit was submitted November 20, 1981.

7-81-7:

Haul road construction is not complete, so embankment requirements have not been met. Sedimentation and erosion control is necessary during construction.

7-81-8:

Culverts have been installed as required.

7-81-9:

Topsoil plans were not submitted by the prescribed deadline (August 14, 1981). As a result, NOV 81-3-20-1 was issued. Plans submitted November 13, 1981, were determined inadequate in regard to the requirements of the NOV and the stipulation. These inadequacies are addressed in NOV group #81-3-22-3 dated December 11, 1981.

7-81-10:

A commitment to disposal of underground development waste in the mine was received by a letter dated November 20, 1981. Waste rock sorted from the processed coal is to be disposed of in a manner approved in the interim plan. The mining plan predicts the need to mine through a rock channel. U. S. Fuel proposes to use the rock material as riprap. This is under review. Plans for noncoal waste disposal were submitted on August 13, 1981. Approval has not been granted pending review of an addendum dated November 3, 1981. No deadline.

7-81-11:

An inspection was conducted on December 11, 1981, to assess the activity status of all portal openings at the King VI Mine area. The results of this inspection were submitted in a letter and map dated December 15, 1981. Four openings are currently being used for mining. A partially backfilled portal opening (specified #2) located east of the main entry was considered inactive and will be sealed with cinder block and mortar. Backfilling will be postponed until final reclamation. In between the main entry and portal #2, there is a cave about 20 feet wide, 12 feet high and 50 feet deep, about 10-12 feet above the pad. This area may be difficult to close, and as it is allegedly inaccessible, there is no intention to seal the opening at this time. It is recommended that an inspector tour these portals for a more detailed appraisal and determination.

MEMO TO COAL FILE
ACT/007/011
December 30, 1981
Page 3

7-81-12:

A regrading plan for the overland belt system was submitted on December 23, 1981. The plan appears inadequate as it does not include cross sectional diagrams or contour maps for the mine yard area.

7-81-13:

NOV 81-3-9-2 was terminated on July 29, 1981.

7-81-14:

Plans depicting the drainage control plan at King VI air intake development area were submitted on October 28, 1981.

7-81-15:

Revised plans for the Class III road access to the King IV air intake were submitted on October 1, 1981, and approved on October 16, 1981.

7-81-16:

Perimeter markers are posted as required.

SANDY PRUITT
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Charles Jahne, Sharon Steel Corp.
Wayne Hedberg, DOGM
Inspection Staff

SP/btb



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

CHARLES R. HENDERSON
Chairman

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

CLEON B. FEIGHT
Director

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Modification of Notice or Order

To the Following Permittee or Operator:

Name U.S. Fuel Company - Hiawatha Complex

Mailing Address 19th floor, University Club Bldg. 136 E S. Temple Salt Lake UT 84111

State Permit No. ACT/007/001

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-1-8-7 81 7 dated 9/17, 1981
Y TV

Cessation Order No. C _____ dated _____, 19____

Violation No. 5 is modified as follows: Remedial Action also reads... Sediment control structure should be completed and adequately address design specifications of approved plan ± UMC 817.45, 817.46.

The reason for this modification are as follows: Abatement Deadline extended to 11/20.

Violation No. _____ is modified as follows: Reason: Frozen soil conditions may super side adequate construction (as to UMC 817.46(0)) if delays continue.

The reasons for this modification are as follows:

Date of Service 11/13/81
Signature of Authorized Representative [Signature]

Time of Service or Mailing 9:45 a.m. _____ p.m. Sarah Pruitt #2
Name and I.D. No.

January 8, 1982

Inspection Memo
to Coal File:

RE: Hiawatha Complex
U. S. Fuel Company
ACT/007/011
Carbon County, Utah

DATE: November 12, 1981
TIME: 9:00 a.m.
WEATHER: Fair
COMPANY OFFICIALS: Jean Sembroski, Charles Jahne
STATE OFFICIALS: David Lof, Sandy Pruitt
ENFORCEMENT ACTION: NAOC N81-2-2-5
Modification of NOV #5 (N81-1-8-7)

Compliance With Permanent Performance Standards

771 et al Permits

The Hiawatha Complex is operating under a 211 mine plan with DOGM approval dated May 11, 1978. A modification to the King VI mine plan was approved on July 15, 1981, with 16 stipulations (refer to U. S. Fuel memo dated December 30, 1981, for the status of those stipulations).

NPDES permit #UT-0023094 expires on June 30, 1982. The permit authorizes nine discharge points, seven sediment ponds and two mine water discharge points. Mine water is discharged at the Mohrland site at an average rate of 800 gpm. Overflow from water storage tanks at the Middle Fork is the second point permitted. Mine water also discharges from the King IV ventilation portal up North Fork. Authorization of the new point source is being requested in the permit renewal (currently being formulated).

817.11 Signs and Markers

An NAOC (N81-2-2-5) was issued with a November 27, 1981, deadline requiring a mine identification sign at the southern access point from Mohrland. This sign has since been posted as required.

Perimeter markers are posted as required.

817.13-.15 Casing and Sealing of Exposed Underground Openings

Company officials conducted an inspection on December 11, 1981, to determine the activity status of the portal openings at the King VI Mine area. A partially backfilled portal opening located east of the main entry was considered inactive and will be sealed with cinder block and mortar. Backfilling will be postponed until final reclamation. In between the main

entry and this portal, there is a cave about 10-12 feet above the pad. The operator maintains that this area is inaccessible and would be difficult to close and, therefore, has no intention to seal the opening at this time. An on-site inspection is necessary to determine the extent of responsibility. Another partially backfilled portal east of the above-mentioned portal is used twice daily for access for inspections.

817.21-.25 Topsoil

Topsoil protection problems were evident at the King VI conveyor and loadout development. Topsoil removal, storage and protection plans were required by September 15, 1981, in Stipulation #7-81-9. The plans were not submitted so NOV #1 (N81-3-20-1) was issued requiring compliance by November 13, 1981. Inadequate plans were submitted. At the time of the inspection, topsoil was being redistributed under the conveyor supports and was to be used as fill material and distributed in the center of the truck turnaround. This did not allow for adequate protection so NAOC N81-2-2-5 was issued to support concerns of the yet unabated NOV. The cessation of all topsoil redistribution was required until DOGM approval of the topsoil plans was received and temporary protection measures were to be implemented for the interim approval. This warning was not heeded and the stipulation is still unaddressed. As a result NOV group #N81-3-22-3 was issued (refer to respective memo).

Topsoil from the sediment pond for the King VI loadout was adequately protected and is stockpiled by Lamb's trailer.

817.45 Hydrologic Balance

North Fork

Mine water discharge from the North Fork portal is being filtered by straw bales. Gullies forming at road drainage discharge points along the North Fork access had been riprapped as required by the NAOC dated October 29, 1981. One more gully near the gate required stabilization by November 27, 1981 (NAOC N81-2-2-5). Compliance has not yet been determined. The North Fork of Miller Creek is partially dammed at the second ford along the access road. This dam has no apparent function and should be removed, the area graded and seeded by December 12, 1981, as required in NAOC N81-2-2-5. Compliance has not yet been determined. This area is relatively inaccessible because of ice and snow.

Middle Fork

Replacement and maintenance of straw bales around the materials storage yard was needed and requested. Inspectors questioned the size adequacy of the six inch culvert that conveys undisturbed drainage pass the substation to a 24-inch culvert in the same channel below. This culvert is not mentioned in the mine plan. Inspectors requested that Ms. Sembroski locate or determine sizing calculations, design specifications and installation approval by the next monthly inspection. This concern has not been followed up yet.

South Fork

Another NAOC N81-2-2-5 was issued for poor construction and maintenance of sediment control structures. Berms were required around the south fan pad and along a section of the road above the loadout sediment pond where runoff from the truck turnaround drains to the South Fork of Miller Creek. Drainage ditches along the conveyor and loadout require continual maintenance with the construction activities. This concern has been addressed as required.

A diversion ditch above the truck turnaround/loadout had been redesigned without DOGM review, although construction had just begun, it was also already apparent that the steepness of the channel would necessitate the strategic placement of energy dissipators. The diversion drains into the natural channel above the turnaround that has been dammed. A 15-inch pipe will convey overflow to a ditch below the turnaround. Inspectors questioned the adequacy of this design as the potential for dam washout into the loadout area and the resulting environmental damage were significant. Modification plans have been submitted but have not yet been reviewed. In accordance with Stipulation 7-81-5, if, upon review, DOGM determines that the design is inadequate, the applicant is responsible for either replacing the structure or liable for the potential damage and/or violations resulting.

On November 15, 1981, the loadout sediment pond was not complete and had not been constructed to the approved design. Embankment dimensions were inadequate and the section of the South Fork Miller Creek along the pond was partially obstructed with material. As the winter season was encroaching and the soil already becoming frozen, NOV #5 (N81-1-8-7) requiring sediment pond construction concurrent with the loadout construction was modified to require completion of an adequate structure by November 20, 1981. This NOV has since been modified again to extend the deadline to December 18, 1981.

Runoff control for the lower yard area was apparently adequate.

Hydrologic monitoring data for the quarter July 1 through September 30, 1981, was examined. NPDES excesses for TSS (average 56 ppm, maximum 122 ppm) and oil and grease (average 37 ppm, maximum 70 ppm) were reported to State Health and DOGM on October 23 and September 30, respectively. Samples taken before the reporting dates showed a TSS on September 30 of 4 ppm and oil and grease on October 21 of less than 1 ppm. The conclusion being that sample results were in error. In August, a sample of Miller Fork below the mine contained oil and grease at 27.4 ppm. The August sample data from the Mohrland yard contained 53 ppm TSS. These excesses were also reported to DOGM on November 2, 1981. Sampling or testing adequacies may be the cause for these poor results but pollution trends should be watched for. Runoff control measures have improved since the end of the last quarter and future results should improve if monitoring is accurate.

817.61-.68 Explosives

No blasting has been necessary this quarter.

817.71-.73 Disposal of Underground Development Waste and Excess Spoil

A commitment to disposal of underground development waste in the mine was received by a letter dated November 20, 1981. U. S. Fuel's mining plan predicts a need to mine through a rock channel. They propose to use the rock material as riprap in the South Fork yard. This proposal is currently under review. Underground development waste is currently stored in unauthorized areas of the Middle Fork and South Fork mine yards in violation to this commitment and UMC 817.71.

817.81-.93 Coal Processing Waste

Waste rock sorted from the processed coal is disposed in a refuse pile adjacent to the processing plant and along embankments of slurry pond #1. Slurry ponds #1 and 4 are currently receiving refuse from the plant. Slurry pond #5 is being mined.

Plans for noncoal waste disposal were submitted on August 13, 1981. Four disposal sites are proposed:

1. At the west end of the Middle Fork mine yard.
2. In a section of the upper coal storage facilities and railroad yard at the base of Middle Fork Canyon.
3. In the area surrounding the coal processing plant and slurry pond #1.
4. East of the maintenance shop in the South Fork mine yard.
5. In the area surrounding the bathhouse and the slump at the South Fork yard.

U. S. Fuel does not plan to consolidate waste for disposal in these proposed sites until approval is granted. Consolidation problems at the King VI yard were incurred due to the hazardous arrangement of waste material in the upper yard.

817.97 Protection of Fish, Wildlife and Related Environmental Values

DWR granted approval of conveyor construction plans on September 3, 1981, which included two deer crossings (right below the maintenance shop for the King VI facility and within a natural drainage course approximately half down the conveyor).

Ron Joseph conducted a survey of power distribution lines at the Hiawatha Complex during the week of August 24-28 and concluded that due to the location of power poles at the bottom of the canyon and in close proximity to the roads and minesite that raptors would not use the poles and, therefore, FWS did not recommend modification to the lines. This survey will meet initial survey requirements but may not be an adequate assurance measure preventing raptor electrocution as required in UMC 817.97(c).

817.101 Backfilling and Grading

The pad and parking lot at the King VI mine yard were constructed by backfilling and are apparently to design. The cut slope around the truck turnaround was being backfilled to the general grade required in the stipulated approval.

817.106 Regrading or Stabilizing Rills and Gullies

NAOC N81-2-2-5 included a notice requiring stabilization of a gully above the gate along the North Fork access road by November 27, 1981. This concern has not been followed up due to inaccessibility of the area.

817.111-.114 Revegetation

A temporary seed mix has been approved for contemporaneous reclamation projects and erosion stabilization measures for the entire complex (refer to memo dated December 28, 1981).

817.121-.126 Subsidence Control

The Forest Service conducts a biannual flyover monitoring subsidence with infra-red and color photography. The mines are at an average depth of 1,000 feet. Retreat mining is currently underway in two sections. No subsidence has been evident. Very little subsidence is detectable in the old mined out sections.

817.150-.176 Roads

The design and maintenance of the North Fork access road was greatly improved since the last inspection. The other access roads are paved and do not present a great compliance problem aside from ditch maintenance. Construction of the King VI haul road has not been completed and, therefore, compliance with stipulations in the July 15th approval could not be determined yet.

SANDY PRUITT
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Jean Semborski, U. S. Fuel
Inspection Staff

SP/btb

Statistics:

See Emery Deep Mine memo dated November 23, 1981
Grant: A & E

November 10, 1981

Inspection Memo
to Coal File:

RE: U. S. Fuels Company
Hiawatha Complex
ACT/007/011
Carbon County, Utah

U. S. Fuels' representative Jean Sembroski contacted me on two occasions (November 3, 1981 and November 9, 1981) for the purpose of informing the Division of abatement work with regard to CO 81-3-3-1 (date of abatement November 3, 1981) and AOC notices given to Hiawatha during the October 29, 1981, inspection. Division Reclamation Officers will check these during the week of November 9, 1981.

AOC - Revegetation

1. All diversions associated with North Fork access road have been seeded as of November 6, 1981.
2. Topsoil stockpiles associated with the King VI development have been reseeded as of November 6, 1981.
3. The area below the Middle Fork pond has been seeded as of November 6, 1981.
4. Outslopes of pond will be seeded prior to excavation of the site for the season and following "dress-up" work on the pond.

AOC - Erosion

1. A culvert has been implemented at the lower erosion problem area at an angle of approximately 30° along the North Fork access road.
2. Riprap (six-eight inch stones) has been employed in concert with straw bales to address the upper erosion problem along the above road.

THOMAS L. PORTLE ^{TLP}
RECLAMATION OFFICER

cc: Tom Ehrett, OSM
Jean Sembroski, U. S. Fuels
Chuck Jaine, Sharon Steel
Inspection Staff

TLP/btm

November 5, 1981

Inspection Memo
to Coal File:

RE: Hiawatha Complex
U. S. Fuels
ACT/007/011
Carbon County, Utah

On November 2, 1981, Division Reclamation Officer Tom Portle visited Mr. Chuck Jahne, environmental engineer for Sharon Steel Company, Mining Division, at his Salt Lake office. The purpose of the visit was to discuss stipulations relevant to the King VI approval.

Mr. Jahne informed this inspector that items addressed in Stipulation 7-81-5, specifically to provide typical cross sections of undisturbed drainage diversion to be implemented above coal storage loadout area had been filed with the Division in August 1981. Of particular concern was topsoil information relevant to Stipulation 7-81-9. This stipulation was directed at obtaining a plan and maps sufficient in detail to allow the Division to approve topsoil handling, storage and protection procedures pursuant to the development of the conveyor belt, coal stockpile and loadout area. At today's date, this information had not been provided to the Division, although the deadline had passed. As a result of this, NOV #81-3-20-1 was issued.

Nature of Violation:

Failure to conduct coal mining activities under permits issued pursuant to the regulatory program and conditions of permit and regulations thereof.

Portion of Regulation or Permit Violated:

UMC 771.19.

Portion of Operation to Which Notice Applies:

Stipulation 7-81-9(a)(b) and (c), pursuant to King VI conveyor and loadout approval.

Remedial Action Required:

Comply with Stipulation 7-81-9(a)(b) and (c).

Time for Abatement:

November 13, 1981.

INSPECTION MEMO TO COAL FILE

ACT/007/011

November 5, 1981

Page two

Other items discussed was Cessation Order #81-3-3-1 and method to be utilized to abate this and communication problems which resulted in situation becoming unduly burdensome. Official notification from U. S. Fuels that the abatement had been taken care of was provided on November 3, 1981, at about 3:00 p.m.

Other items discussed during the inspection was placement of topsoil signs during interim storage; utilization or procedures to lift soil in the loadout area which will be saved; proper soil protection and times of year for seeding for best results; placement of perimeter markers in area of new sediment pond; perimeter marker placement on topsoil storage area; maintaining ditches in construction area to allow for proper conveyance of runoff to sediment pond; and, communication problems which have resulted in the failure to implement the natural diversion ditch above the loadout area as previously agreed upon.

THOMAS L. PORTLE *TLP*
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Chuck Jahne, Sharon Steel
Jean Sembroski, U. S. Fuel
Inspection Staff

TLP/btm

Statistics:

See Sunnyside memo dated November 3, 1981
Grant: A & E

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO. N 81-3-20-1

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME United states Fuel Company

MINE Hrawatha Complex SURFACE UNDERGROUND OTHER

CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED

OSM MINE NO. _____ STATE PERMIT NO. ACT/007/011 MSHA I.D. NO. _____

COUNTY AND STATE Carbon, Utah TELEPHONE 355-8857

MAILING ADDRESS: Hrawatha, Utah 84527

DATE OF INSPECTION 10/28/81, 19 81

TIME OF INSPECTION: FROM 8:00 a.m. to (noon) a.m.
 p.m. to _____ p.m.

NAME OF OPERATOR (if other than permittee) _____

MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "Mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 11/2/81 Thomas J. Pottle
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 1:17 a.m. Thomas L. Pottle #3
 p.m. NAME AND I. D. NO.

Person Servied with Notice Chuck Jahne (No Title)
PRINT NAME AND TITLE

Signature Charles J. Jahne

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 81-3-20-1

Violation No. 1 of 1

Nature of the Violation

Failure to conduct coal mining activities under permits issued pursuant to the regulatory program and conditions of permits and requirements thereof.

Provision(s) of the Regulations, Act, or Permit Violated

UMC ~~817~~ 771.19

Portion of the Operation to which Notice Applies

Stipulation 7-81-9 A, B, C pursuant to King VI conveyor and loadout approval.

Remedial Action Required (including interim steps, if any)

Comply with stipulation 7-81-9 A, B, C

Time for Abatement (including time for interim steps, if any)

November 13, 1981.

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone (801) 533-5771

CESSATION ORDER NO.C

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME United States Fuel Company

MINE Hiawatha complex SURFACE UNDERGROUND OTHER

COUNTY AND STATE Carbon, Utah TELEPHONE 355-8857

MAILING ADDRESS: Hiawatha, Utah 84527

OSM MINE NO. _____ STATE PERMIT NO. ACT/007/011 MSHA I. D. NO. _____

CATEGORY OF OWNERSHIP: STATE FEE FEDERAL MIXED

CATEGORY OF OWNERSHIP: STATE FEE FEDERAL MIXED

DATE OF INSPECTION 10/28/81, 19 81

TIME OF INSPECTION: FROM 8:00 a.m. to 12:00 (noon) a.m.
 p.m. p.m.

NAME OF OPERATOR (if other than permittee) _____

MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining & Reclamation Act (Section 40-10-1 et seq., Utah Code Annotated), the undersigned authorized representative of the Director and Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found that a Cessation Order must be issued with respect to each of the conditions, practices or violations listed in the attachment(s). This Order constitutes a separate Cessation Order for each condition, practice or violation listed.

In accordance with Section 40-10-22, Utah Code Annotated, you are ordered to CEASE IMMEDIATELY the operations described in the attachment(s) and to perform the affirmative obligations described in the attachment(s) within the designated time for abatement. Reclamation operations not directly the subject of this Order shall continue while this Order is in effect.

You are responsible for doing all work in a safe and workmanlike manner.

The undersigned authorized representative hereby finds that this Order does does not require cessation of mining expressly or in practical effect. For this purpose, "mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This order shall remain in effect until it expires as provided on the reverse, or is modified, terminated or vacated by written notice signed by an authorized representative of the Secretary of the Interior.

Date of Service 10/29/81 Thomas J. Paultz
SIGNATURE OF AUTHORIZED REPRESENTATIVE

Time of Service 4:00 a.m. Thomas L. Portle #3
 p.m. NAME AND I. D. NO.

