

**U. S. Steel  
Mining Co., Inc.**

a Subsidiary of United States Steel Corporation

P.O. BOX AE  
PAONIA, COLORADO 81428  
303/527-4816

March 6, 1984

WESTERN DISTRICT

007/012

cc J. Helfrich  
R. D...  
B. K...  
M. L...  
D...  
mine file  
Wellington

Diane Nielson  
Director  
Department of Natural Resources  
Division of Oil, Gas and Mining  
4241 State Office Building  
Salt Lake City, Ut. 84114

Attn: Mary Ann Wright, Assessment Officer

Dear Ms. Wright:

Re: Wellington Coal Cleaning Plant  
ACT/007/012  
Nov. 84-2-1-2

**RECEIVED**  
MAR 10 1984**DIVISION OF  
OIL, GAS & MINING**

The following information is submitted pursuant to 845.17(a) concerning  
NOV 84-2-1-2:

Violation 1 of 2

U.S. Steel Mining Co., Inc. was issued NOV 84-2-1-2 on February 24, 1984 following an inspection conducted February 23. The remedial action required by the alleged violation notice required action comprehended in a plan submitted to the Division on July 7, 1983, as part of the permanent program permit review. The preparation and submittal of the plan was in response to the Division's Technical and Enforcement staffs expression of concern in this area as well as the recognition of a potential problem by the Operator. On July 25, U.S. Steel Mining Co. requested immediate review and approval of the plan to allow construction in the Fall of 1983. Repeated requests since that time by the Operator to the Division have not resulted in plan approval or rejection. The Division notified U.S. Steel Mining Co. on February 28, 1984 (subsequent to the issuance of the NOV and apparently in response to the NOV) that the plan was approved for construction.

The Operator requests consideration of the following in the assessment of the alleged violation:

1. There was no discharge to the Price River flowing through the permit area.
2. The subject area is designed for flood irrigation, is owned in fee, by United States Steel Corporation, and is under lease for the purpose of grazing cattle.
3. Any resulting impacts from the alleged violation were contained within the permit area.

4. Plans were submitted to the Division 8 months prior to the Notice of Violation to eliminate discharges to the problem area. The plans were not reviewed timely by the Division.
5. The Operator (without approval of the Division) had installed a pump in the scrubber discharge to minimize discharges to the fields.

Violation 2 of 2

The winter of 1983-1984 was extremely cold at the Wellington Coal Cleaning Plant. There were extended periods in December and January with low temperatures below zero. Early morning lows reached  $-30^{\circ}$  on several occasions. These temperatures resulted in extensive operating problems with the slurry pipeline system including several breaks in the lines. The problems experienced in the 1983-1984 winter were more severe than had been experienced at least in recent years.

The erosion gulleys referenced in the alleged notice of violation were a result of breaks in the slurry pipeline during the winter of 1983-1984. Because of the winter weather it has not been possible to repair the erosion damage. The Operator and the Division's enforcement staff recognize that it will not be possible to correct the probable until warmer weather dries the area sufficiently for access by equipment.

Sincerely,



G. H. Sides  
Acting Gen. Supt.

cc L. King  
163.1  
E C File  
B.A. Filas