



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertor
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

August 23, 1988

TO: Dianne R. Nielson, Director
FROM: Susan C. Linner, ^{SCL} Reclamation Biologist/Permit Supervisor
RE: Outstanding Issues, Wellington Preparation Plant,
ACT/007/012, Folder #2, Carbon County, Utah

Summary

As requested in the meeting of August 22, the following is an analysis of issues that are currently outstanding at the Wellington Preparation Plant and/or commitments that need to be met prior to the end of the year.

Analysis

1. Original Permit Stipulations

Status

All have been adequately addressed at this time.

2. Mid-Term Stipulations

Status

Stipulation UMC 788.14-(1)-SCL

Requires the operator to submit a reorganized MRP by August 10, 1989 (date for request for permit renewal). The operator had committed to submit a chapter a month, starting May 31, 1988. To date, two chapters have been received. On July 27, 1988, the operator requested that they be required to submit no further chapters due to imminent sale of the property. Lowell Braxton is drafting a letter in response. Generally, the request is acceptable over the near future, however, if permit transfer is not accomplished within the next few months, Kaiser will need to begin submittal of chapters again in order to meet the deadline.

Stipulation UMC 817.22-(1)-JSL

Requires amendment of the plan to incorporate specific soils sampling in the test plots. The operator has committed to the sampling schedule and agreed to resample the test plots, though no specific dates for sampling were committed to. James Leatherwood, Reclamation Soils Specialist, has recommended that sampling be done and a report be submitted by Mid-October, 1988. Due to the critical nature of the test plots in determining reclamation feasibility of the site, it is felt that this analysis needs to be done this year and correlated to the revegetation analysis (see section 3). The operator will be appraised of this in a letter which will go out shortly.

Stipulation UMC 817.52-(1)-RPS

Requires submittal of a comprehensive report on baseline water monitoring studies by August 31, 1988. The operator committed to supply such a report in the original approved MRP. This is a serious concern, due to potential for leaching of deleterious materials from the slurry ponds into the groundwater system. However, receipt of the report could probably be put off until the end of the year. To date, the operator has not requested more time to comply with this stipulation.

3. Enforcement Actions

Revegetation Test Plots

There is an outstanding NOV for failure to adequately sample the test plots. The operator is required to complete the vegetation sampling as required by the permit by August 26. It is doubtful that this can be accomplished, though a consultant has been hired. This sampling is critical due to the fact that the test plots were required by an original permit stipulation and the critical nature of the test plots in determining effective reclamation procedures.

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Reclamation of Disturbed Area Cited in NOV N87-17-5-1

This NOV has been terminated, but the operator has committed to finish revegetation by fall of 1988. It is critical to accomplish this work this fall, due to the fact that late fall is the appropriate time to seed in this particular climatic regime. If the work is not done this fall it will be a year before it can be accomplished and the area will be subject to erosion.

Outstanding TDN's

OSM TDN's X-88-02-107-3 and -5, issued April 27, 1988, are still outstanding. These pertain to allowing undisturbed drainage onto the permit area in the coarse refuse and slurry pond areas. To date, OSM has not accepted the Division's responses on these and potentially, federal NOV's could be written.

4. Permit Commitments

Water Monitoring Program

The approved permit requires quarterly groundwater monitoring at 14 wells, quarterly surface water monitoring at one site and biannually at 8 other sites (high and low-flow). Therefore, for the current quarter, at a minimum all groundwater sites would need to be monitored and the one surface water site. Assuming low flow data were collected in September, all sites would need to be monitored next quarter. To date, the Division has not received any water monitoring data for calendar year 1988. The operator has been contacted and claims that sampling has been conducted according to schedule so far.

SCL/cl
cc: L. Braxton
B. Roberts
H. Sandbeck
WPOB45/7-9