Person Served with Notice Jean Semborst; Assistant Engineer
PRINT NAME AND TITLE

Signature Operator declined to sign

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Cessation Order No. C 81-3-2-1

Violation No. 1 of 1

Nature of Condition, Practice, or Violation

Failure to remove, segregate and protect topsoil prior to disturbance by surface operations.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 817.21(a); 817.22(a); 817.23(b) UCA 40-10-17(e)

Check Appropriate Box:

- The condition, practice, or violation is creating an imminent danger to the health or safety of the public.
- The condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.
- The permittee or operator has failed to abate Violation(s) No. 2 included in Notice of Violation No. N 81-1-8-7 within the time for abatement originally fixed or subsequently extended.

Operation(s) to be Ceased Immediately

NONE

Affirmative Obligation(s) and Time for Abatement (if applicable)

Complete all remedial action required SW NOV 81-1-8-7 #2 of 2, specifically soil in King 6 development area. (Middle Forté soils problem has been addressed.)



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

CHARLES R. HENDERSON
Chairman

CLEON B. FEIGHT
Director

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Modification of Notice or Order

To the Following Permittee or Operator:

Name United states Fuel Company

Mailing Address Hinuwatha, Utah 84527

State Permit No. ACT10071011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-1-8-7 Y TV dated Sept. 17, 1981.

Cessation Order No. C _____ Y TV dated _____, 19_____.

Violation No. 6 is modified as follows: Extended until November 12, 1981 to allow area to be seeded. ~~and a non-coal waste disposal area to be implemented.~~

The reason for this modification are as follows:

Violation No. 7 is modified as follows: Extended until November 16, 1981 to allow operator to ~~improve~~ move material away from berm and to apply to

The reasons for this modification are as follows: designate this area as a non-coal waste disposal area.

Violation No. _____ is modified as follows:

The reasons for this modification are as follows:

Date of Service 10/29/81 _____
Thomas J. Furtle
Signature of Authorized Representative

Time of Service or Mailing 3:30 _____ a.m. p.m. _____
Thomas L. Furtle
Name and I.D. No.



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
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EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name United States Fuel Company

Mailing Address Hawatha, Utah 84527

State Permit No. ACT10071011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-1-8-7 Y TV dated 9/17, 19 81

Cessation Order No. C _____ Y TV dated _____, 19 _____

Violation No. 3 is hereby Terminated _____ Vacated because:

Violation No. 4 is hereby Terminated _____ Vacated because:

Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Date of Service 10/29/81 Thomas L. Poptle
Signature of Authorized Representative

Time of Service or Mailing 3:50 a.m. p.m. Thomas L. Poptle # 3
Name and I.D. No.

Operator has adequately abated violations.

November 4, 1981

Inspection Memo
to Coal File:

RE: U. S. Fuel
Hiawatha Complex
ACT/007/011
Carbon County, Utah

On October 28 and 29, 1981, Tom Portle, reclamation officer for the Division, met with Jean Sembroski, U. S. Fuel. The purpose of the inspection was to check on the abatement of violations in group #81-1-8-7. An account of the status of each violation and enforcement action is as follows:

No. 1 of 7

This violation had been previously terminated on October 14, 1981.

No. 2 of 7

In the area round the Middle Fork sediment pond, all noncoal waste and miscellaneous materials had been cleared. Hiawatha plans to seed this area in the immediate future. However, in the King VI conveyor and loadout development area, some questions regarding topsoil protection were apparent. Topsoil removed from sediment pond excavation has been stored by an area east of the operational area termed as the Lamb Trailer area. Topsoil placed here had not been protected in any fashion nor had any consideration been given to drainage or seeding of this material. The explanation offered by company representatives indicated that this material would be utilized on the upslopes of the sediment pond during this construction season. However, this did not absolve U. S. Fuel's responsibility for protection of this material from wind and water erosion in the interim. It was felt that adequate time had been given to proceed with satisfying the abatement requirements of this violation. As a result of this, Cessation Order #C81-3-3-1 was written. Soil which had been removed in the excavation for the conveyor support footing and the coal pile had been pushed aside in the immediate vicinity of construction. It was difficult to discern any tangible design for topsoil removal or protection in this area. In some areas, material was stored on undisturbed topsoil.

Note

For further information on this situation, see Hiawatha Complex memo dealing with office visit to Chuck Jahne.

No. 3 of 7

Was terminated on October 29, 1981.

No. 4 of 7

Was also terminated on this date.

No. 5 of 7

Had been previously extended until November 16, 1981.

No. 6 of 7

Modified on October 29, 1981, to allow seeding to occur and extended until November 12, 1981.

No. 7 of 7

~~Was also extended until November 16, 1981, to allow the operator to remove material away from berms and to designate this area as a noncoal waste disposal area to allow time to proceed with application to the Division to officially designate this area.~~

During the inspection to check on abatement of the above violations, other problems were identified. These were addressed in area of concern forms.

Nature of Concern:

Erosion gullies off North Fork development access road.

Pertinent Regulation or Permit Condition:

UMC 817.170(a).

Portion of Operation to Which Notice Applies:

North Fork development area.

Compliance Action Required:

Riprap gullies to prevent further back cutting and erosion or as a minimum apply straw bales to filter runoff and dissipate energy.

Deadline:

November 12, 1981.

Nature of Concern:

Another area of concern was with regard to revegetation.

INSPECTION MEMO TO COAL FILE
ACT/007/011
November 4, 1981
Page 3

Pertinent Regulation or Permit Condition:

UMC 817.41(d)(2)(v), UMC 817.23(b)(1)(i), UMC 817.43(c), UMC 817.100.

Portion of Operation to Which Notice Applies:

1. All diversions on North Fork access road.
2. All topsoil stockpiles associated with King VI development. Both of the above-mentioned areas had been addressed according to information provided to the inspector by Mr. Sembroski in a November 2, 1981, phone call.
3. Area below Middle Fork sediment pond.
4. Outcrops of new pond in King VI loadout area. These areas should be seeded prior to leaving construction for the season.

The deadline for #1, 2 and 3 is November 12, 1981. Particular emphasis should go to the area below the Middle Fork sediment pond on the next inspection.

THOMAS L. PORTLE ^{TLP}
RECLAMATION OFFICER

cc: Tom Emmett, OSM
Jean Sembroski, U. S. Fuels
Chuck Jahne, Sharon Steel
Inspection Staff

TLP/btm

Statistics:

See Sunnyside memo dated November 3, 1981
Grant: I & E

SCOTT M. MATHESON
Governor



OIL, GAS, AND MINING BOARD

TEMPLE A. REYNOLDS
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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BOB NORMAN
MARGARET BIRD
HERM OLSEN

CLEON B. FEIGHT
Director

October 9, 1981

4697127

REGISTERED RETURN RECEIPT REQUESTED

Ms. Jean Semborski
U. S. Fuel Company
Hiawatha, Utah 84527

RE: Hiawatha Complex
ACT/007/011
Carbon County, Utah

Dear Jean:

Pursuant to our phone conversation of October 8, 1981, the following abatement action has been taken on Violation group #81-1-8-7 status:

No. 1 of 7

Mr. Chuck Jahne has been informed that additional information is required depicting a drainage control plan for the King VI portal area pursuant to Stipulation #7-81-14. Clarification with Mr. Jahne, Joe Helfrich and Wayne Hedberg was established in a meeting with Mr. Jahne on October 6, 1981.

No. 2 of 7

This violation has also been addressed by Mr. Jahne. At present, topsoil has been removed from the proposed conveyor loadout area and work will begin this week consisting of topsoil removal in the sediment pond location. Division members agreed that installation of a culvert adjacent to the conveyor loadout area was not necessary at this time as water was being properly conveyed to the proposed sediment control structure. Mr. Jahne also indicated that construction of the diversion ditch above the proposed conveyor loadout area will also begin this week.

No. 3 of 7

Work on the upper topsoil stockpile was completed on September 29, 1981, and work on the lower topsoil stockpile was completed on October 2, 1981.

Ms. Jean Semborski
ACT/007/011
October 9, 1981
Page two

No. 4 of 7

The erosion problem on the downslope between the parking lot and loadout pad was completed on September 24, 1981. A berm at the top of the downslope was completed on October 8, 1981.

No. 5 of 7

An extension will be granted to November 16, 1981.

No. 6 of 7

The berm around the fan was constructed on October 8, 1981. A berm around a portion of the substation will be completed by October 9, 1981, and the storage area is being presently cleaned up.

No. 7 of 7

The North fork intake area has not been inspected yet. The Middle Fork area has been cleaned up as of September 29, 1981. An extension will be granted on the South Fork area to November 16, 1981. The reason being, people are presently working below the downslope where the trash is presently located. Trash removal at this time would create safety hazard to the on-going conveyor work in that area. Clean up on the South Fork upper topsoil stockpile was completed on September 28, 1981.

Division members will tentatively plan to inspect the Hiawatha Complex to terminate the above-mentioned violations during the week of October 19, 1981. If you have any questions on the status of the above-mentioned violations, please give me a call.

Sincerely,


JOSEPH C. HELFRICH
RECLAMATION SOILS SPECIALIST

Enclosures

cc: Tom Ehmett, OSM

JCH/btm



Full 007/011

SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

CHARLES R. HENDERSON
Chairman

CLEON B. FEIGHT
Director

DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Modification of Notice or Order

To the Following Permittee or Operator:

Name *C.S. Fuel Co. Hiawatha Complex*

Mailing Address *Hiawatha, Utah 84527*

State Permit No. *ACT/007/011*

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N *81-1-8-7* *81* *7* dated *9/17*, 19 *81*.
Y TV

Cessation Order No. C _____ Y TV dated _____, 19 _____.

Violation No. *2* is modified as follows: *DELETE STORAGE AREA BELOW MIDDLE FORK SED POND*

The reason for this modification are as follows: *OPERATOR WILL RECLAIM DISTURBED AREA*

Violation No. *6* is modified as follows: *DELETE STORAGE AREA BELOW MIDDLE FORK SED POND*

The reasons for this modification are as follows: *OPERATOR WILL RECLAIM DISTURBED AREA*

Violation No. _____ is modified as follows:

The reasons for this modification are as follows:

Date of Service *10/7/81*

Joseph C. Helfrich
Signature of Authorized Representative

Time of Service or Mailing *4:20* a.m. p.m.

JOSEPH C. HELFRICH
Name and I.D. No.



File 1007/011

SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
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THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

Modification of Notice or Order

To the Following Permittee or Operator:

Name U.S. FUEL HIAWATHA Complex
Mailing Address HIAWATHA, UTAH 84527
State Permit No. ACT/007/011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-1-8-7 81 7 dated 9/17, 19 81
Y TV

Cessation Order No. C _____ Y TV dated _____, 19 _____.

Violation No. 5 is modified as follows: EXTENDED TO 11/16/81

The reason for this modification are as follows: ALLOW OPERATOR SUFFICIENT TIME TO CONSTRUCT SEDIMENT POND.

Violation No. 7 is modified as follows: EXTENDED TO 11/16/81

The reasons for this modification are as follows: INSURE SAFETY OF PEOPLE WORKING BELOW AREA

Violation No. _____ is modified as follows: TO BE CLEANED OF MIN-COAL WASTE.

The reasons for this modification are as follows:

Date of Service 10/7/81

Joseph C. Helfrich
Signature of Authorized Representative

Time of Service or Mailing 4:30 a.m. p.m.

JOSEPH C. HELFRICH
Name and I.D. No.

SHARONSTEEL • Mining Division

AN **(NVE)** COMPANY

SHARON STEEL CORPORATION

19TH FLOOR UNIVERSITY CLUB BLDG.
SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 355-5301

FOR INTER-OFFICE COMMUNICATION

October 6, 1981

TO: 'Casey' McKendrick

FROM: Chuck Jahne

SUBJECT: Sedimentation Control - King VI Conveyor Construction Citations
of September 22, 1981 Nos. 2 and 4

This is to confirm our phone conversation of earlier today. In the meeting that I had this morning with Wayne Hedberg and Joe Helfrich of DOGM, we all agreed to the following:

1. Start construction immediately on the Sedimentation Pond and use the culvert presently installed near the end of the paved road area as the supply conduit for the pond.
2. Start construction immediately on the diversion ditch using excavation and/or rock piling methods so long as we maintain the indicated cross sectional areas.
3. It will not be necessary to incorporate the construction of the truck turn out area at this time.
4. Locate the topsoil pile in the location now being used for Lamb's trailer - about one mile east of the work site. Be sure to put a sign up near the topsoil pile identifying it as a topsoil pile.
5. Excavation on the reclaim tunnel may proceed at the coal pile area.

If you have any questions, please call me.

pc: Mike Lamb, Lamb Eng. & Const.
Guy Remick, Lamb Eng. & Const.
Wayne Hedberg, DOGM
✓ Joe Helfrich, DOGM

Chuck Jahne

get
fill out 00/011
DIVISION OF
OIL, GAS & MINING
RECEIVED

RECEIVED

OCT 07 1981

DIVISION OF
OIL, GAS & MINING

October 6, 1981

Memo to Coal File:

RE: Record of Telephone Notification
Stream Effluent Violation
Hiawatha Complex
U. S. Fuel Company
ACT/007/011

On October 2, 1981, Mr. Abdalla Elias of U. S. Fuel Company called in regard to total suspended solids (TSS) effluent violation recorded at their monitoring station on Cedar Creek for their August/1981 sample. Mr. Elias said the sample analysis indicated 53 mg/l with the maximum allowable being 45 mg/l.

Another sample was taken by Mr. Elias on the evening of August 1st upon his receipt of the analysis. The results will be submitted to the Division as soon as they become available. U. S. Fuel Company believes the elevated value is probably natural background level characteristic of the stream and not attributable to the mining operation.

Mr. Elias claimed there is no recent disturbed areas in close proximity to the sampling sites on this stream.

D. WAYNE HEDBERG *DWH*
RECLAMATION HYDROLOGIST

cc: - Abdalla Elias, U.S. Fuel Company
Division of Oil, Gas & Mining - I & E

DWH:vp



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

CHARLES R. HENDERSON
Chairman

DEPARTMENT OF NATURAL RESOURCES

CLEON B. FEIGHT
Director

DIVISION OF OIL, GAS, AND MINING

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name ROBERT ECOLI U.S. FUEL CO. HIAWATHA MINE

Mailing Address HIAWATHA UTAH 84527

State Permit No. ACT/007/011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-3-13-2 81 2 dated 7/29, 19 81
Y TV

Cessation Order No. C _____ Y TV dated _____, 19 _____

Violation No. 1 is hereby X Terminated _____ Vacated because:
Violation No. 2 is hereby X Terminated _____ Vacated because:
Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Date of Service 9/17/81 Joseph C. Helfrich
Signature of Authorized Representative

Time of Service or Mailing 10:00 X a.m. _____ p.m. JOSEPH C. HELFRICH #1
Name and I.D. No.

#1 EFFECTIVE TERM DATE 8/13/81
#2 " " " " " "

REASON:
OPERATOR COMPLIED WITH ABATEMENT REQUIREMENTS
OF BOTH VIOLATIONS WITHIN GIVEN ABATEMENT TIME.

FILE

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

file

NOTICE OF VIOLATION NO. N

From the STATE OF UTAH
To the Following Permittee or Operator:

NAME U.S. Fuels Co
MINE HAWAIIA SURFACE UNDERGROUND OTHER
CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED
OSM MINE NO. _____ STATE PERMIT NO. ACT/009/011 MSHA I.D. NO. _____
COUNTY AND STATE CARSON, UTAH TELEPHONE 801/348/2471
MAILING ADDRESS: HAWAIIA UTAH 84527
DATE OF INSPECTION September 16, 19 81
TIME OF INSPECTION: FROM 10:00 a.m. to 9/17/81 10:30 a.m.
 p.m. to _____ p.m.
NAME OF OPERATOR (if other than permittee) _____
MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "Mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 9/17/81 Joseph C. Helfrich
SIGNATURE OF AUTHORIZED REPRESENTATIVE
Time of Service 9:30 a.m. JOSEPH C. HELFRICH
 p.m. NAME AND I. D. NO.
Person Served with Notice BOB ECCLI (MINING ENGINEER)
PRINT NAME AND TITLE
Signature OPERATOR DID NOT WISH TO SIGN

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE

FILE



STATE OF UTAH

Notice of Violation No. N 81-1-8-7

Violation No. 1 of 7

Nature of the Violation

FAILURE TO OPERATE IN ACCORDANCE WITH APPROVED PLAN

Provision(s) of the Regulations, Act, or Permit Violated

C.M.C. 711.19

Portion of the Operation to which Notice Applies

STIPULATIONS PURSUANT TO KING IV CONVEYOR APPROVAL # 7-81-14

Remedial Action Required (including interim steps, if any)

COMPLY WITH STIPULATIONS 7-81-14
PRIOR TO KING IV ON-SITE CONSTRUCTION IMPLEMENTATION OF CONVEYOR.

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN 10/17/81



STATE OF UTAH

Notice of Violation No. N 81-1-8-7

Violation No. 2 of 7

Nature of the Violation

FAILURE TO REMOVE, SEGREGATE, STOCKPILE AND PROTECT TOPSOIL
FROM WIND AND WATER EROSION AND UNNECESSARY COMPACTION
AND CONTAMINANTS.

Provision(s) of the Regulations, Act, or Permit Violated

UCA 40-10-17(e)
UAC 817.21(c)
817.22(a)
817.23(b)

Portion of the Operation to which Notice Applies

IN PLACE TOPSOIL BELOW MIDDLE FORK SEDIMENT POND PRESENTLY BEING
USED AS A STORAGE AREA.
KING VI CONVEYOR LOAD OUT AREA.

Remedial Action Required (including interim steps, if any)

REMOVE, SEGREGATE, STOCKPILE, AND PROTECT TOPSOIL FROM WIND AND
WATER EROSION AND UNNECESSARY COMPACTION AND CONTAMINANTS.
PROTECTION FROM WIND EROSION TO BE INITIALLY ACCOMPLISHED BY SEEDING
THE STOCKPILED MATERIAL WITH APPROVED SEED MIX.

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN OCTOBER 17, 1981



STATE OF UTAH

Notice of Violation No. N 81-1-8-7

Violation No. 3 of 7

Nature of the Violation

FAILURE TO PROTECT TOPSOIL FROM UNNECESSARY COMPACTION
CONTAMINANTS AND WATER EROSION

Provision(s) of the Regulations, Act, or Permit Violated

UCA 40-10-17(e)
UMC 817.23B

Portion of the Operation to which Notice Applies

UPPER AND LOWER TOPSOIL STOCKPILES LOCATED IN THE
SOUTH FORK DRAINAGE AREA

Remedial Action Required (including interim steps, if any)

PROTECT TOPSOIL FROM UNNECESSARY COMPACTION, CONTAMINANTS
AND WATER EROSION.

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN 10/17/81



STATE OF UTAH

Notice of Violation No. N 814-8-7

Violation No. 4 of 7

Nature of the Violation

FAILURE TO MAINTAIN SEDIMENT CONTROL STRUCTURES SO AS TO PREVENT EROSION.

Provision(s) of the Regulations, Act, or Permit Violated

*UMC 817.41(c)
UMC 817.45 AND 817.45 iii
817.45 (e)(iii)*

Portion of the Operation to which Notice Applies

DOWNSLOPE BETWEEN PARKING LOT AND LOAD OUT OF MIDDLE FORK DISTURBED AREA.

Remedial Action Required (including interim steps, if any)

MAINTAIN SEDIMENT CONTROL STRUCTURES, REPAIR EROSION ON DOWNSLOPE

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN 10/17/81



STATE OF UTAH

Notice of Violation No. N 81-1-8-7

Violation No. 5 of 7

Nature of the Violation

FAILURE TO PASS RUN OFF FROM THE DISTURBED AREA THROUGH A
SEDIMENT CONTROL STRUCTURE.

Provision(s) of the Regulations, Act, or Permit Violated

CMC 817.42(e)(1)

Portion of the Operation to which Notice Applies

CONVEYOR LOADOUT AREA IN SOUTH FORK CANYON

Remedial Action Required (including interim steps, if any)

PASS ALL RUN-OFF FROM THE DISTURBED AREA THROUGH A SEDIMENT
CONTROL STRUCTURE

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN 10/17/81



STATE OF UTAH

Notice of Violation No. N 81-1-8-7

Violation No. 6 of 7

Nature of the Violation

FAILURE TO PASS RUN-OFF FROM THE DISTURBED AREA THROUGH
A SEDIMENT CONTROL STRUCTURE

Provision(s) of the Regulations, Act, or Permit Violated

UMC 817-44(2)(1)

Portion of the Operation to which Notice Applies

UPPER SUB STATION, DISTURBED AREA BEHIND NEW EXHAUST FAN, AND
STORAGE AREA IMMEDIATELY BELOW SEDIMENT POND IN MIDDLE FORK.

Remedial Action Required (including interim steps, if any)

PASS ALL RUNOFF FROM THE DISTURBED AREA THROUGH A SEDIMENT
CONTROL STRUCTURE

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN 10/17/81



STATE OF UTAH

Notice of Violation No. N 81-1-8-7

Violation No. 7 of 7

Nature of the Violation

FAILURE TO STORE NON COAL WASTE IN AN APPROVED MANNER

Provision(s) of the Regulations, Act, or Permit Violated

UAC 817.89

Portion of the Operation to which Notice Applies

NORTH FORK INTAKE AREA
MIDDLE FORK SUB STATION
~~SOUTH FORK AREA - BEHIND MIDDLE FORK SERIALS POND~~
SOUTH FORK - UPPER ROAD EAST OF MAINTAINENCE SHED
SOUTH FORK UPPER TOPSOIL STOCKPILE

Remedial Action Required (including interim steps, if any)

STORE ALL NON COAL WASTE IN AN APPROVED AREA.

Time for Abatement (including time for interim steps, if any)

30 DAYS NO LATER THAN 10/17/81

September 22, 1981

Inspection Memo
to Coal File:

RE: U. S. Fuel
Hiawatha Complex
ACT/007/011
Carbon County, Utah

DATE: September 17, 1981
TIME: 10:00 a.m.
WEATHER: Warm and Clear
COMPANY OFFICIALS: Bob Eccli, Gene Semborski, L. R. McKendrick
STATE OFFICIALS: Joe Helfrich, Rex Fidler
ENFORCEMENT ACTION: Abatement of Violations 81-3-13-2; Issuance of Violations 81-1-8-7.

During the inspection, Gene Semborski accompanied Reclamation Officers Joe Helfrich and Rex Fidler.

A termination notice regarding NOV 81-3-13-2 was given to Gene Semborski. No. 1 and No. 2 were terminated because the operator had complied with abatement requirements of both violations within the given abatement time. Gene Semborski stated that the effective date of termination was August 13, 1981, for both violations.

UMC 771.19 Compliance with Permits

NOV #81-1-8-7, No. 1 of 7

Nature of Violation:

Failure to conduct surface coal mining activities under permits issued pursuant to the regulatory program and conditions of permit and requirements.

Provision of Regulations, Act or Permit Violated:

UMC 771.19.

Portion of Operation to Which Notice Applies:

Stipulations pursuant to King VI conveyor approval, number 7-81-14.

Remedial Action:

To comply with Stipulation 7-81-14. Prior to King VI on-site construction and implementation of conveyor the above stipulation requirements have to be met.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

UMC 817.11 Signs and Markers

During the inspection, perimeter markers in certain areas of the mine were inadequate. Although markers were present, the markers did not clearly mark the perimeter of all areas affected by surface operations. Some of the areas not clearly marker were the following:

1. Upper portions of Middle Fork Canyon bathhouse and stream area.
2. Coal storage and loading facility northwest of the #1 slurry pond.
3. Area north of slurry pond #1.

UMC 817.21-24 Topsoil

No. 2 of 7

Nature of Violation:

Failure to remove topsoil prior to disturbance by surface operations.

Provision of the Regulations, Act or Permit Violated:

UCA 40-10-17(e); UMC 817.21(a); 817.22(a); 817.23(b).

Portion of Operation to Which Notice Applies:

The area around Middle Fork sediment pond and area which is being developed for the King VI conveyor and loadout area.

Remedial Action Required:

Remove, segregate, stockpile and protect topsoil from wind, water erosion and unnecessary compaction and contaminants. Protection from wind erosion to be initially accomplished by seeding the stockpiled material with an approved seed mix.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

No. 3 of 7

Nature of Violation:

Failure to protect topsoil from unnecessary compaction, contaminants and water erosion.

Provision of the Regulations, Act or Permit Violated:

UCA 40-10-17(e); UMC 817.23(b).

Portion of the Operation to Which Notice Applies:

Upper and lower topsoil stockpiles located in the south fork drainage area.

Remedial Action Required:

Protect topsoil from unnecessary compaction, contaminants and other water erosion.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

UMC 817.41-47 Hydrologic Balance

No. 4 of 7

Nature of Violation:

Failure to maintain sediment control structures to prevent erosion.

Provision of Regulations, Act or Permit Violated:

UMC 817.41(a); UMC 817.45 and 817.45(iii); UMC 817.45(e)(iii).

Portion of the Operation to Which Notice Applies:

Downslope between the parking lot and loadout of Middle Fork disturbed area.

Remedial Action Required:

Maintain sediment control structures, and repair erosion on the downslope.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

No. 5 of 7

Nature of Violation:

Failure to pass runoff from the disturbed area through a sediment control structure.

Provision of the Regulations, Act or Permit Violated:

UMC 817.42(a)(1).

Portion of the Operation to Which the Notice Applies:

Conveyor loadout area in South Fork Canyon.

Remedial Action Required:

Pass runoff from the disturbed area through a sediment control structure.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

No. 6 of 7

Nature of Violation:

Failure to pass runoff from the disturbed area through a sediment control structure.

Provision of the Regulations, Act or Permit Violated:

UMC 817.42(a)(1).

Portion of the Operation to Which Notice Applies:

Upper substation, disturbed area behind the new exhaust fan and storage area immediately below the sediment pond in Middle Fork Canyon.

Remedial Action Required:

Pass all runoff from the disturbed area through a sediment control structure.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

UMC 817.89 Noncoal Waste

No. 7 of 7

Nature of Violation:

Failure to store noncoal waste in an approved manner.

Provision of the Regulation, Act or Permit Violated:

UMC 817.89.

Portion of the Operation to Which Notice Applies:

North Fork intake area, Middle Fork substation, South Fork upper road east of the maintenance shed, South Fork upper topsoil stockpile.

Remedial Action Required:

Store all noncoal waste in an approved area in a controlled manner.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., October 17, 1981.

817.52 Surface and Ground Water Monitoring

During the inspection, water monitoring was discussed with Bob Eccli. NPDES permit #UT-0023094 was issued October 17, 1977, which expires in June 1982. Sampling data has been sent to Ford Chemical Laboratory and was available at the minesite for inspection. During the inspection, sampling data was deemed inadequate. It was suggested that sampling be done immediately above and below the disturbed area of Middle Fork and South Fork canyons. Mr. Eccli indicated that this was being done, however, the information was not being sent to the Division. In accordance with UMC 783.16 and UMC 817.52(b) and UMC 784.14 it is required that these areas be properly monitored and submitted to the Division. If this is not done, U. S. Fuels' operation will be in violation and notices of violations will be issued on the next inspection.

UMC 817.89 Disposal of Noncoal Waste

A plan has been submitted to the Division designating two areas in Middle Fork Canyon to be used as an area for disposal of noncoal wastes where materials generated during underground coal mining activities can be placed and stored in a controlled manner in this designated portion of the permit area. It was discussed with Mr. Eccli and Gene Semborski that the area below the sediment pond require necessary sediment control measures such as catch basins and berming disturbed area to control runoff and meet requirements of UMC 817.45.

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UMC 817.162 Roads

It was noted on the road to the power substation in Middle Fork Canyon, erosion had occurred. It was suggested that some type of water bar or other sediment control measures be placed on the road to prevent further erosion. In South Fork Canyon, it was also noted that the road above the bathhouse was not properly bermed and proper sediment control measures were not in effect as required by UMC 817.163 and UMC 817.165. Failure to comply with these regulations would constitute a violation upon the next inspection.

 REX C. FIDLER
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Gene Semborski, U. S. Fuel Company
Inspection Staff

RCF/btm

Statistics:

Vehicle: #EX 68804--450 miles
Per Diem: Two person X two days, 11 hours @ \$37.50/day = \$173.12
Grant: A & E

August 7, 1981

Inspection Memo
to Coal File:

RE: U. S. Fuel Company
Hiawatha Complex
ACT/007/011
Carbon County, Utah

On July 29, 1981, Tom Portle and Rex Fidler (DOGM), reclamation officers, conducted a partial inspection of the Hiawatha Complex of U. S. Fuel Company to inspect abatement measures for NOV #81-3-9-2. Mr. Bob Eccli represented U. S. Fuel Company on the inspection.

Abatement Measures for NOV Group 81-3-9-2,

No. 1 of 2

The #1 portal in Middle Fork Canyon had been fenced above the portal to prevent entrance into the portal. Also, inside the portal, either a stopping or a seal had been constructed since the last inspection.

No. 2 of 2

In Middle Fork Canyon, the coal boulder had been removed, oil soaked soil had been removed and a berm had been constructed to adequately delineate disturbed from undisturbed surface drainage.

Because the above-mentioned violations had been adequately addressed, and the termination of NOV's was issued

Inspectors observed that while inspecting Middle Fork Canyon, there was no designated area in the permit area to store noncoal wastes. Because of this, violation No. 1 of 2 of Group 81-3-13-2 was written:

Nature of Violation:

Noncoal wastes including, but not limited to, grease, lubricants, paints, flammable liquids, garbage, abandoned mining machinery generated during underground coal mining activities, shall be placed and stored in a controlled manner in a designated portion of the permit area.

Provision of Regulation, Act or Permit Violated:

- UMC 817.89.

Portion of Operation to Which Notice Applies:

Middle Fork Canyon permit area.

Remedial Action:

- A. Submit plans for location of disposal areas on the permit area.
- B. Plan timetable to facilitate the consolidation and controlled storage and disposal of such material.
- C. The above, when approved by the Division, shall constitute U. S. Fuel approval for their Noncoal Waste Disposal Plan.

Time for Abatement:

Forty-five (45) days, no later than 8:00 a.m., September 14, 1981.

Also, in Middle Fork Canyon, the following violations were observed for Violation No. 2 of 2, Group 81-3-13-2, which was written.

Nature of Violation:

1. Culverts along main haul road were blocked.
2. Drainage ditches to the south of the Middle Fork Canyon loadout were undefined and were not maintained.
3. Road to North Fork Canyon fan portal lacks erosion control measures.

Provision of Regulation, Act or Permit Violated:

UMC 817.153-.155.

Portion of Operation to Which Notice Applies:

Middle Fork Canyon permit area.

Remedial Action:

1. Clean culverts
2. Clean ditches and redirect them where necessary.
3. Submit plans to Division addressing design and drainage of access road to North Fork fan portal. Implement plans immediately upon approval.

Time for Abatement:

1. Thirty (30) days, no later than 8:00 a.m., August 1981.
2. Thirty (30) days, no later than 8:00 a.m., August 1981.

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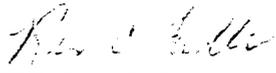
3. Sixty (60) days, no later than 8:00 a.m., September 27, 1981.

Raptor proofing of power lines was discussed. It was suggested that designation of which poles need changes made, be discussed with DWR.

Designating a storage area just below Middle Fork Canyon sediment pond and other designated storage areas were discussed. Designated storage area, request and delineation time is 45 days. After discussing this with others in the inspection staff, the following items were brought out.

1. Storage area would be below sediment pond next to stream. This could create problems with sediment control and stream pollution from oil and grease.
2. A better location of a storage site would be above the sediment pond.
3. Present storage areas along the north side of Middle Fork Canyon could possibly be more effectively used.

Erosion and lack of erosion control measures to the power station and water tower were evident.


REX C. FIDLER
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Bob Eccli, U. S. Fuel
Inspection Staff

RCF/btm

Statistics:

Vehicle: #EX 5804--456 miles

Per Diem: Two persons x two days, eight hours @ \$37.50/day = \$227.48

Grant: A & E

July 23, 1981

Inspection Memo
to Coal File:

RE: U.S. Fuel Company
Morhland Loadout Facility
ACT/007/011
Carbon County, Utah

History

Morhland Railroad Yard, located at the southern end of the Utah Railway Track System near the old Morhland townsite. A coal processing plant existed at the Morhland Railroad Yard which was supplied by a tramway from the King #2 mine approximately 15 miles up the canyon. The processing plant and related structures were dismantled in the early 1940's.

This site comprises 4 acres of Fee land, including the railroad track right-of-way which is owned by the Utah Railway Company and the remainder owned by U.S. Fuel Company. Utah Power and Light Company leased and used the coal loading system at Morhland Railroad Yard, but it is presently leased and operated by Savage Brothers Trucking Company and is being used as a loadout area.

An overview of the Morhland Loadout area was conducted to consider whether this property should be regularly inspected and abide by regulations of the Division of Oil, Gas and Mining for the following reasons:

1. It is situated along a large stream (Cedar Creek) which has use for culinary water to Hiawatha, fishing for sport and possible agriculture.
2. It is near or within the Manti-LaSal Forest area, and any fires could be hazardous to adjacent trees.
3. It has been previously inspected in conjunction with the Hiawatha Complex before being leased to Utah Power and Light and then to Savage Brothers Trucking as a loadout area.
4. Recently a frontend loader has made encroachment to the stream and disturbed the bank surfaces.
5. It is not presently fenced, and care would be enhanced if inspection was made on a regular basis, as to sediment ponds and berms to control pollution to stream and load areas so as not to be a hazard to them.

JEAN LESTER DOUTRE
RECLAMATION OFFICER

JLD/te
cc: Tom Ehmett, OSM

July 27, 1981

Inspection Memo
to Coal File:

RE: U. S. Fuel Company
Hiawatha Complex
ACT/007/011
Carbon County, Utah

DATE: June 30, 1981
TIME: 10:00 a.m.
WEATHER: Clear and Warm
COMPANY OFFICIAL: Bob Eccli
STATE OFFICIALS: Jean Doutre and Tom Portle
ENFORCEMENT ACTION: STATE: NOV #81-3-9-2

Compliance With Permanent Performance Standards

771 et al Permits

Permit to operate consists of a May 11, 1978, letter of approval from the Division in conjunction with the GS 211 plan. Current development activities include development of the King #6 portal area and North Fork fan pad area. While approval for this area dated March 21, 1980, was produced by the operator for the North Fork fan pad. The State is currently reviewing the permanent plan for this area, with particular reference to the conveyor development. DOGM has given approval for this area in general on August 2, 1979. A GS approval dated January 28, 1981, was also observed during the inspection. Permits from the Department of Health for the sediment pond were also on file at the mine office.

817.11 Signs and Markers

A sign containing all required information was posted at the mine entrance. The sign was visible and durable. Perimeter markers were discussed with Mr. Eccli on-site. He agreed to have these in place prior to the next monthly inspection. Areas were selected where buffer zone markers would be appropriate. One such area is between the road which comes down from the King #4 air intake development area and below the coal stockpile area along the North Fork of Middle Creek. Topsoil markers were in place at the King #6 development area. Topsoil had been stored on a 2:1 slope and attempts made to revegetate at the King #4 area, therefore, no topsoil marker was in place.

817.13-.15 Casing and Sealing of Exposed Underground Openings

Inspectors observed an access to underground openings in an abandoned portion of the Hiawatha Complex which had not been cased and sealed. This was near the King #4 Mine and in the immediate proximity from the loading pad. Because of this Violation #1 of 2 of Group 81-3-9-2 was written:

Nature of the Violation:

Failure to seal exposed underground shaft in order to insure the safety of people, livestock and wildlife.

Provision of Regulation, Act or Permit Violated:

UMC 817.13.

Portion of Operation to Which Notice Applies:

King IV and V mine down from loading pad.

Remedial Action Required:

Seal exposed underground shaft and ensure the safety of people, livestock and wildlife.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., July 30, 1981.

817.21-.25 Topsoil

King #6 Development Area:

Topsoil was stored below the sediment pond and was marginally protected in this area. The topsoil stockpile had been reseeded. This area should be checked on subsequent inspections to determine if the vegetation is sufficient to prevent erosion from wind and water. This is not the case, it should be recommended that the berm protecting this topsoil stockpile be fortified prior to the runoff season.

In the area where the intake shaft has been extended, topsoil had been removed and stored. Questions about storage had been addressed in previous memos. In addition, suggestions had been made to better protect this material. There were no signs of any erosion in this area. This material is slated to be utilized to cover the pad or the extended portal area and revegetated this fall.

In the area where loadout development is slated to occur, topsoil removal and storage was discussed. At this time, some question existed as to whether topsoil in this area was of sufficient quantity and quality to warrant saving. Inspectors informed him that unless he could document this through soil analysis and have it approved in a mine plan, he would be required to save topsoil from this area.

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King #4 Air Intake Pad Development Area

Topsoil in this area had been salvaged and is currently being stored on a 2:1 slope. Some soil material had been utilized to berm the road. As instructed by Division Inspectors, this material was removed and is now stored also on the 2:1 slope. This area needs to be revegetated in order to afford protection this fall.

817.41-.52 Hydrologic Balance

King #6 Development Area

The sediment pond and necessary drainage control structures were in place at the time of the inspection. These structures appear adequate in controlling any sedimentation or runoff impacts which resulted from construction activities in this area.

King #4 and 5 Mine Area

The major change in the drainage control scheme in this area observed by inspectors involved material storage in timber storage areas along the road. These areas had previously been inferred to be small area exemptions and discussed on numerous occasions with inspectors. In response to concerns of Division Inspectors, U.S. Fuel has implemented straw bales along the perimeter of these areas to allow a filtering effect of any drainage exiting these areas.

Directly below the pond exists a storage yard area. Drainage from this area is basically controlled by a ditch which brings water from the road around it preventing additional contact with disturbed areas. The area is minor in nature and no set scheme appears visible other than a ditch. The ditch was in need of maintenance.

Another area of concern during previous inspections was the inlet to the sediment pond. Fairly major erosion has occurred in this area. Mr. Eccli had said that the area was now prevented from further eroding from natural riprap. Since, in this area, erosion has occurred down to the underlying rock, any remedial measures recommended would be redundant. At the diversion structure for the left drainage of the Middle Fork Creek a problem involving definition of disturbed and undisturbed drainage and also placement of materials was noted. Poor placement of coal from underground mining had occurred just above the drainage. Runoff would pass over this coal and into the undisturbed drainage as it is conveyed through diversion structures. Lack of maintenance on berms and grade in these areas has resulted in a lack of definition between disturbed and undisturbed areas. Also, an oil spill has occurred on the bank, and because of this lack of definition, any runoff would pass over this area and into the natural drainage. Because of this, Violation #2 of 2 of NOV Group 81-3-9-2 was warranted:

Nature of Violation

Failure to pass surface drainage from the disturbed area through a sediment pond or series of sediment ponds.

Provision of Regulation, Act or Permit Violated:

UMC 817.42(a)(1).

Portion of Operation to Which Notice Applies:

Diversion structure area in left drainage of Middle Fork Canyon where oil soaked soil and coal material would be encountered by surface drainage as it entered the diversion.

Remedial Action Required:

1. Remove coal boulder.
2. Remove oil soaked soil and properly dispose of.
3. Reconstruct berm and grade to prevent drainage from the disturbed area from entering the diversion and thus leaving the permit area without passing through a sediment structure.

Time for Abatement:

Thirty (30) days, no later than 8:00 a.m., July 30, 1981.

King #4 Air Intake Pad Development Area

Drainage control in this area is fairly minimal. A large portion of this area is taken up by a Class III access road and a 2:1 slope employed for topsoil storage. Runoff from soil material area is controlled by a series of straw bales. These bales had been somewhat disarrayed due to livestock grazing activities. U. S. Fuel has committed to employing new straw bales in these areas prior to the next monthly inspection. Work in this area is slated to terminate during August. At this time, access to this area will be fairly minimal. However, although U. S. Fuel has an approved plan for this area, there is no detail on permanent drainage control in this area. At the time of the inspection, Mr. Eccli indicated a location where a catch basin with a straw bale outlet structure might be employed. Inspectors at this time suggested that a berm be utilized to the right of the portal which would divert overland flow away from this area and that grading work would be done which would facilitate the conveyance of water into his proposed sediment trap. Inspectors also indicated that a plan may be required which would further detail drainage control for the air intake development area.

817.52 Surface and Ground Water Monitoring

NPDES permit UT-0023094 expires on June 30, 1982. This permit had since been amended on December 11, 1979, and now includes seven sediment pond discharge points. As a result of these changes in the permit, U. S. Fuel may now discharge into Cedar Creek and into Miller Creek. However, none of the seven ponds have discharged to date. Any data associated with monitoring requirements for the NPDES permit were available for inspection on-site. No violations were observed.

On December 11, 1980, an OSM violation was written because of a failure to have a fully approved monitoring plan. This violation was #2 of NOV 80-5-5-13, for failure to monitor ground water in accordance with an approved plan. U. S. Fuel subsequently submitted more information and OSM's basic position on this was that they should continue to monitor as they have been monitoring. They indicated final approval could not be given until a completeness review for the entire plan was reviewed and information presented was tied in with variations in ground water flow. They did, however, recommend provision approval. The violation was terminated. This was taken by Division inspectors to constitute an approved ground water plan. A revised plan was submitted to DOGM on December 22, 1980. It has yet to be reviewed by the Division. The surface water monitoring plan consists of six sampling points in the North Fork of Miller Creek, a perennial stream. There is another sampling point downstream from the loadout on Cedar Creek and one on Gentry Hollow Creek. Ground water is sampled in the fall and spring. Data were available for inspection on-site. One violation was noted at station #5 below the mine operations in the North Fork of Miller Creek. A TSS reading of 49 parts per million was observed. Stations above that had TSS of above 2 parts per million. An attempt was made during the inspection to discover the source of this problem without apparent result. This was an isolated problem, it did not constitute a pattern of violations in their data. Because of this the Division declined to issue a violation. A number of occurrences might of caused this including: (1) flushing out of a culvert; (2) breaking off of an unstable bank could have temporarily increased the sediment in the stream. It was impossible to determine that any activities of U. S. Fuel would have caused this since the area between the above and below mine sampling site was not utilized during this period of time.

817.61 Use of Explosives

Bob Eccli indicated that U. S. Fuel may be required to blast as part of developmental activities at the King #6 minesite. Inspectors informed the company of regulation for blasting under this section. At this time, the company questioned the regulations and was informed by inspectors that the company is bound by these regulations unless he is able to obtain a variance from this section. U. S. Fuel's was informed that Mr. Spencer, reclamation engineer for the Division, should be contacted.

817.71-.73 Disposal of Underground Development Waste and Excess Spoil and
Nonacid and Nontoxic-forming Coal Processing Waste

In an area near the lower topsoil stockpile and below the sediment pond at the King #6 Mine, there exists a stream diversion. Mr. Eccli indicated a desire to utilize this area for any fill material generated in developmental activities related to the truck loadout development area. Inspectors informed him that this was not something that could be done without prior approval and that U. S. Fuel probably would be required to re-establish this channel upon final reclamation. He was advised to consult Division hydrologists on this matter. The company was also informed that any utilization of an area without Division approval would be considered in violation.

817.81-.93 Coal Processing Waste

U. S. Fuel processes coal on-site. There are five slurry ponds on the minesite utilized to process waste materials. The areas are approved by MSHA and appear to meet safety standards. The slopes look stable, there does not seem to be any sign of seepage or any combustion of this material.

U. S. Fuel is currently reclaiming some of the slurry pond areas and that they are re-obtaining material from these sites and running them through their wash plant since current technologies can extract enough of the coal to render this process economical and additionally can increase their storage volume for the future is obtained as a result of this practice

There is only one active pile currently in this area. Piezometers are employed to monitor the water levels at all times.

817.89 Disposal of Noncoal Waste

In general, there are quite a few problems with noncoal waste storage in U. S. Fuel's mine complex. Mainly, these problems exist in the King #4 and 5 area. Additionally, areas along the main access road to the King #4 and 5 are being used to store waste. There is a designated area near here, but materials need to be consolidated. This area also will receive material from the King #4 and 5 mine in the future. The company was made aware of regulations regarding noncoal waste storage and disposal. In the King #4 and 5 area, there are dumpsters currently available on-site. However, poor handling of materials has allowed accumulation on the ground within a short distance of the dumpster. In other areas, particularly up by their substation, storage of materials has been very random and generally uncoordinated. Above the diversion of the Left Fork of Miller Creek, an area is utilized for their electrical systems as a ground. This area is covered with soil material and presents an opportunity for storage since it is a stable and flat area and is not currently used for anything else. In fact, some storage is occurring there now. U. S. Fuel was requested to pursue this area as a designated area and to achieve clean up of this portion of the minesite either by utilizing the above-mentioned area or areas near the access haul road which were previously mentioned.

817.97 Protection of Fish, Wildlife and Related Environmental Values

U. S. Fuel indicated that Mary Ann Wright from the Division and Larry Dalton from DWR had viewed their power lines. When inspectors returned to the office, he could not document this as having occurred. The company has received Division policy guidelines with respect to insuring that power poles are raptor proof. Unless steps have been taken prior to the next monthly inspection, this will be considered a violation.

817.111-.117 Revegetation

Areas which have been revegetated in the U. S. Fuel Complex include the slopes of all the seven sediment ponds, topsoil area in the King #4 fan portal pad development area has been seeded. Also, the topsoil stockpile in the King #6 development area has been seeded. In general, the success in these areas is quite variable. The lower sediment ponds have been adversely affected by grazing. Compaction and utilization of grasses in this area for forage have left the area in very poor condition. These areas will probably require reseeding this fall. Additionally, measures may be required to prohibit (e.g., electric fence) grazing from these areas. The topsoil 2:1 slope up at the King #4 development pad has also been affected adversely by grazing. However, the extent of this is not great since the revegetation in this area was not very successful to begin with. On the other hand, at the King #6 development area, excellent revegetation has occurred on the outslopes to the sediment ponds, with mixed success on the topsoil stockpile.

817.121-.126 Subsidence Control

The operator has a subsidence monitoring plan. This consists of a cooperative agreement with the Forest Service. The Forest Service's role in this is to fly the area annually and produce infra-red photos. These have been sent to Hiawatha. However, U. S. Fuel has no record of any data which was obtained on these flights, if any. There are no visible signs of subsidence on the minesite.

817.150-.176 Roads

The road currently being used as access to the King #6 development area was under construction at the time of the inspection. This consisted of employing culverts in strategic locations and riprapping outlets. Borrow materials needed for the road were obtained at the widened borrow area near the intersection of this road and the main access haul road going to the King

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#4 and 5 mine. Along the road to the King #4 and 5 mine, some ditch maintenance was required and the operator was informed of this. At the King #4 air intake pad development area, a Class III road is utilized for access. Stream fords are authorized by the Division on this road. U. S. Fuel is currently using this road much more frequently than originally intended as a result of construction activities. No evident signs of erosion are visible on the downslopes of this road.

THOMAS L. PORTLE ^{TLP}
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
Bob Eccli, U. S. Fuel
Inspection Staff

TLP/btm

Statistics:

See Emery Deep memo dated July 22, 1981
Grant: A & E



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

CHARLES R. HENDERSON
Chairman

CLEON B. FEIGHT
Director

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name United States Fuel Company

Mailing Address Hiawatha Complex Hiawatha Utah 84527

State Permit No. ACT/007/011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-3-9-2 Y TV dated June 30, 19 81.

Cessation Order No. C _____ Y TV dated _____, 19 _____.

Violation No. 1 ~~81-3-9-2~~ is hereby Terminated _____ Vacated because:

Violation No. 2 is hereby Terminated _____ Vacated because:

Violation No. _____ is hereby _____ Terminated _____ Vacated because:

Date of Service _____ Thomas C. Pottle
Signature of Authorized Representative

Time of Service or Mailing 12:30 a.m. 1 p.m. Thomas C. Pottle #3
Name and I.D. No.

Operator has successfully abated violations-

**STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING**

1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO.N

From the STATE OF UTAH
To the Following Permittee or Operator:

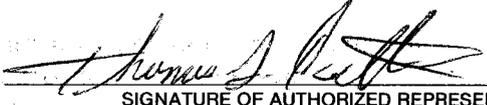
NAME United States Fuel Company
MINE Hiawatha Complex SURFACE UNDERGROUND OTHER _____
CATEGORY OF OWNERSHIP: STATE FEDERAL FEE MIXED
OSM MINE NO. _____ STATE PERMIT NO. ACT/007/011 MSHA I.D. NO. _____
COUNTY AND STATE Carbon County, Utah TELEPHONE 355-8857
MAILING ADDRESS: Hiawatha Complex, Hiawatha Utah 84527
DATE OF INSPECTION 29 July, 19 81
TIME OF INSPECTION: FROM 8:00 a.m. to 12:30 a.m.
 p.m. to ~~12:30~~ p.m.
NAME OF OPERATOR (if other than permittee) _____
MAILING ADDRESS: _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "Mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director of the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 29 July 1981 
SIGNATURE OF AUTHORIZED REPRESENTATIVE
Time of Service 12:30 a.m. Thomas L. Portie
 p.m. NAME AND I. D. NO.
Person Served with Notice Bob Eccli - Mine Engineer
PRINT NAME AND TITLE

Signature _____

IMPORTANT — PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 81-3-13-2

Violation No. 1 of 2

Nature of the Violation

Failure to dispose of non-coal waste in a controlled manner in (a) designated portion(s) of the permit area.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 817.89(a)

Portion of the Operation to which Notice Applies

Entire operation

Remedial Action Required (including interim steps, if any)

- 1) Submit maps to the Division depicting all designated ~~non-coal~~ non-coal waste disposal areas.
- 2) Plan a timetable to be used in order to facilitate the consolidation and controlled storage and disposal of such materials.
- ~~3) now and in the future.~~
- 3) The above, when approved by the Division shall constitute U.S. Dept. of the Interior approved non-coal waste disposal plans.

Time for Abatement (including time for interim steps, if any)
45 days, no later than 8:00 AM September 14, 1981



STATE OF UTAH

Notice of Violation No. N 81-3-13-2

Violation No. 2 of 2

Nature of the Violation

Failure to design, construct and maintain Class I roads
to meet UMC 817.150 - .155 et al.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 817.150(a)

Portion of the Operation to which Notice Applies

- 1) Blocked culvert on north side of Access-haul road to King 4+5 mile below loadout area.
- 2) ~~Blocked~~ Undefined ditch along north side of material storage area below middle fork pond which no longer takes road drainage away from material storage area.
- 3) All ditches along such roads which are blocked or obstructed.

Remedial Action Required (including interim steps, if any) 4) Class III road which is being utilized as a class I road on North Fork canyon.

- 1) Clean culverts
- 2) Clear ditches and redefine them where necessary.
- 3) Submit plans to Division addressing design and drainage control of road to North Fork canyon. Implement such plans immediately upon approval.

Time for Abatement (including time for interim steps, if any)

- 1) 30 days; August 28, 1981
- 2) 30 days; August 28, 1981
- 3) 60 days; September 27, 1981.



STATE OF UTAH

Notice of Violation No. N 81-3-9-12

Violation No. 2 of 12

Nature of the Violation

Failure to pass surface drainage from the disturbed area through a sediment pond or series of sediment ponds.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 817.42 (a)(1)

Portion of the Operation to which Notice Applies

Diversion structure area in left drainage of Middle Fort Canyon where oil sooted soil ~~would~~ and coal ~~boulder~~ boulder would be encountered by surface drainage as it entered the diversion.

Remedial Action Required (including interim steps, if any)

- 1) Remove coal boulder
- 2) Remove oil sooted soil and properly dispose of
- 3) Reconstruct berm and grade to prevent drainage from the undisturbed area from entering the diversion thus leaving the permit area without passing a sediment pond.

Time for Abatement (including time for interim steps, if any)

30 days, no later than 8:00 AM July 30, 1981.



STATE OF UTAH

Notice of Violation No. N 81-3-9-12

Violation No. 1 of 12

Nature of the Violation

Failure to seal exposed underground shaft in order to ensure the safety of people, livestock and wildlife.

Provision(s) of the Regulations, Act, or Permit Violated

UMC 817.13

Portion of the Operation to which Notice Applies

King #4 and #5 mine down from loading pad.

Remedial Action Required (including interim steps, if any)

Seal exposed underground shaft to insure the safety of people, livestock and wildlife.

Time for Abatement (including time for interim steps, if any)

30 days, no later than 8:00 AM July 30, 1981.

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300



RETURN TO

State of Utah
Department of Natural Resources
Division of Oil, Gas, & Mining
1588 West North Temple
Salt Lake City, Utah 84116

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

GPO : 1979 O - 289-363

.P20 0367360

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See Reverse)

SENT TO		<i>Robert Eeali - US Fuel</i>	
STREET AND NO.			
P.O., STATE AND ZIP CODE		<i>Hawatha, Utah 84527</i>	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	€	
	SPECIAL DELIVERY	€	
	RESTRICTED DELIVERY	€	
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE		
	SHOW TO WHOM AND DATE DELIVERED	€	
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	€		
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	€		
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	€		
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE		<i>6/5/81</i>	

Compliance

PS Form 3800, Apr. 1976

ACI/COZ/ON

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered. _____ €
- Show to whom, date and address of delivery. _____ €
- RESTRICTED DELIVERY
- Show to whom and date delivered. _____ €
- RESTRICTED DELIVERY.
- Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *Robert Eeali*
U.S. Fuel Company
Hawatha, Utah 84527

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>0367360</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Ray Anderson

DATE OF DELIVERY: *JUN 14 1981*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

U.S. MAIL
JUN 11 1981
U.S. MAIL
INITIALS
OH

GPO 1979-289-348



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

I. DANIEL STEWART
Chairman

CLEON B. FEIGHT
Director

CHARLES R. HENDERSON
JOHN L. BELL
THADIS W. BOX
C. RAY JUVELIN

June 5, 1981

#0367360

REGISTERED - RETURN RECEIPT REQUESTED

ACT 1007/001

Mr. Robert Eccli
U.S. Fuel Company
Hiawatha, Utah 84527

RE: Compliance

Dear Mr. Eccli:

Pursuant to Section 40-10-20, 21, 22 and 23, Utah Code Annotated, and UMC/SMC Parts 843, 845 and 900, the attached information has been provided to inform you of the penalties for not complying with a Notice of Violation or Cessation Order. It is the Division's intent to expressly inform the operator of the consequences resulting from non-compliance. Please call if you have any questions.

Sincerely,

JAMES W. SMITH, JR.
COORDINATOR OF MINED LAND DEVELOPMENT

JWS/te

Attachment

ACT/607/011

File in [unclear]
listed on [unclear]

Ron do we
want to take
care of those?



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

OFFICE OF THE REGIONAL DIRECTOR

RECEIVED

APR 1 1981

DIVISION OF
OIL, GAS & MINING

MAR 27 1981

Talked
and agreed
the Dept
would
accept
the NGL's
Plan

[Handwritten initials]

Rt. to [unclear]
[unclear]
as above

James W. Smith
Coordinator of Mined Land Development
Department of Natural Resources
1588 West North Temple
Salt Lake City, Utah 84116

Dear *James*

Attached is a Temporary Directive concerned with Federal enforcement actions pending at the time of your State program approval.

There are presently seven outstanding Federal violations within your State, which were served prior to your State program approval (list enclosed). Please advise Tom Ehmett (303) 837-5701 of the violation(s) for which your State wishes to assume enforcement responsibility. You may also contact Tom with comments and questions concerning this matter.

Sincerely,

[Handwritten signature]

Donald A. Crane

Enclosures (2)

STATE OF UTAH

<u>Company</u>	<u>NOV No.</u>	<u>Violation</u>	<u>Abatement Due</u>
-Coop (Trail Canyon)	80-5-13-15	Breached Road Berms	12/19/80
-Coop (Trail Canyon)	80-5-13-16	Surface H ₂ O Monitoring	12/31/80
Skyline	80-5-13-14	Operating w/o Permit	12/19/80
Knight	80-5-7-27	Topsoil	02/02/81
Price River Coal Co.	80-5-7-25	Surface Drainage	01/27/81
-U.S. Fuel Co.	80-5-15-13	Ground H ₂ O Monitoring	03/11/81
-U.S. Fuel Co.	80-5-15-13	Surface Drainage	01/10/81



U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
DIRECTIVES SYSTEM

Chapter:	Section:
T52	05
Transmittal Number:	Date:
84	3/18/81

Subject: ENFORCEMENT ACTIONS PENDING AT TIME OF STATE PROGRAM APPROVAL

Approval: *Andrew V. Bailey*

Title: *Acting Director*

TEMPORARY DIRECTIVE

Expires on: JUNE 17, 1981

1. PURPOSE. This directive describes the way OSM will handle enforcement actions which are outstanding at the time of State program approval.

2. DEFINITIONS. None.

3. POLICY/PROCEDURES.

a. Policy. OSM has the legal authority to follow through on all enforcement actions which were outstanding at the time of State program approval. However, in order to demonstrate its commitment to State primacy while providing for abatement of all outstanding violations, OSM will follow the policy of deferral to the State described below.

b. Procedures.

(1) Responsibilities. As soon as possible after a State gains primacy, the Region will furnish the State a list of all outstanding violations, and will present to the State the option of accepting responsibility for taking appropriate enforcement action against all, some, or none of these outstanding violations.

(a) State Declines to Exercise Option. OSM will follow through on all violations for which the State does not wish to accept responsibility. This includes participation in administrative and judicial proceedings relating to penalties.

(b) State Exercises Option. The Region should meet with the State to determine the violations for which the State wishes to assume responsibility. After the State has taken appropriate action against any unabated violation, the underlying OSM citation should be terminated. The termination should reference the State-issued citation. The OSM penalty for the underlying citation will be waived, and the violation will not be counted for purposes of "pattern of violations" or "history of violations."

3. b. (1)(a)(b)

OSM T52-05/84
3/18/81

(2) States Injoined Under §503(d). In cases where a State has been enjoined from enforcing the permanent program after State program approval, a determination as to the applicability of this directive will be made on a State-by-State basis, depending on the facts of each case.

4. REPORTING REQUIREMENTS. None.
5. REFERENCES, Section 521(a) of the Act.
6. EFFECT ON OTHER DOCUMENTS. None.
7. EFFECTIVE DATE. Upon issuance.
8. CONTACT. Chief, Enforcement Branch, Inspection and Enforcement,
(FTS 343-2084)



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

CHARLES R. HENDERSON
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DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
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C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name Sharon Steel / U.S. Fuels
Mailing Address University Club Building 19th Floor SLC, UT 84111
State Permit No. Act 10071011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-3-22-3 Y TV dated 12/11, 1981.

Cessation Order No. C _____ Y TV dated _____, 19____.

Violation No. 1 is hereby _____ Terminated ✓ Vacated because:
Violation No. 2 is hereby ✓ Terminated _____ Vacated because:
Violation No. 3 is hereby _____ Terminated ✓ Vacated because:

Date of Service 3/24/82 _____
Signature of Authorized Representative Thomas L. Partle

Time of Service or Mailing 3:00 _____ a.m. ✓ p.m. _____
Name and I.D. No. Thomas L. Partle #5

#s 1 and 3 were vacated following the presentation of information at the assessment conference which indicates that they were redundant of a previous violation #81-3-20-1. Further it was felt that these ^{abatement} items ~~had been~~ contained in the violation had been pursued diligently by the operator and that further efforts towards this end would better be addressed from a technical viewpoint as per wish of the assessment officer.

2 had been adequately abated.

March 12, 1981

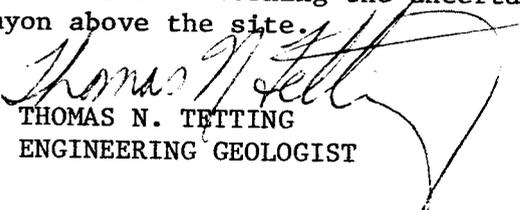
Inspection Memo
to Coal File:

RE: Hiawatha Complex
U. S. Fuel Company
ACT/007/011
Carbon County, Utah

A partial inspection was given at the King Six site of the above-mentioned mine operation by Joe Helfrich, Tom Portle, Sally Kefer and Tom Tetting on March 3, 1981. Robert Eccli, a company official served in on-site guidance.

A topsoil stockpile required a berm and it was agreed by Mr. Eccli that construction would begin at the earliest break in snow cover.

The King Six site is presently inactive; however, the location has been previously mined. Information and advice was exchanged regarding future improvements. Additional fill is planned to form an extension of the upper pad eastward from the portal; a berm will be necessary along the outer edge. A discussion was held over a proposed conveyor belt route along the north side of the lower mine access road. Questions were raised concerning the uncertainty of proposed monitoring of springs in the canyon above the site.


THOMAS N. TETTING
ENGINEERING GEOLOGIST

cc: Tom Ehmett, OSM
Bob Eccli, U. S. Fuel

TNT/btm

Statistics:

Vehicle #EX 70237--783 miles

Per Diem: Four persons x 3 days, 8 hours \$ \$37.50 per day = \$466

Grant: A & E

February 10, 1981

Memo to Coal File:

RE: Hiawatha Complex
ACT/007/011
Carbon County, Utah

The above-mentioned operation was given a partial inspection on February 5, 1981, by Sandy Pruitt, Tom Portle and Joe Helfrich from the Division. They were accompanied by Bob Eccli, mine engineer for the Hiawatha Complex. The purpose of the trip was to terminate NOV #80-1-16-1 issued December 11, 1980. The violation was issued as a failure to properly address drainage control in the development area of the North Fork Canyon. The development consisted of approximately one acre of surface disturbance for site prep for a new ventilation fan for the No. 4 King Mine. Mr. Eccli had satisfactorily abated the violation by implementing a series of straw dikes at the lower end of the disturbed area.

Mr. Eccli was requested to do some additional drainage control work on the topsoil stockpiles at the No. 6 Mine as soon as the adjacent ground thawed.


JOSEPH C. HELFRICH
RECLAMATION SOILS SPECIALIST

cc: Tom Ehmett, OSM

JCH/btm

Statistics:

Vehicle #EX 68804--677 miles.

Three persons x two days 9.5 hours @ \$37.50/day - \$237.

Grant--Coal A & E



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
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THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

Modification of Notice or Order

To the Following Permittee or Operator:

Name Sharon Steel / U.G. Fuels

Mailing Address 19th Floor University Club Bld. 136 E South Temple

State Permit No. ACT/007/011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-3-22-3 Y TV dated 12-11, 19 81.

Cessation Order No. C _____ Y TV dated _____, 19 _____.

Violation No. 1 is modified as follows: Extended until ~~the~~ February 26, 1982.

The reason for this modification are as follows: To allow operator to provide additional information required in remedial action.

Violation No. 2 is modified as follows: portions 2, 4, 5 extended until February 26, 1982.

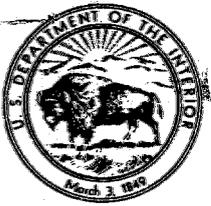
The reasons for this modification are as follows: #3 + 3 will be terminated along with other portions when appropriate. as above

Violation No. 3 is modified as follows: Extended until February 26, 1982

The reasons for this modification are as follows: To allow operator time to provide additional information.

Date of Service 2-5-82 _____
Signature of Authorized Representative Thomas L. Partle

Time of Service or Mailing 11:30 a.m. _____ p.m. _____
Name and I.D. No. Thomas L. Partle #3



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

Joe
Please File

January 28, 1981

ACT 1009/011

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

RECEIVED

JAN 30 1981

DIVISION OF
OIL, GAS & MINING

Dear Mr. Daniels:

Enclosed please find a copy(s) of on-site inspection report. The inspection was conducted within HIAWATHA MINE during the period of December 11, 1980.

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

Sincerely,

Thomas E. Ehmett

Thomas E. Ehmett
Assistant Regional Director
Division of Inspection & Enforcement

REGION V ON-SITE INSPECTION REPORT

U.S. FUELS COMPANY
HIAWATHA MINE
Hiawatha, Utah 84527
(801) 343-2471

DATE: December 11, 1980
TIME: 9:00 a.m. - 3:30 p.m.
WEATHER: Clear and cold
COUNTY AND STATE: Emery County, Utah
COMPANY OFFICIAL: Robert Eccli, Mine Manager
STATE OFFICIALS: Joe Helfrich, Tom Portle, and Sandy Pruitt
OSM OFFICIAL: Gary Fritz
MSHA ID NUMBER: 42-00098
STATE ENFORCEMENT ACTION: 80-1-16-1
FEDERAL ENFORCEMENT ACTION: 80-5-5-13, issued on December 11, 1980

GENERAL COMMENTS

Notice of Violation #80-5-5-13 (2) was issued for failure to control runoff from the proposed mine fan pad in the Right Fork Canyon of Miller Creek and for failure to have an OSM approved groundwater monitoring plan for the mine.

(Violation #1 of NOV #80-5-5-13) The Right Fork of the North Fork of Miller Creek is a perennial tributary to Miller Creek. Access to the fan site is by an existing jeep road that extends from the town of Hiawatha to within 800 feet of the proposed fan pad. The road was extended to the pad which is supposed to have a fan portal, fan housing, motor control building, and an electrical substation. The fan pad has been roughed-out and a portion of the steel housing for the portal is in place.

The stream flowing through the fan pad area was diverted under the pad in a culvert, which did not have a trash rack on the upstream end. The drainage from the pad was supposed to be controlled by a series of straw dikes placed in drainage ditches, but no dikes or ditches were in place, so drainage from the disturbed area would enter the perennial stream.

The size of the disturbed area was originally supposed to be a half acre. Visual estimates by both the State inspection staff and myself, placed the area closer to two acres in size.

The disturbed area was seeded with a temporary cover of grasses or legumes, but it was not mulched. A portion of the drainage from the disturbed area would run onto the flat part of the mine pad, so surface water runoff from less than an acre left the area during limited storm events. The company had removed all of their construction equipment for the season, and there was no plan to put in the straw dikes or ditches to control the heavy snowmelt next spring.

Violation #2 of NOV #80-5-5-13 for failure to monitor groundwater in accordance with an approved plan was issued, because the company did not have an OSM approved plan. Mr. Eccli, the mine manager, said the company was monitoring groundwater in accordance with plans approved by the State. He had a copy of a letter from Don Crane, Regional

HIAWATHA MINE

GENERAL COMMENTS (cont'd)

Director of OSM Region V, to Jim Smith, Utah Division of Oil and Gas, which requested additional information prior to OSM approval. The letter, dated July 18, 1980, asked the company to accomplish the following:

- Identify critical springs for monitoring.
- Submit a basic geologic map.
- Submit information on the effects of mining on flow rates of groundwater.
- Submit information on the location and procedure for monitoring water in an underground storage reservoir.

717.11 General Obligations

A copy of the company's 30 CFR 211 plan, approved by USGS on May 5, 1977, was available for review at the minesite.

Copies of the following federal leases were available for review:

SL 025431	2,250 acres	9/1/59
SL 069985	2,350 acres	11/1/49
U-026583	1,000 acres	2/1/61
U-058261		2/1/61

The stipulations of these leases were reviewed for on-the-ground compliance. A copy of the State approval letter, dated May 11, 1978, for the company's mine permit, ACT/007/011, was also available for review.

Originally, the company's NPDES discharge permit was limited to a gravity flow discharge at the old Mohrland portal in Cedar Creek Canyon. Water from the mine is allowed to discharge into underground workings which drain to and out of the Mohrland portal at a rate ranging from 500 to 1200 gpm. Additional discharge points were added for the new sediment ponds and the active slurry pond, pond #1. Due to changes in the permit, the company now has the right to discharge into Cedar Creek, a tributary of the San Rafael River, and into Miller Creek, a tributary of the Price River.

717.18 Dams Constructed of or Impounding Waste Material

The company has three slurry ponds with refuse embankments. Of the three, only the #1 pond is being used at this time. Stability studies for the #4 and #5 ponds were available for review. The embankment for the #5 pond was being reduced and compacted with a bulldozer in response to a recent MSHA request.

No evidence of mass movement or gullies was noted on the embankments of the dams. There was also no sign of seepage below the embankments.

HIAWATHA MINE

717.17 Protection of the Hydrologic System

The main entries and fan portals are located in the forks of the three canyons of Miller Creek. All of the coal currently being mined is from the Middle Fork of Miller Creek (#4 and #5 mines).

King VI Mine

Acreages in the South Fork of Miller Creek are being redeveloped by the company. Plans have been submitted for a new portal which will be identified as the #VI Mine. The plan calls for:

Repaving and improving the South Fork Canyon Road.

A 42 inch wide overland conveyor belt that is approximately 2,100 feet long.

A 5,600 ton capacity conical storage pile with reclaiming system and an adjacent truck loadout terminal.

The company has approval for the construction of the hydrologic control systems in this canyon. The sediment pond had been constructed. The emergency spillway, a riprapped cut in the original ground, the principal spillway, and a CVP drop structure were all in place.

Topsoil from the pond construction was segregated and piled below the dam embankment next to the access road. The State inspection staff asked Mr. Eccli to put a berm around the topsoil pile to reduce erosion loss and contamination.

Drainage from the undisturbed area was diverted under the sediment pond into a culvert. A headwall was in place on the inflow end of the culvert and the outflow end was riprapped.

The State inspection staff also requested that a berm along the other topsoil pile be set aside from the face up development of the beltway portal.

King IV and King V Mines

This active minesite area is referred to as the Middle Fork Yard. Coal is loaded and hauled by subcontractors to the company's wash plant in the city which is less than a mile away.

The sediment pond for drainage control had been built. The riprapped emergency spillway was cut in original ground, and the drop inlet pipe for the principal spillway had been installed.

Drainage from the center of the truck turnaround is carried into the new sediment pond in a culvert that passes under the road. Drainage from the south side of the turnaround is supposed to go into the pond through a low area in the MSHA berm between the dam and road. I questioned Mr. Eccli about the position and efficiency of the low area, which was located at the embankment end of the impoundment instead of the inflow end. It appeared to be susceptible to snow blockage during the winter snow clearing activities.

HIAWATHA MINE

King IV and King V Mines (cont'd)

Mr. Eccli felt that it was sufficient, I disagreed. Because there was no apparent bypass, I told him that it was acceptable if it was maintained.

The State inspection staff asked Mr. Eccli to riprap the outflow ends of the pipes carrying disturbed drainage into the sediment pond because some backcutting had already occurred.

The drainage from the pole storage yard for mine timber in this canyon was not diverted into a sediment control structure. The yard is located on the north side of the road next to the old schoolhouse, which is below the new sediment pond. Since the timbers are not treated, and the yard is not used for any other storage, no violation was issued for runoff control. The company had a small soil borrow pit in the yard. Mr. Eccli indicated that additional fill material was needed for the dam. The area has been closed, and it was ripped with a dozer knife and seeded. Due to the size of the drainage area of the timber yard, the company can apply for a small area drainage exemption.

The main power substation for these two mines is located at the head of the canyon. The transformers were being changed. I asked Mr. Eccli to verify the transformer fluid type. A letter from Mr. Eccli was sent to OSM stating that it was not PCB or a derivative thereof.

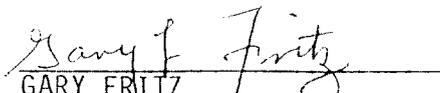
The water tower for the mine is also located at the head of this canyon. No drainage problems were noted in that area.

Upper Coal Storage Yard

This area is located on the north edge of the city of Hiawatha. Coal is stockpiled there for rail shipment. The railroad is next to Miller Creek, so drainage control for the north side of the rail bank is a problem. A pond has been built for the area, and the yard was graded to drain into the pond, but the railroad track next to the creek makes it hard to divert the outside portion of the runoff to the pond. I suggested that the company leave a clear space between the tracks and coal pile wide enough to drive a cat loader between the coal pile and railroad cars. The company could then grade the strip, so it would run to the sediment pond, and reduce uncontrolled runoff to the track and sloughed off coal on the outside embankment of the railroad.

717.20 Topsoil and Revegetation

A permanent seed mixture was broadcast on all of the areas that were disturbed in 1980. No mulch was used, and the areas were not scarified mechanically after the seed was broadcast.


GARY FRITZ
RECLAMATION SPECIALIST



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

CHARLES R. HENDERSON
Chairman

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

file 007/011

CLEON B. FEIGHT
Director

Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name U.S. FUEL CO. HIAWATHA Complex
Mailing Address HIAWATHA UTAH 84527
State Permit No. 007/011

Utah Coal Mining and Reclamation Act, Section 40-10-1 et. seq., Utah Code Annotated (1953):

Notice of Violation No. N 81-1-8-7 81 7 dated 9/17, 19 81
Y TV

Cessation Order No. C _____ Y TV dated _____, 19 _____

Violation No. 2 is hereby Terminated _____ Vacated because:
Violation No. 5 is hereby Terminated _____ Vacated because:
Violation No. 6 is hereby Terminated _____ Vacated because:

Date of Service 1-26-82 Joseph C. Helfrich
Signature of Authorized Representative

Time of Service or Mailing 3:30 a.m. p.m. JOSEPH C. HELFRICH # 1
Name and I.D. No.

*EFFECTIVE TERMINATION DATE FOR NOV. # 2 11/3/81
5 12/18/81
6 10/9/81*

U.S. DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement
VACATION OR TERMINATION OF NOTICE OF VIOLATION OR CESSATION ORDER

1. Name United States Fuel Co		<input checked="" type="checkbox"/> Permittee <input type="checkbox"/> No Permit	Originating Office Address Office of Surface Mining Brooks Towers 1020 15th St. Denver, Colorado 80236	
2. Mailing Address Hiawatha Complex Hiawatha Utah		84527		
3. Name of Mine Hiawatha Complex		<input type="checkbox"/> Surface <input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Other (Specify) _____	
4. Telephone Number 801 355-8857	5. County Carbon	State Utah	Telephone Number 303-837-5701	
6. Operator's Name Robert Eccli		8. Date of Inspection 12-11-80		
7. Mailing Address		9. Time of Inspection From 9:30 ^{a.m.} To 4:30 ^{a.m.}		
10. State Permit Number Act/007/011	11. NPDES Number	12. MSHA ID Number 42-00098	13. OSM Mine Number	

ACTIONS TAKEN

Authority: Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201) the following action is taken:

14. Notice of Violation Number 80-5-15-13	Dated	15. Cessation Order Number - - -	Dated
---	-------	-------------------------------------	-------

16. VIOLATION 2 OF 2 IS Terminated Vacated for the Following Reasons: **The State of Utah did a followup inspection on a parallel violation - They have backdated their termination notice to December 15, 1980. My date of termination is effective as of that date also.**

17. VIOLATION _____ OF _____ IS Terminated Vacated for the Following Reasons:

18. VIOLATION _____ OF _____ IS Terminated Vacated for the Following Reasons:

RECEIVED

APR 15 1981

DIVISION OF
OIL, GAS & MINING

19. Print Name of Authorized Representative Gary W. Fritz	Identification Number V-15
20. Signature of Authorized Representative Gary W. Fritz	Effective Date 12/15/80

January 12, 1981

Inspection Memo
to Coal File:

RE: Hiawatha Complex
U. S. Fuel Company
Carbon County, Utah
ACT/007/011

DATE: December 11, 1980
TIME: 9:00 a.m.
WEATHER: Fair
COMPANY OFFICIAL: Bob Eccli, Mine Engineer
STATE OFFICIAL: Joe Helfrich, Tom Portle, Sandy Pruitt
OSM OFFICIAL: Gary Fritz
ENFORCEMENT ACTIONS: STATE: Notice of Violation #80-1-16-1
FEDERAL: Notice of Violation #80-5-15-13-2

Compliance with Interim Regulations

717.11 General Obligations

A copy of all permits and approved mining plans were available at the company office in Hiawatha, Utah. The NPDES permit #UT-0023094, due to expire June 30, 1982, was amended on December 11, 1979, to include seven sediment pond discharge points as shown on a revised area map dated June 15, 1979.

The company is monitoring surface and groundwater and submitting quarterly and annual reports to the Division according to the Hydrologic Monitoring Plan submitted November 30, 1979. This plan has not been approved. OSM Violation #1 (80-5-15-13) was issued for failure to have an approved groundwater monitoring plan. A letter from OSM addressing inadequacies in the plan was sent to Mr. Eccli on July 18, 1980. Mr. Eccli did not respond so a copy of the letter was sent again by the Division on October 15, 1980. Remedial action for NOV #1 required that a complete groundwater monitoring plan be submitted to OSM within 30 days. A revision of the November 1979 plan was submitted on December 22, 1980, addressing all of the OSM comments. The revised plan will be reviewed by the DOGM and OSM for approval. Complete abatement of NOV #1 requires implementation of the approved plan by March 11, 1981.

717.12 Signs and Markers

A mine identification sign was posted at the town entrance.

717.14 Backfilling and Grading

The pad for the King IV mine air intake portal up the North Fork of Miller Creek Canyon was excavated in June 1980. The initial entry here was unstable so the overburden was replaced and graded to establish a 2:1 slope.

A new entry is being developed into a more stable, natural slope to the right of this.

The company was in the process of grading the embankment of Slurry Pond #5 to attain a 2:1 slope required by MSHA.

717.15 Disposal of Excess Rock and Earth Material

The overburden from the King VI portal for the overland conveyor is being temporarily stockpiled for use as fill after the entry culvert is installed.

717.17 Protection of the Hydrologic System

Construction of the sediment pond for the King IV and V portals was completed in September. Gully inlets collect drainage from the pad and roadside ditch. Mr. Eccli claimed that rocks exposed by erosion of the gullies adequately dissipate energy and serve as a "natural riprap." These inlets should be reestablished and riprapped if new rills or gullies form.

Disturbed area runoff from the small material storage area along the Middle Fork access road below the sediment pond is not contained. Mr. Eccli committed to constructing a berm to contain runoff from the area by June 30, 1981.

The new pad for the King IV air intake portal has been graded and bermed to contain drainage, but there is no control for drainage off the 2:1 fill slope. DOGM Violation #1 (80-1-16-1) and OSM Violation #2 (80-5-15-13) were issued for failure to pass surface drainage from the disturbed area through sediment control structures. Sediment control structures should be implemented by January 10, 1981. A gravel stream ford along the access road has been approved in place of a 36-inch culvert. This ford should be maintained to prevent excessive erosion.

The drainage pattern for the upper coal storage yard uses the railroad tracks as diversion structures. Any spillage from the railroad cars could block drainage to the culvert above the sediment pond and allow for runoff to the undisturbed area below the yard. Mr. Eccli was made aware of this potential problem.

Transformers stored near the power station above the King IV and V pad were not isolated from natural drainage of the area. It could not be determined whether the transformers contained PCB. Mr. Eccli was notified of EPA policy on PCB and requested to remove the transformer if the safety of the contents could not be proved within 30 days.

717.20 Topsoil Handling and Revegetation

Topsoil removed prior to portal development for the King VI mine has been temporarily stockpiled and was seeded this fall. A berm around the stockpile is required to prevent soil loss before vegetative cover is established. Topsoil from the sediment pond for the King VI pad is stockpiled

Inspection Memo to Coal File
ACT/007/011
January 12, 1981
Page three

below the pond, between the access road and natural drainage channel. The stockpile has been seeded, but a berm is required here also to prevent soil loss to the stream. A ditch at the perimeter along the access road should be established to divert road drainage off the topsoil stockpile. Mr. Eccli has committed to these improvements.

A three-inch layer of topsoil was removed from the King IV ventilation pad area, distributed on the 2:1 fill slope and seeded. There was not enough topsoil to cover the entire fill. Mr. Eccli discussed plans to use the topsoil being used as berm material along the access road to cover the rest of the fill. Waste rock from portal development would be used as berm material instead.

The embankments on all of the ponds have been seeded. A small borrow area from a previously disturbed area near the timber storage yard up Middle Fork has been terraced and seeded. Miller Creek was diverted in 1979 for construction of the sediment pond below Slurry Pond #1. The inslopes to this diversion have been hydroseeded. The inslopes to the undisturbed drainage culvert southwest of the King IV and V pad have been seeded also. An average five lbs/ac of seed was used in all of these areas.

717.18 Dams

Stability studies have been done for Slurry Pond #4 (1976) and pond #1 (1980). Piezometers monitor the embankments of pond #1, #4 and #5 weekly. Slurry Ponds #2 and #3 have been abandoned.


SANDY PRUITT
RECLAMATION OFFICER

cc: Thomas Ehmett, OSM

SP/btm

Statistics:

See Blackhawk memo dated December 30, 1980.

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Region V
1823 Stout Street
Denver, Colorado 80202
Telephone: (303) 837-5511
(303) 837-5701

NOTICE OF VIOLATION NO. N 80-5-15-13 TV

To the Following Permittee or Operator:

Name United States Surface Mining Reclamation and Enforcement

Mine Hinawatha Complex Surface Underground Other _____

County and State Carbon County Utah Telephone 355-8857

Mailing Address Hinawatha Complex Hinawatha Utah 84527

OSM Mine No. _____ State Permit No. _____ MSHA I.D. No. 42-00098

Date of Inspection Dec. 11, 19 80

Time of Inspection: from 9:30 a.m. to 11:30 a.m.
 p.m. to _____ p.m.

Name of Operator (if other than permittee) _____

Mailing Address _____

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201), the undersigned authorized representative of the Secretary of the Interior has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned authorized representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite on-site, informal public hearing, on request within 30 days after service of this notice. (30 CFR 722.5)

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for abatement may be extended by an authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 12/11/80 Gary L. Fritz
Signature of Authorized Representative

Time of Service 4:58 a.m. Gary L. Fritz J-15
 p.m. Name and I.D. No.

Person Served with Notice Bob Eccli Mine Engineer
Print Name and Title

Signature Robert Eccli

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE

Notice of Violation No. N 50-5-15-13

Violation No. 1 of 2

Nature of the Violation

Failure to have an approved
ground water monitoring plan

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR 717.17(h)

30 CFR 211.4

PL 95-87 s-c 517 (A)(2)(B)

Portion of the Operation to which Notice Applies

Entire operation.

Remedial Action Required (including interim steps, if any)

Submit a ground-water monitoring plan that meets
the requirements of 30 CFR 717.17 to the
Office of Surface Mining.

Implement the ground water monitoring plan.

Time for Abatement (including time for interim steps, if any)

- 1) Submit a complete ground-water monitoring plan
to the Office of Surface Mining within 30 days
(Jan 10, 1981)
- 2) Implement the ground water monitoring plan
approved by the Office of Surface Mining
within 90 days March 11, 1981

STATE

19315

Notice of Violation No. N 80-5-15-13

Violation No. 2 of 2

Nature of the Violation

Failure to pass surface drainage from the disturbed area through a sedimentation pond.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR 717.17(e)
30 CFR 711.4(d)
FL 95-87 Sec 516 (b)(9)(B)

Portion of the Operation to which Notice Applies

Fan Pad on the North Fork of Millers Creek

Remedial Action Required (including interim steps, if any)

Design and implement, construct and maintain sediment control measures to prevent additional contributions of sediment to streamflow.

Time for Abatement (including time for interim steps, if any)

Implement the sediment control measures within 30 days. (Jan 10, 1981)

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS & MINING
1588 West North Temple
Salt Lake City, Utah 84116
Telephone: (801) 533-5771

NOTICE OF VIOLATION NO. N

From the STATE OF UTAH
To the Following Permittee or Operator:

Name United States Fuel Company
Mine Hiawatha Complex Surface Underground Other _____
Category of Ownership State Federal Fee Mixed
OSM Mine No. _____ State Permit No. ACT/007/011 MSHA I.D. No. _____
County and State Carbon, Utah Telephone (801) 355-8857
Mailing Address Hiawatha Complex, Hiawatha, UT 84527
Date of Inspection December 11, 1980
Time of Inspection: From 9:00 a.m. to 4:30 a.m.
 p.m. to p.m.
Name of Operator (if other than permittee) _____
Mailing Address _____

Under the authority of the Utah Coal Mining and Reclamation Act of 1979 (Sec. 40-10-1 et seq., Utah Code Annotated, 1953), the undersigned authorized representative of the Director and the Division of Oil, Gas & Mining has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "Mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated or vacated by written notice of an authorized representative of the Director and the Division of Oil, Gas & Mining. The time for abatement may be extended by the authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service December 11, 1980 Joseph C. Helfrich
Signature of Authorized Representative

Time of Service 4:30 a.m. JOSEPH C. HELFRICH #1
 p.m. Name and I. D. No.

Person Served with Notice ROBERT ECKLI MINE ENGINEER
Print Name and Title

Signature Robert Eckli

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE



STATE OF UTAH

Notice of Violation No. N 80-1-16-1

Violation No. 1 of 1

Nature of the Violation

Failure to pass surface drainage from a disturbed area through a sediment control structure.

Provision(s) of the Regulations, Act, or Permit Violated

MC 717.17 (a)

Title 40-10-17 (j) (2) (a)

Portion of the Operation to which Notice Applies

Development area ~~in~~ in North Fork for new ventilation fan for the King No. 4 mine.

Remedial Action Required (including interim steps, if any)

Install straw bales in such a way so as to ^{prevent} ~~pass~~ surface drainage from the disturbed area from draining down the access road without passing a sediment control structure _{through}.

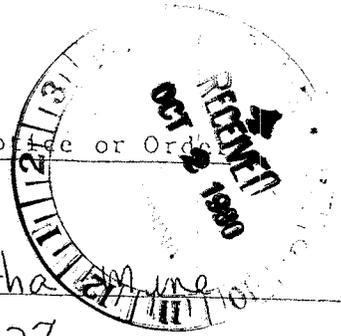
Time for Abatement (including time for interim steps, if any)

30 days No Later Than 8:00 AM January 10, 1981.

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

To Joe
ACT/007/011

JWS



Vacation or Termination of Notice or Order

To the Following Permittee or Operator:

Name U.S. Fuels Company - Hiawatha
Mailing Address Hiawatha, Utah 84527
State Permit No. ACT/007/011

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 30 U.S.C. 1201), with respect to:

Notice of Violation No. N 80-5-7-13 Y 3 I V dated 15 May, 1
Cessation Order No. C Y I V dated , 1

Violation No. 1 is hereby Terminated Vacated because:
Culverts have been cleaned. All associated
disturbed areas must be seeded this fall to fully abate

Violation No. is hereby Terminated Vacated because:
this violation.

Violation No. is hereby Terminated Vacated because:

Date of Service 17 Sept. 80

Eileen M. Doherty
Signature of Authorized Representative

Time of Service or Mailing 4:30 a.m. p.m.

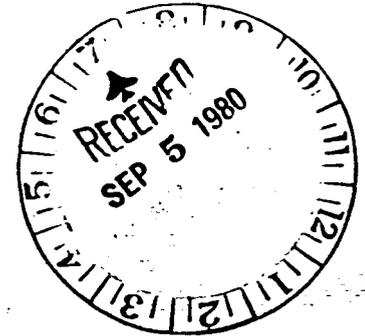
E. M. Doherty II-17
Name and I.D. No.



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

Copy to All
JWS

September 3, 1980



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

ACT/007/011
Re: Proposed OSM Inspections

Dear Mr. Daniels:

This is to inform you of the proposed mine inspections which this office intends to conduct within your State. Inspections are scheduled to be made at the following mines:

Price River Complex
Starpoint
Blazon
Bear Canyon
Coop
Hidden Valley
Huntington #4
Geneva
Wilberg

Wellington
Factory Butte
McKinnon #2
Skyline
Deer Creek
Knight
Sunnyside
Hiawatha *U.S. Fuel*

These inspections will be conducted during the week of September 15, 1980.

If you have any questions concerning the above matter, please contact this office.

Sincerely,

Thomas E. Ehmett
Acting Assistant Regional Director
Division of Inspection and Enforcement



United States Department of the Interior
 OFFICE OF SURFACE MINING
 Reclamation and Enforcement
 BROOKS TOWERS
 1020 15TH STREET
 DENVER, COLORADO 80202

July 17, 1980

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 a copy(s) of on-site inspection report. The inspection was conducted within Hiawatha Complex during the period of June 25, 1980.

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

Sincerely,

Thomas E. Ehmett
 Acting Assistant Regional Director
 Division of Inspection & Enforcement

RECEIVED
 JUL 21 1980

DIVISION OF
 OIL, GAS & MINING

Act/007/001

Route & File

ACT/007/011

JWS

RVS

MKS
 8/19

LCS
 8/26

DWFH
 9/8

REGION V ON-SITE INSPECTION REPORT

U.S. FUELS COMPANY
HIAWATHA COMPLEX
Hiawatha, Utah 84527
(801) 343-2471

DATE: June 25, 1980
TIME: 3:15 p.m.
WEATHER: Warm, sunny, and clear
COUNTY AND STATE: Carbon, Utah
COMPANY OFFICIAL: Bob Eccli
OSM OFFICIAL: Eileen Doherty
STATE PERMIT NUMBER: ACT/007/011
MSHA NUMBER: 42-00098

no state officials

GENERAL COMMENTS

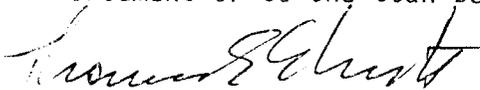
This was a followup inspection to determine abatement of NOV 80-5-7-13.

Violation #2 was terminated due to placement of a diversion ditch and basins below the coal stockpile.

Violation #3 was terminated upon salvage and protection of referenced topsoil.

The abatement date for violation #1 has been extended to August 1, 1980, to allow time to remedy the violation in a more permanent manner. A new exhaust fan is being placed near one of the cited culverts. Undisturbed runoff will be directed beneath the fan pad and into the culvert for protection.

The critical point in this plan will be to reestablish the natural channel down to the culvert and to keep the channel undisturbed. This may require culverting or cementing beneath the fan housing. Questions concerning this should be directed to Office of Surface Mining, Division of Inspection and Enforcement or to the Utah Department of Oil, Gas, and Mining (DOGGM).



For
EILEEN DOHERTY
RECLAMTION SPECIALIST

Follow up on Hiwatha

WHILE YOU WERE OUT



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

Route Copy & file
ACT/007/011

To Joe, first. JWS

June 30, 1980

John P. ...

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

RECEIVED
JUL 02 1980

DIVISION OF
OIL, GAS & MINING

Dear Mr. Daniels:

Enclosed please find copies of Modification of Notice 80-5-7-13 which were issued to mining companies within your State during this offices recent on-site inspections conducted on May 15, 1980. If you have any questions or problems, please contact this office.

Mine inspection reports for all of the operations inspected during the above time frame, and within your State, will be sent to you as soon as they are processed.

Sincerely,

Thomas E. Ehmett

Thomas E. Ehmett, Acting Chief
Division of Inspection & Enforcement

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
REGION V — DENVER, COLORADO

RECEIVED
JUL 02 1980

MODIFICATION OF NOTICE OR ORDER

ORIGINATING OFFICE

Office of Surface Mining
Division of Inspection and Enforcement
2nd Floor, Brooks Towers
1020 15th Street
Denver, Colorado 80202

PERMITTEE/OPERATOR

DIVISION OF
OIL, GAS & MINING

Name U.S. Fuels Co.

Mine Hiawatha

County and State Carbon, Utah

Mailing Address Hiawatha, Utah
34527

Surface Mine

Underground Mine

Other _____

MSHA I.D. No. 42-00098

State Permit No. ACT/007/011

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201),

Notice of Violation No. 80-5-7-13, dated 15 May, 19 80

Cessation Order No. _____, dated _____, 19 _____

is modified on this date as follows:

the abatement date for violation #1 of 3 is
extended from ³⁰ June 80 to 1 August 80.

Reasons:

A more permanent abatement will result
if the operator is given the additional
time.

Effective Date 25 June, 19 80

Eileen M. Doherty

Signature of Authorized Representative

E. M. Doherty II-17

Name and I.D. Number

State



United States Department of the Interior
 OFFICE OF SURFACE MINING
 Reclamation and Enforcement
 BROOKS TOWERS
 1020 15TH STREET
 DENVER, COLORADO 80202

Route 3 File
 ACT/007/011

gph
 MAM
 TDS
 DAD
 MKS
 8/A

June 26, 1980

JAA
 8/6

PAH 8/6

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 a copy(s) of on-site inspection report. The inspection was conducted within Hiawatha Complex during the period (s) of May 14 and 15, 1980.

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

Sincerely,

Thomas E. Ehmett, Acting Chief
 Division of Inspection & Enforcement

RECEIVED
 JUN 30 1980

DIVISION OF
 OIL, GAS & MINING

REGION V ON SITE INSPECTION REPORT

U.S. FUELS COMPANY
HIAWATHA COMPLEX
Hiawatha, Utah 84527
(801) 343-2471

DATES AND TIMES: May 14, 1980, 9:40 a.m. - 5:00 p.m.
May 15, 1980, 8 a.m. - 11 a.m.
WEATHER: Cool, clear, sunny, snowing at portals on May 14.
COUNTY AND STATE: Carbon, Utah
COMPANY OFFICIAL: Robert Eccli, Mine Engineer
STATE OFFICIAL: Joe Helfrich
OSM OFFICIAL: Eileen Doherty
STATE PERMIT NUMBER: ACT/007/011
MSHA NUMBER: 42-00098
NOV NUMBER: 80-5-7-13, issued May 15, 1980.

COMPLIANCE WITH INTERIM REGULATIONS

717.11 General Obligations

At this time, the authorized mining and reclamation plan consists of the State MR 2 form and a complete set of maps and narratives outlining recent updates, revisions, and approvals for groundwork. These items were reviewed at the mine office.

NPDES Permit #UT-0023094 has been revised to include seven new discharge points from sedimentation ponds.

Discharge monitoring records were reviewed for samples taken at springs, streams, and the Mohrland Workings discharge point.

MSHA Permit #1211-UT-9-0007 has been assigned to the permanent refuse disposal. Permit #1211-UT-9-0006 has been assigned to the six slurry ponds.

The proposed fan portal for the #4 mine has been approved by OSM and the State. This portal will be up the North Fork Miller Creek.

717.12 Signs and Markers

The mine identification sign is located at the entrance to the town of Hiawatha. The sign contained the necessary information.

717.14 & 717.15 Backfilling and Grading and Disposal of Excess Rock and Earth

The permanent disposal site is still active. Disposals are taking place in accordance with stipulations set forth in the MSHA approval.

HIAWATHA COMPLEX

717.17 Protection of the Hydrologic System

OSM verbally granted final approval of the surface runoff control plan in April 1980. Approval covers the sediment ponds for the #4, #5, and #6 portals and the upper coal storage yard.

The comprehensive runoff control plan proposes a total of seven ponds. Five have been constructed to date. The remaining two are the ponds associated with the portals runoff. Mr. Eccli stated his awareness that the sedimentation pond now approved for the #6 portal will have to be in place prior to any ground disturbance. This portal has been inactive since 1974 and is being reactivated with a new faceup construction. Cleanup activities are presently occurring at the site. The South Fork of Miller Creek passes through this area and will be cleaned and bermed as protective measures before mining commences.

Violation #1 of NOV 80-5-7-13 requires maintenance and protection of runoff from undisturbed areas passing through culverts beneath the #4 and #5 portals pad.

The access/haulroad between the town and the active portals is lined with four to five small storage areas for timbers, equipment, and dry slurry. These areas were not addressed either in the surface runoff control plan or in the State/OSM review processes. The operator is still responsible for initiating a plan for haulroad and storage area runoff control. Failure to initiate will constitute non-compliance. The critical points to be covered are where contamination of Miller Creek and its Middle Fork is possible.

Violation #2 requires the operator to provide surface runoff control from the east face of the coal stockpile east of the main rail line. A culvert which diverts undisturbed runoff past the loadout facility discharges immediately below the stockpile. Protection from disturbed area runoff is needed.

A State violation cited a failure to maintain the berm at the Western Coal Carrier yard, as noted during the November 1979 OSM/State inspection. The berm had been repaired, and breached again since November.

A second State violation cites a failure to control diesel and lube oil runoff from the #4 and #5 portals pad. Since the sediment pond has not yet been constructed, this runoff was leaving the site. Temporary control measures are required.

Some of the groundwork which has yet to be done includes riprapping of pond discharge points, the diversion ditch along the north side of slurry pond #5, and construction of ponds for portals #4, #5, and #6.

Groundwork finished to date, on the runoff control system, appears to be comprehensive and functioning well.

HIAWATHA MINE

717.17 Protection of the Hydrologic System (cont.)

The groundwater monitoring plan is unacceptable to OSM and the Forest Service at this time. Details of a fault, aquifer, and geologic inventory ahead of mining is required. Numerous holes were drilled in the mine area long ago. Logs of this data may suffice the requirements if the drill holes cover areas to be mined. The operator should consult the OSM Hydrology Department.

717.18 Dams

The slurry ponds are MSHA approved, appear stable, and are addressed adequately by the runoff control plan. Sediment ponds are in place.

717.20 Topsoil and Revegetation

Violation #3, NOV 80-5-7-13, cited a failure to remove topsoil prior to surface disturbances. A topsoil depth analysis is needed to facilitate maximum recovery of the topsoil. Topsoil salvaged in the past is minimal, largely due to the age of the operation. Activities began circa 1907. Topsoil which will be available from any future disturbances needs to be salvaged to a depth determined to be congruous with reclamation needs as well as with the extent of disturbance anticipated in the area.

Topsoil salvaged prior to pond construction has been redistributed on the dikes, and seeded with grass and brush species seed. Some of this seed has begun to take.

A small area, approximately 200 feet by 50 feet, has been disturbed along the South Fork of Miller Creek. A frozen town waterline needed repair. This area should be seeded to help initiate revegetation.

SUMMARY

State Violations: Failure to maintain berm.

Failure to control surface runoff to protect hydrologic system.

OSM Violations: NOV 80-5-7-13

Violation 1: Failure to protect undisturbed runoff.

Violation 2: Failure to control runoff from disturbed area.

Violation 3: Failure to salvage topsoil.



Eileen Doherty
EILEEN DOHERTY
RECLAMATION SPECIALIST

June 23, 1980

Inspection Memo
to Coal File:

RE: U.S. Fuel Company
Hiawatha Complex
ACT/007/011
Carbon County, Utah

The above mentioned site was visited by Joe Helfrich, Tom Suchoski and Mary Kay Stein from the Division of Oil, Gas and Mining, on June 12, 1980. They were met by Bob Eccli, Hiawatha Complex.

Four additional water monitoring stations are to be added above and below the two portal areas for the protection of the operation.

Topsoil stockpile location was approved with proper surface runoff control.

No violations were issued.



MARY KAY STEIN
RECLAMATION OFFICER

MKS/te

cc: Murray Smith, O.S.M.

Note: For statistics see Hidden Valley memo dated 6/16/80.



SCOTT M. MATHESON
Governor

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

CLEON B. FEIGHT
Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

OIL, GAS, AND MINING BOARD

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June 4, 1980

Mr. Robert Eccli
U.S. Fuel Company
Hiawatha, Utah 84527

RE: Abatement Measures
Hiawatha Complex
ACT/007/011
Carbon County, Utah

Dear Mr. Eccli:

As per our discussion on May 22, 1980, the Division hereby directs U.S. Fuel Company to implement the following abatement measures in reference to said violations issued during the inspection of May 14 and 15, 1980, by State and Federal inspectors.

Violation #1, Rule 30 CFR, Section 717.17 & Public Law 95-87, Section 516(b). Violation - Failure to control surface runoff from a disturbed area. Portion of the operation to which the notice applies - The north half of the east face of the coal stockpile east of the Utah Railroad mainline. Abatement action required by the Division - Implement a drainage ditch and catch basins as required between the stockpile and the unaffected area to prevent runoff from leaving the disturbed area and coal stockpile. Actual construction of the ditch and catch basins requires blading the topsoil to the outer-edge of the drainage ditch so as to prevent contact with surface runoff and the coal stockpile itself. Construction of the ditch in this manner will result in topsoil stockpiling to be used upon final reclamation. Abatement time - August 15, 1980.

Mr. Robert Eccli
June 4, 1980
Page Two

Violation #2, Rule 30 CFR, Section 717.20 & Public Law 95-87, Section 516(b). Violation - Failure to remove topsoil prior to surface disturbances. Portion of the Operation to which the notice applies -

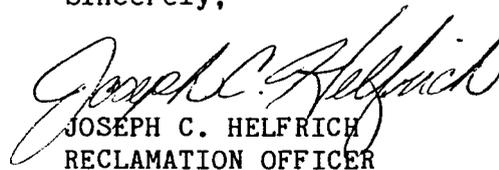
1. Storage site for slurry material between the equipment storage area and upper coal storage yard, and
2. Diversion ditches associated with sediment ponds for slurry ponds 3, 4, and 5.

Abatement action required - In reference to the diversion ditches associated with sediment ponds for slurry ponds 3, 4, and 5, all diversion ditches should be constructed so as to stockpile topsoil on the high side of the ditch so as to prevent contact with surface runoff and revegetated. The inlet to the sediment pond should also be rip-rapped so as to prevent additional excessive erosion on the permit area. In reference to both of the above mentioned violations the top 6 inches of topsoil are to be stockpiled in the manner described above. Abatement time - June 30, 1980.

A general soils survey to determine chemical and physical properties of the previously disturbed area at the #6 Mine will be required before any activity commences at this mine site. This survey will provide the Division with necessary information to determine whether or not surficial material should be stockpiled and saved in regards to the area affected where the new entry will be driven.

If you have any questions, please feel free to contact the Division.

Sincerely,


JOSEPH C. HELFRICH
RECLAMATION OFFICER

JCH/te
cc: Murray Smith, O.S.M.

June 4, 1980

Inspection Memo
to Coal File:

RE: U.S. Fuel Company
Hiawatha Complex
ACT/007/011
Carbon County, Uta

The above mentioned operation was given a partial inspection on May 22, 1980 by Joe Helfrich, Mary Kay Stein, Lee Spencer and Jim Smith from the Division. The inspectors and technical staff were accompanied by Bob Eccli, Mine Engineer, for the Hiawatha Complex.

The purpose of the trip was to familiarize Mary Kay Stein and Lee Spencer with the surface facilities of the Hiawatha Complex and to discuss abatement measures on the following violations:

1. Rule 30 CFR, Section 717.17 & Public Law 95-87, Section 516(b).
Violation - Failure to control surface runoff from a disturbed area.
Portion of the operation to which the notice applies - The north half of the east face of the coal stockpile east of the Utah Railroad mainline.
2. Rule 30 CFR, Section 717.20 & Public Law 95-87, Section 516(b).
Violation - Failure to remove topsoil prior to surface disturbances.
Portion of the operation to which the notice applies -
 - a. Storage site for slurry material between the equipment storage area and upper coal storage yard,
 - b. Diversions ditches associated with sediment ponds for slurry ponds numbers 3, 4, and 5.

Memo to Coal File
ACT/007/011
June 4, 1980
Page Two

The following abatement measures were agreed upon Division members and Mr. Eccli:

Violation #1 - Implement a drainage ditch between the coal stockpile and the unaffected area with as many catch basins as required to contain all runoff from the stockpile. Actual construction of the drainage ditch and the catch basins would consist of blading the topsoil to the outer-most edge so as to prevent contact with the coal stockpile and/or surface runoff from the pile itself. This type of construction would enable the use of the topsoil upon final reclamation.

Violation #2 - Diversion ditches associated with sediment ponds for slurry ponds 3, 4, and 5, should be constructed in the same manner, ie., removal of all topsoil to the highside of the embankment so as to prevent contact with surface runoff and revegetated. Removal of topsoil concerning construction of ditches associated with both of the above mentioned violations will consist of removal of the top 6 inches of material. The inlet area to the sediment pond and the slurry pond should be rip-rapped so as to prevent additional excessive erosion on the permit area. The flyash pile used for snow on the roads and slurry on topsoil above the north stockpile has been removed. It is the intention of Mr. Eccli to reclaim the area and not use it for flyash storage. The timber storage yard and other flyash storage area will be addressed in surface runoff and drainage control plans for both the access and haul road to the #4 and #5 portals and the previously mentioned storage areas. The area below the sediment pond of the #4 and #5 mines will be addressed separately in view of surface runoff and sediment control.

In reference to the #6 Mine, inspectors agreed that a general soil survey be conducted on the disturbed area before any activity begins, particularly in the area where the new entry will be driven.

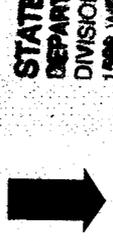
JOSEPH C. HELFRICH
RECLAMATION OFFICER

cc: Murray Smith, O.S.M.

Note: For statistics see Bear Creek Canyon Mine memo dated 5/23/80.



PENALTY FOR POSTAGE
 USE TO VOID POSTAGE
 IF POSTAGE IS PAID
 84521



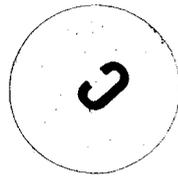
RETURN TO

STATE OF UTAH
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS, AND MINING
 1588 WEST NORTH TEMPLE
 SALT LAKE CITY, UTAH 84111

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS

SENDER INSTRUCTIONS
 Print your name, address, and ZIP CODE in the space below. 2 JUN 1980
 • Complete items 1, 2, and 3 on the reverse.
 • Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE. CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**
- If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
 - If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
 - If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
 - If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
 - Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
 - Save this receipt and present it if you make inquiry.

PS Form 3811, Apr. 1977
 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

NOTE: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

- The following service is requested (check one).
 Show to whom and date delivered. \$
 Show to whom, date, and address of delivery. \$
 RESTRICTED DELIVERY
 Show to whom and date delivered. \$
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 U.S. Fuel Co. - Hawatha Complex
 Hawatha - Utah - 84527

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	5777394	

 (Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

POSTMARK: HAWATHA 5/28/80 1980
 CLERK'S INITIALS: P.M.

P07 5777394

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

SENT TO		Bob Cooky - U.S. Fuel	
STREET AND NO.		Hawatha Complex	
P.O., STATE AND ZIP CODE		Hawatha, UT 84527	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	c	
	SPECIAL DELIVERY	c	
	RESTRICTED DELIVERY	c	
	OPTIONAL SERVICES		
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	c	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	c	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c	
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	c	
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			
5/28/80			

ACT/COOKY



SCOTT M. MATHESON
Governor

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Executive Director,
NATURAL RESOURCES

STATE OF UTAH

CHARLES R. HENDERSON
Chairman

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

CLEON B. FEIGHT
Director

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
CONSTANCE K. LUNDBERG
EDWARD T. BECK
E. STEELE McINTYRE

May 22, 1980

#5777394

REGISTERED-RETURN RECEIPT REQUESTED

Mr. Bob Eccli
Mine Engineer
U.S. Fuel Company
Hiawatha Complex
Hiawatha, Utah 84527

RE: U.S. Fuel Company
Hiawatha Complex
ACT7007/011
Carbon County, Utah

Dear Mr. Eccli:

This letter is to cite violations of the Division's interim period enforcement regulations observed by Joseph Helfrich during the May 14, 1980 inspection of the Hiawatha Complex. Minimum requirements for the alleviation of the cited violations are included. However, these are meant as minimum requirements, and for the most part are by no means the only alternative available.

Violation #1, Rule 30 CFR, Section 717.17(c) and Public Law 95-87, Section 516(b) - Failure to protect undisturbed overland flows from disturbed areas.

Violation #2, Rule 30 CFR, Section 717.17 and Public Law 95-87, Section 516(b) - Failure to control surface runoff from a disturbed area.

Violation #3, Rule 30 CFR, Section 717.20 and Public Law 95-87, Section 516(b) - Failure to remove topsoil prior to surface disturbances.

Violation #4, Rule MC 717.17 - Failure to prevent longterm adverse changes in the hydrologic balance resulting from contribution of excessive amounts of oil and grease and suspended solids to streamflow off the permit area.

Violation #5, Rule MC 717.17(j) - Failure to maintain roads and associated facilities so as to prevent additional contributions of suspended solids to streamflow or runoff outside the permit area.

Mr. Bob Eccli
May 22, 1980
Page Two

U.S. Fuel Company is hereby directed to abate the above-cited violations within the specified time period from receipt of this letter. At a minimum abatement should consist of the following:

Abatement measure #1 - Clean the culvert intakes, clean the culvert discharge pond, remove waste and contaminating material from points of contact within the disturbed channel. This also applies to the 36-inch culvert.

Abatement measure #2 - Control surface runoff from applicable area to protect adjacent areas and waterways.

Abatement measure #3 - Remove slurry material from topsoil and salvage all topsoil from the areas to be disturbed. Request the regulatory authority to evaluate the topsoil depth and requirements prior to future disturbances.

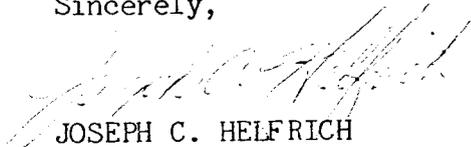
Abatement measure #4 - Implement straw bales around the intakes of the drainage culvert underneath the conveyor system.

Abatement measure #5 - Repair the breach berm adjacent to the south fork of Miller Creek.

If the violations are not abated in the specified time, the matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas and Mining. However, if U.S. Fuel Company feels with good cause that these items are not violations, or that alternative methods can satisfy the abatement requirements, U.S. Fuel Company may meet with the Division concerning the matter and/or apply for a hearing before the the Board. This action should be taken prior to the directed abatement deadline.

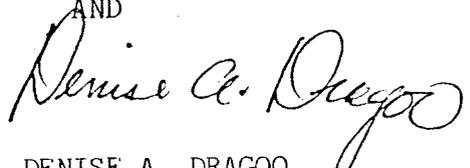
The May 14, 1980 inspection and subsequent notice of violations were under the rules and regulations of the interim regulatory period. The Division, at this time, advises U.S. Fuel Company that all coal mines must comply with the permanent regulatory program standards; with permanent program applications due within two months and have new approved permits within eight months of Office of Surface Mining approval of the State program.

Sincerely,



JOSEPH C. HELFRICH
RECLAMATION OFFICER

AND



DENISE A. DRAGOO
SPECIAL ASSISTANT ATTORNEY GENERAL
FOR NATURAL RESOURCE AGENCIES



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

May 20, 1980

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

RECEIVED
 MAY 22 1980

DIVISION OF
 OIL, GAS & MINING

Dear Mr. Daniels:

Enclosed please find copies of Notice of Violation #80-5-7-13 which were issued to mining companies within your State during this offices recent on-site inspections conducted on Hiawatha Mine, May 14 and 15, 1980. If you have any questions or problems, please contact this office.

Mine inspection reports for all of the operations inspected during the above time frame, and within your State, will be sent to you as soon as they are processed.

Sincerely,

Murray T. Smith
 Chief, Division of Inspection & Enforcement

Joe
John
JWS
mon
TSS
D
MK 5814
DWH
8/18
LCS
8/20

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Region V
1823 Stout Street
Denver, Colorado 80202
Telephone: (303) 837-5511
(303) 837-5701

NOTICE OF VIOLATION NO. N 80-5-7-13 3
TV

To the Following Permittee or Operator:

Name U.S. Fuels Company
Mine Hiawatha Surface Underground Other _____
County and State Carbon County, Utah Telephone 801-343-2471
Mailing Address Hiawatha, Utah 84527
OSM Mine No. _____ State Permit No. ACT/007/011 MSHA I.D. No. 42-00098
Date of Inspection 14-15 May, 19 80
Time of Inspection: from 9:40 a.m. to 11 a.m.
 p.m. to _____ p.m.

Name of Operator (if other than permittee) _____
Mailing Address _____

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201), the undersigned authorized representative of the Secretary of the Interior has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned authorized representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for abatement may be extended by an authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 15 May 1980 *Eileen M. Doherty*
Signature of Authorized Representative
Time of Service Noon a.m. *E.M. Doherty V-17*
 p.m. Name and I.D. No.
Person Served with Notice Robert Eccli - Mine Engineer
Print Name and Title

Signature Operator opted not to sign, EMD

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE

Notice of Violation No. N 80-5-7-13

Violation No. 1 of 3

Nature of the Violation

Failure to protect undisturbed overland flows from disturbed areas.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR Sec. 717.17 (c)
P.L. 95-87 Section 516 (b)

Portion of the Operation to which Notice Applies

Two drainages passing through the #4 & #5 portals pad.

Remedial Action Required (including interim steps, if any)

Clean culvert intakes; clean culvert discharge point; remove waste and contaminating material from points of contact with undisturbed channel.
Applies to 36 inch culvert.

Time for Abatement (including time for interim steps, if any)

June 30, 1980.

Notice of Violation No. N 80-5-7-13

Violation No. 2 of 3

Nature of the Violation

Failure to control surface runoff
from a disturbed area.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR Sec. 717.17
P.L. 95-89 Sec. 516 (b)

Portion of the Operation to which Notice Applies

North half of east face of coal
stockpile east of the Utah Railroad
main line.

Remedial Action Required (including interim steps, if any)

Control surface runoff from applicable
area to protect adjacent undisturbed areas
and waterway(s).

Time for Abatement (including time for interim steps, if any)

15 August 1980

Notice of Violation No. N 80-5-7-13

Violation No. 3 of 3

Nature of the Violation

Failure to remove topsoil prior to surface disturbances.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR 717.20
P.L. 95-87 Sec. 516 (b)

Portion of the Operation to which Notice Applies

- 1- Storage site for slurry material between equipment storage area and upper coal storage yard
- 2- Diversion ditches associated with sediment ponds for slurry ponds # 3, 4, 5.

Remedial Action Required (including interim steps, if any)

- 1- Remove slurry material from topsoil and salvage all topsoil from area to be disturbed.
- 2- Request Regulatory Authority evaluation of topsoil depth and requirements prior to future disturbances.

Time for Abatement (including time for interim steps, if any)

Time 30, 1980

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Region V
1823 Stout Street
Denver, Colorado 80202
Telephone: (303) 837-5511
(303) 837-5701

NOTICE OF VIOLATION NO. N 80-5-7-13 3
TV

To the Following Permittee or Operator:
Name U.S. Fuels Company
Mine Hiawatha Surface Underground Other _____
County and State Carbon County Utah Telephone 301-343-2471
Mailing Address Hiawatha Utah 84527
OSM Mine No. _____ State Permit No. ACT/007/011 MSHA I.D. No. 42-00098
Date of Inspection 14-15 May, 19 80
Time of Inspection: from 9:40 a.m. to 11 a.m.
 p.m. to _____ p.m.

Name of Operator (if other than permittee) _____
Mailing Address _____

Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201), the undersigned authorized representative of the Secretary of the Interior has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned authorized representative finds that cessation of mining is is not expressly or in practical effect required by this Notice. For this purpose "mining" means extracting coal from the earth or a waste pile and transporting it within or from the minesite.

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for abatement may be extended by an authorized representative for good cause, if a request is made within a reasonable time before the end of the abatement period.

Date of Service 15 May 1980 Eileen M. Doherty
Signature of Authorized Representative
Time of Service Noon a.m. E.M. Doherty II-17
 p.m. Name and I.D. No.

Person Served with Notice Robert Eccli - Mine Engineer
Print Name and Title

Signature operator opted not to sign, etc

IMPORTANT - PLEASE READ REVERSE OF THIS PAGE

Notice of Violation No. N 80-5-7-13

Violation No. 1 of 3

Nature of the Violation

Failure to protect undisturbed overland flows from disturbed areas.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR Sec. 717.17 (c)
P.L. 95-87 Section 516 (b)

Portion of the Operation to which Notice Applies

Two drainages passing through the #4 & #5 portals pad.

Remedial Action Required (including interim steps, if any)

Clean culvert intakes; clean culvert discharge point; remove waste and contaminating material from points of contact with undisturbed channel.
Applies to 36 inch culvert.

Time for Abatement (including time for interim steps, if any)

June 30, 1980.

Notice of Violation No. N 80-5-7-13

Violation No. 2 of 3

Nature of the Violation

Failure to control surface runoff
from a disturbed area.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR Sec. 717.17
P.L. 95-89 Sec. 516 (b)

Portion of the Operation to which Notice Applies

North half of east face of coal
stockpile east of the Utah Railroad
main line.

Remedial Action Required (including interim steps, if any)

Control surface runoff from applicable
area to protect adjacent undisturbed areas
and waterway(s).

Time for Abatement (including time for interim steps, if any)

15 August 1980

Notice of Violation No. N 80-5-7-13

Violation No. 3 of 3

Nature of the Violation

Failure to remove topsoil prior to surface disturbances.

Provision(s) of the Regulations, Act, or Permit Violated

30 CFR 717.20
P.L. 95-87 Sec. 516 (b)

Portion of the Operation to which Notice Applies

1- Storage site for slurry material between equipment storage area and upper coal storage yard

2- Diversion ditches associated with sediment ponds for slurry ponds # 3, 4, 5.

Remedial Action Required (including interim steps, if any)

1- Remove slurry material from topsoil and salvage all topsoil from area to be disturbed.

2- Request Regulatory Authority evaluation of topsoil depth and requirements prior to future disturbances.

Time for Abatement (including time for interim steps, if any)

Time 30, 1980

UTAH DIVISION OF OIL, GAS, AND MINING
INSPECTION CHECKLIST FOR
INTERIM REGULATION PERIOD
UNDERGROUND COAL MINE

John

MINING COMPANY: A. S. Fuel

MINE NAME: HAWAIIA Complex

FILE NUMBER: 425/007/011

COUNTY: CARSON

DATE: 5/14/80

TIME: 9:30 AM

WEATHER: Cloudy

MILEAGE: Begin: _____ End: _____ Total: _____

MINING COMPANY REPRESENTATIVES: Bob Eccles

STATE OFFICIALS: Joe Hoffmann

OFFICE OF SURFACE MINING OFFICIALS: Eileen Doherty

OTHERS PRESENT: _____

COMMENTS: TECHNICAL STAFF SHOULD ADDRESS THE FOLLOWING AREAS: ① SURFACE WATER MONITORING POINTS ABOVE DISTURBED AREA. ② MATERIAL ON FACE UP AREA OF #6 MINE ③ STORAGE AREAS BETWEEN #4/5 MINES AND WESTERN COAL MAINTENANCE. ④ BELOW SED. POND, (U) TIMBER STORAGE YARD (C) FLY ASH PILE USED FOR SNOW ON ROADS AND SLURRY ON TOPSOIL ABOVE (N) STOCKPILE.

SIGNATURE: Joseph C. Redbach

(d) material between along road #5 and rd pond #21

UTAH DIVISION OF OIL, GAS, AND MINING
INSPECTION CHECKLIST FOR
INTERIM REGULATION PERIOD
UNDERGROUND COAL MINE

APPLICABLE VIOLATIONS ARE CIRCLED

MC-717.11	<u>General Obligations.</u>			
VIOLATION	Is there a copy of the Mining and Reclamation Plan at or near the mine site?	yes	no	
MC-717.12	<u>Signs and Markers.</u>			
VIOLATION	Are signs displayed at all access points to permit area from public highways?	yes	no	
VIOLATION	Do signs show name, business address, telephone number of permittee and appropriate identification and permit numbers?	yes	no	
MC-717.13	<u>Reserved</u>			
MC-717.14	<u>Backfilling and grading of road cuts, mine entry area cuts, and other surface work areas.</u>			
	<u>Note:</u> THIS SECTION APPLIES TO RECLAIMED AREAS UPON TERMINATION OF MINING AND TO FINAL CUTS, FILLS, ETC. OF OPERATING MINES THAT ARE NOT TO BE REWORKED UPON TERMINATION OF MINING.			
VIOLATION	a. Are affected areas regraded to approximate original contour?	yes	no	NA
VIOLATION	Is stability and the prevention of leaching of toxic pollutants assured?	yes	no	NA
VIOLATION	1. Are earth, rock, and mineral nonwaste materials retained on the solid portions of benches or at the site of the faceup if additional working space is needed? (1.5 static safety factor and less than the angle of repose)	yes	no	NA
VIOLATION	2. Are highwalls along roads, faceups, etc, backfilled and graded to the most moderate slope possible so as to eliminate the highwalls?	yes	no	NA
VIOLATION	b. If cut-and-fill terraces are used, have they been approved and do they meet the requirements?	yes	no	NA
VIOLATION	c. If the slopes are over 20 degrees, has material been placed on the down slope below road cuts, mine workings, etc. other than in conformance of Part 717.14(a)(1) - place on the downslope at the faceup when additional working space is needed?	yes	no	NA

Inspection Checklist
Page Two

- VIOLATION d. Are rills or gullies deeper than 9 inches present on regraded areas that do not have established vegetation? yes no (NA)
- VIOLATION e. Are acid-forming, toxic-forming, combustible materials, or other waste materials covered with a minimum of 4 feet of nontoxic and noncombustible material? yes no (NA)
- VIOLATION Are acid-forming or toxic-forming materials buried, or stored close to a water course so as to pose a water pollution threat, or in violation of Part 717? yes no (NA)
- VIOLATION f. Was final grading before the placement of topsoil and during the placement of topsoil done along the contour if it could be done safely? yes no (NA)
- VIOLATION Was the placement, grading, and preparation done in such a manner that minimizes erosion and minimizes soil slippage? yes no (NA)

MC-717.15 Disposal of excess rock and earth materials on surface areas.

Note: SPOIL AND WASTE DEPOSITED ON THE SURFACE MUST BE IN COMPLIANCE WITH PART 715.15. THESE REQUIREMENTS MAY BE MODIFIED BY STATE IF AMOUNT IS SMALL AND POSES NO THREAT.

MC-715.15 (a) Disposal of spoil in other than valley or head-of-hollow fills.

- VIOLATION Is spoil deposited in a controlled (engineered) manner designed and certified in an approved site within the permit area? (yes) no NA
- VIOLATION Is organic material and topsoil removed prior to deposition? (yes) no NA
- VIOLATION Is material concurrently compacted as necessary to ensure mass stability and prevent mass movement? (yes) no NA
- VIOLATION Are certified reports being submitted after engineer's inspection? (yes) no NA

MC-715.15 (b) Disposal of spoil in valley or head-of-hollow fills.

Note: WASTE CANNOT BE DEPOSITED IN VALLEY OR HEAD-OF-HOLLOW FILLS. IF ANY PORTION OF DISPOSAL FILL ENCROACHES UPON ANY NATURAL DRAINAGE CHANNEL, THE ENTIRE FILL IS CLASSIFIED AS A VALLEY OR HEAD-OF-HOLLOW FILL.

- VIOLATION Is spoil disposed of at an approved site in a controlled manner, concurrently compacted, within the permit area? (yes) no (NA)
- VIOLATION Is organic material and topsoil removed prior to deposition? (yes) no (NA)

VIOLATION	Does the fill have an underdrain system?	yes	no	NA
VIOLATION	Is the spoil disposed of by approved methods?	yes	no	NA
VIOLATION	Does the spoil fill meet the approved design?	yes	no	NA
VIOLATION	Are certified inspection reports submitted by a certified engineer during critical construction periods or at least quarterly?	yes	no	NA
MC-717.16	<u>Reserved</u>			
MC-717.17	<u>Protection of the hydrologic system.</u>			
VIOLATION a.	Does the runoff from the disturbed area pass through a sedimentation pond? <i>REMAINING PONDS TO BE CONSTRUCTED DURING WORKING SEASON OF 1980</i>	yes	no	NA
VIOLATION	If a sedimentation pond exists, is it approved by the regulatory authority?	yes	no	NA
VIOLATION	Does discharge from the disturbed area appear to meet applicable O.S.M., State, and EPA regulations? <i>WILL MEET REGULATIONS WHEN PONDS ARE COMPLETE</i> <u>Note: TAKE A SAMPLE FOR ANALYSIS.</u>	yes	no	NA
VIOLATION b.	Is there a surface water monitoring program?	yes	no	NA
VIOLATION	If there is a monitoring program is it approved by the regulatory authority?	yes	no	NA
VIOLATION c.	Are diversion structures used at the site?	yes	no	NA
VIOLATION	Are the diversions approved by the regulatory authority?	yes	no	NA
VIOLATION	Are the diversions designed, constructed, and maintained so as to prevent additional contributions of suspended solids to streamflow or runoff outside the permit area? <i>REPAIR AREA AT DIVERSION</i>	yes	no	NA
VIOLATION d.	Are stream channels diverted? <i>CLEAN OUT DIVERSION CONDUITS AT # 4/5 MINE AREAS</i>	yes	no	NA
VIOLATION	Is the diversion approved and does it meet the requirements of Part 715.17(d)?	yes	no	NA
e.	<u>Note:</u> THE PUBLISHED SEDIMENT POND DESIGN CONSTRUCTION STANDARDS ARE NOT IN EFFECT.			
VIOLATION	Do(es) the pond(s) pose an imminent danger to health or safety of the public or a significant imminent environmental harm to land, air or water resources?	yes	no	NA
VIOLATION f.	Are discharges from the pond(s) controlled where necessary to reduce erosion and prevent deepening or enlargement of stream channels and to minimize disturbances to the hydrologic balance?	yes	no	NA

- VIOLATION Is there an NPDES discharge permit for the sediment pond discharge? yes no NA
- VIOLATION g. Is there drainage to ground or surface waters from acid-forming or toxic-forming materials? yes no NA
- VIOLATION If there is such drainage is it properly controlled? yes no NA
- VIOLATION h. Is there a groundwater monitoring program? yes no NA
- VIOLATION If there is a monitoring program is it approved by the regulatory authority? yes no NA
- i. N/A *INSPECTOR - SEE MARCH 27, 80 LETTER
INSP. REPORT BILL BOLE / U.S.F.S.
DATED 11-8-79*
- VIOLATION j. Are roads and associated facilities constructed, maintained, and reclaimed so as to prevent additional contributions of suspended solids to streamflow or runoff outside the permit area? yes no NA
- VIOLATION Do roads meet construction, grade, drainage, and maintenance requirements? If not, specify. *REPAIR BERM AT WESTERN COAL'S MAINTENANCE YARD.* yes no NA
- VIOLATION k. Are transport facilities other than roads constructed, maintained, and reclaimed so as to prevent additional contributions of suspended solids to streamflow or runoff outside the permit area? yes no NA
- VIOLATION l. Is surface or groundwater discharged or diverted into mine workings? yes no NA

MC-717.18 Dams constructed of waste material.

Note: JUDGE FLANNERY'S FEBRUARY 3, 1978 DECISION STATES THAT THESE REGULATIONS APPLY ONLY TO DAMS CONSTRUCTED PARTIALLY OR WHOLLY OF WASTE. "WASTE" IS DEFINED IN PART 710.15.

- VIOLATION a. Are all dams that contain waste approved by the regulatory authority? yes no NA
- VIOLATION b. Do the dams meet the approved design requirements? yes no NA
- VIOLATION Have the dams been periodically inspected during construction and certified by a registered professional engineer? yes no NA
- VIOLATION Have the dams been annually certified? yes no NA

MC-717.19 Reserved

MC-717.20 Topsoil handling and revegetation.

- VIOLATION a. Has topsoil and/or surficial unconsolidated material been separated, stockpiled, and properly protected? yes no NA
- VIOLATION Have disturbed areas, which are no longer required for the conduct of mining, been reclaimed? *SUPER/ STOCKPILE AREA ABOVE (N) COAL STOCKPILE AREA 3 SED POND DITCH* yes no NA
- VIOLATION b. Are all reclaimed areas properly revegetated? *EVIDENCE OF → GLOBE MALLOW, RICE GRASS, RUSS. THISTLE* yes no NA



United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
[REDACTED]
DENVER, COLORADO 80202

Brooks Towers
1020-15th Street

File Copy US Fuel

December 28, 1979

Mr. Ron Daniels/Coordinator of Mine Land Division
Division of Oil and Gas
Department of Natural Resources
1588 N. West Temple
Salt Lake City, Utah 84116

RECEIVED

JAN 3 1980

DIVISION OF
OIL, GAS & MINING

Dear Ron:

Enclosed please find copies of on-site inspection reports. The inspections were conducted within the State of Utah during the period of November 8 and 9th, 1979.

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

Sincerely,

Murray T. Smith
Chief, Division of Inspection & Enforcement

REGION V ON-SITE INSPECTION REPORT

U.S. FUELS COMPANY
HIAWATHA MINE
HIAWATHA, UTAH
801-343-2471

DATE AND TIME: November 8, 1979, 2:40 p.m.
November 9, 1979, 8:45 p.m.
WEATHER: Clear, cool, dry
COUNTY AND STATE: Carbon County, Utah
COMPANY OFFICIAL: Robert Eccli, Mine Engineer
STATE OFFICIALS: Jim Smith, Doug Stewart
OSM OFFICIALS: Jim Dederick, Hydrologist, TAR
Eileen Doherty, Inspector
MSHA ID NUMBER: 42-00098
NOV'S ISSUED: None

355-8857

GENERAL COMMENTS

There are three portals at this mine called #4, #5, and #6. The #6 portal is inactive at this time, but is proposed to reopen in the future. Portals #4 and #5 and the surface facilities area are accessed by one road. The room and pillar, continuous miner operation produce 900,000 tons per year.

COMPLIANCE WITH INTERIM REGULATIONS

717.11 General Obligations

Utah State Permit number ACT/007/011 has been issued to this mine. State approval has been given for mine plan compliance with 30 CFR 211 and State Regulations. In May 1979, the operator submitted a sediment control plan to the State. The State approved the plan contingent upon OSM approval. On October 2, 1979, Mr. Eccli sent requested information on sediment control plans to John Nadolski, Hydrologist, (TAR), OSM, Denver. The OSM review was not complete at the time of this inspection.

NPDES permit number Ut-0023094 expires on June 30, 1982. A June 1979 letter from Bob Eccli to the EPA requested a modification of the NPDES permit to cover seven more discharge points. One point will be at the active slurry pond, #1. The other six points will be from the proposed ponds below the #4 and #5 portals. There has been no response from the EPA.

The MSHA permit applies to the five slurry ponds and the refuse pile which existed at the time of issuance in January of 1976. These are located in Sections 27, 28, 34, and 35, T15S, R8E.

The location of this operation and associated facilities extend from outside Hiawatha, through a portion of the town, and beyond the other side. The wash plant, crusher, and loadout are in Hiawatha. The slurry ponds lie outside the town proper.

U.S. FUELS/HIAWATHA MINE

715.11 General Obligations (Continued)

The surface ownership and the mineral rights include both Federal and fee. Federal coal leases are: 069985, 026583, 025431, and 058261.

Subsidence monitoring is being coordinated with the U.S. Forest Service. Coal is trucked to town, washed, crushed, and shipped by rail to Nevada.

717.12 Signs and Markers

The required mine identification sign was posted at the edge of town.

715.15 Disposal of Excess Rock and Earth Material

A permanent disposal site has been under construction near the processing plant for several years. A March 1976 MSHA approval stipulates design criteria of 2 foot lifts, compaction, and grades less than 27 percent. The pile appeared stable due to the lack of mass movement and gullies. Future construction of this pile should continue to be stable. The operator should be aware that disposals of a permanent nature will need to be addressed as to stability in any mine plan updates submitted for OSM approval. Any questions concerning the permanent disposal requirements should be directed to Keith Kirk, Geophysicist, TAR, OSM, 1020 15th Street, Brooks Towers, Denver, Colorado 80202.

No excess material is produced from the mine workings.

717.17 Protection of the Hydrologic System

Pending final approval of a comprehensive sediment control plan which has been submitted for review, the operator has taken some temporary measures. In February 1979, they began a reconstruction of impoundment #1 and a diversion of Miller Creek, a perennial flow. In March 1979, the Utah Division of Water Rights approved the diversion.

At the #4 and #5 portal pad, grading directs surface runoff to a culvert and a drop drain which lead to the haulroad ditch. This ditch leads to the site of a proposed sediment pond. There are two drainages from the undisturbed watershed above the pad which are culverted under the pad, and will pass beneath the proposed sediment pond. Grading and ditches route surface runoff from the wash plant and loadout site through culverts to impoundment #5. Material from #5 is being reprocessed. No new slurry deposits are being made in #5. #1 is the active impoundment.

There were some problem areas due to the spread-out nature of this operation. Mine facilities are distributed all over town. Along the haulroad are several storage areas for poles, ash, and coal. These are isolated areas and will require attention for runoff control. The coal storage area adjacent to Miller Creek is vegetated along the creek bank and bermed by a rail right-of-way. A sediment pond is planned for the north side of this area. Jim Smith said that he would arrange for the State hydrologists to review the areas.

717.17 Protection of the Hydrologic System (Continued)

The affected areas are small, but combined with haulroad runoff, some control must be developed above Miller Creek.

A berm is needed at the site of the proposed sediment pond for the surface facilities pad. A small portion of it adjacent to the outflow of the undisturbed drainages is being used for storage. Any flow which may occur this winter from the disturbed area should be kept separate from the undisturbed flow. This will act as a temporary measure until the pond is approved.

The proposed plan calls for earthen bank sediment retention basins to be placed below all slurry impoundments. Runoff from the permanent refuse pile is addressed. The proposed plan appeared comprehensive in scope. During the week following this inspection, OSM returned the plan to Hiawatha with several requests for design clarifications. Overall, the plan is inclusive, and an addendum concerning the isolated storage areas should bring it to completion. This point was discussed during the inspection with State and company officials.

There are two discharge points being monitored. One is at the old Mohrland minesite, south of the active Hiawatha Seam. Groundwater within the active mines surfaces through the old Mohrland workings. At this point, the water is monitored monthly. This water is then piped to a holding tank in town for use at the surface facilities. The overflow from this tank is also monitored before entering any natural channels.

The operator submitted a ground-water plan for springs and streams to the State with reference to 30 CFR 817.52. The State requested certain revisions which were being typed on November 8, the day of this inspection.

717.20 Topsoil and Revegetation

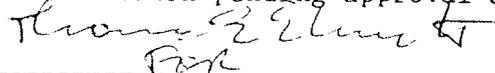
The sediment control plan submitted to the State and OSM in May 1979, states all topsoil will be salvaged prior to any new disturbances.

Long range reclamation plans need to be developed and submitted to the State and OSM. Disturbed areas which are now inactive include cut banks for surface facilities at the portals. Banks of the sediment pond for slurry impoundment #1 were seeded and mulched in the Spring of 1979.

SUMMARY

State violation: At one point along the South Fork of Miller Creek, a section of berm is to be repaired and the channel cleared of debris. This yard is part of the mine operation and is occupied by the contracted coal haulers, Western Coal Carrier. As per November 9, 1979 inspection.

OSM: Action pending approval and implementation of sediment control plan.


EILEEN DOHERTY
RECLAMATION SPECIALIST

November 29, 1979

Inspection Memo
to Coal File:

RE: November 8 & 9, 1979
United States Fuel Company
Hiawatha Complex
ACT/007/011
Carbon County, Utah

The above was visited for the purpose of a full or complete inspection by Office of Surface Mining personnel Eileen Dougherty and Jim Dederick. The Division personnel were Jim Smith and Doug Stewart. They were accompanied by Bob Eccli, Mining Engineer, for the above company.

1. All records and permits were reviewed and found to be in order.
2. The Western Coal Carrier Storage Yard operated by Savage Brothers Company is in need of removing trash and having the site bermed.
3. The new sediment pond is finished and located north of the old slurry pond #1.
4. Drainage diversions (buried culverts) from the upper pad areas are discharged into a 36" culvert that will flow into the upper sediment pond.
5. Drainage diversions (buried culverts) from the lower loadout facility discharge into the two lower slurry ponds.

DOUG STEWART 
RECLAMATION OFFICER

cc: Murray Smith, O.S.M.

Note: For travel statistics see Deer Creek memo dated November 26, 1979.

DS/te

nmj
TS



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

CHARLES R. HENDERSON
Chairman

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
CONSTANCE K. LUNDBERG
EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

November 19, 1979

Mr. Robert Eccli
Chief Engineer
U.S. Fuel Company
Hiawatha, Utah 84527

RE: U.S. Fuel Company
Hiawatha Complex
Carbon County, Utah
ACT/007/011

Dear Mr. Eccli:

As you will recall, a joint inspection of U.S. Fuel Company's Hiawatha Complex in Carbon County was conducted on November 8th and 9th, 1979 by the State Division of Oil, Gas and Mining and the federal Office of Surface Mining.

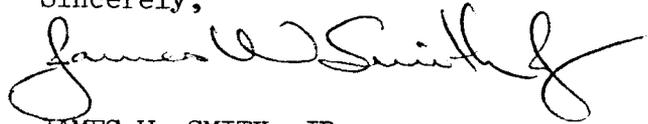
During the inspection one area of concern was noted. The truck yard operated by Western Coal Carrier was not adequately bermed along the South Fork of Miller Creek, allowing surface runoff from the disturbed area to enter the stream channel. Also, old mine timbers and other debris were scattered about the berm and channel area.

The Division hereby directs U.S. Fuel company to immediately take appropriate action to abate this problem, removing the old timbers and debris and repairing the berm.

Mr. Robert Eccli
November 19, 1979
Page Two

Failure to remedy this situation will result in the issuance of a violation by the Division. If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "James W. Smith, Jr.", written in black ink.

JAMES W. SMITH, JR.
RECLAMATION SOILS SPECIALIST

cc: Murray Smith
Office of Surface Mining
Region V, Denver

JWS/te

October 27, 1978

Memo to File:

Re: U.S. Fuel Company
Hiawatha Mines
ACT/007/011

The U.S. Fuel Company's Hiawatha Mining Complex was inspected on October 11, 1978 by Larry Damrau of the Office of Surface Mining and Mike Thompson of the Division; Mr. Bob Eccli accompanied us.

The slurry ponds for waste coal disposal were inspected. Pond #1 is no longer in use and there are plans to mine the tailings over the next two years. The outside toe of the tailings extends to Miller Creek. These tailings can be considered to be abandoned as of the 1940's and the mining of them can be considered to be reclamation. Ponds #2 and #3 and the north cell of #5 are also considered to be abandoned by MSHA. Pond #4 is the only presently active tailings pond.

The Morhland yard area is no longer used by U.S. Fuel Company and is leased to Utah Power and Light Company. Therefore, Utah Power and Light should be held responsible under the regulations of P.L. 95-87.

Mr. Eccli is presently working on plans to bring the mine facilities into compliance with the regulations promulgated by P.L. 95-87. Vaughn Hansen and Associates have prepared a hydrologic study of the area.

K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

K. M. T.

/sp

cc: O.S.M., Denver

CA Jill - 18 Fuel

UNITED STATES FUEL COMPANY

NINETEENTH FLOOR UNIVERSITY CLUB BUILDING
136 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111

March 28, 1978

Department of Natural Resources
Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Utah 84116

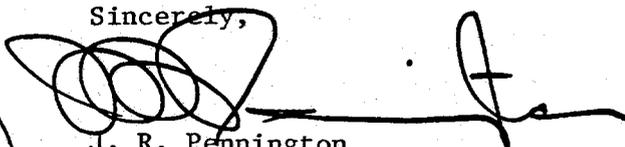
Attention: Mr. Ron Daniels

Gentlemen:

United States Fuel Company hereby gives notice that it is physically impossible to bring pre-existing structures into compliance as required under section 710.11 (a), (c) and (d) of Public Law 95-87 by May 3, 1978.

To support our position we wish to apply for a hearing before the Regulatory Authority.

Sincerely,



J. R. Pennington
President
United States Fuel Company



CWG:lg



REGION V ON-SITE INSPECTION

U.S. FUEL CO., KING COAL MINE, HIAWATHA COMPLEX

ACT/507/011

COMPLIANCE WITH FEDERAL REGULATIONS OF INITIAL PERFORMANCE STANDARDS

717.11(b) Authorizations to operate

A copy of the state approved mining plans were observed at the company office at Hiawatha, Utah, Number ACT/007/011. A copy of the Mining Plan for Federal Leased Land dated 5 May, 1977 with Hydrological monitoring Plan appendix dated 29 November, 1977 and subsidence Monitoring Plans appendix dated 11 January, 1978, was observed. According to Robert Eccli, this material had been sent to U.S.G.S., but as yet, no approval/disapproval had been obtained from the agency. I observed the Mine Water Discharge Permit No. UT-0023094 approved by EPA.

712.12 Signs and Markers

Required signs at all points of access to the permit areas from public highways, were not present.

Robert Eccli was made aware of this.

717.14 Backfilling and Grading of Road Cuts, Mine Entry Area Cuts and other Surface Work Areas

No earth, rock and other mineral waste material is produced at the portal facilities. All earth, rock and other mineral waste material is produced at the main processing plant at Hiawatha, and retained on site.

No backfilling and grading has occurred at the portal surface work areas since these areas are utilized in the present mining operations.

Coal, combustible and other waste material is retained at the processing plant at Hiawatha, in areas designated as "slurry ponds". Five such ponds presently exist at the processing area and are numbered one through five. The company is presently utilizing #4 as its active disposal area. The disposal areas were established from the 1930's through 1964. Areas 2 and 3 have been abandoned, according to MSHA standards. Area 1 is presently being "mined" in order to recover the high concentrations of coal available in the deposition. This form of coal recovery has been made possible by the market

U.S. Fuel Co. - King Coal Mine (Cont'd.)

demand for coal of this type (coal fines). The outside of the number one area (probably deposited in the late 1940's) is adjacent to Miller Creek. The toe of the deposited material is immediately adjacent to the south side of the creek bed. "Mining" of the material may be the most practical and expedient manner by which to eliminate an old problem of probable sedimentation from the area into the creek. Native volunteer vegetation is present on the older abandoned disposal areas, indicating a possible means of erosion control by revegetation operations. Much of the material is of very fine texture and susceptible to movement and possible air contamination during periods of high wind. Measures to minimize the fines from escaping the site, in the wind, could be established. As yet, none of the disposal areas have received any form of reclamation operations other than "remaining" and natural invasion of volunteer species of plants.

717.15 Disposal of Excess Rock and Earth Materials on Surface Areas:

Excess rock and earth materials are deposited with the combustible waste materials addressed in Section 717.14 above.

717.17 Protection of the Hydrologic Balance

No surface drainage was observed from the disturbed areas.

Although no sedimentation control devices are present at this operation, plans to meet effluent limitations and to maintain water quality in downstream receiving waters are being drawn up. A tentative plan has been submitted to the state regulatory authority which includes diversion of off site water away from the affected surface areas, sedimentation ponds and revegetation operations.

A Hydrologic monitoring plan proposal has been submitted to U.S.G.S., but approval of the plan has not yet been made.

717.18 Dams Constructed of/or Impounding Waste Material

The plans concerned with the five "slurry ponds" addressed in 717.14 above should be submitted to OSM for information and possible applicability under this part.

717.20 Topsoil Handling and Revegetation

No topsoil removal operations were present at this operation. No newly affected surface area was observed which at this time would require adherence to this part. Any surface area affected in the future would require an explanation of the area and operations which would be applicable to this part.

No areas were observed which had received revegetation operation.

Larry Roman