

Document Information Form

Mine Number: C/007/012

File Name: Internal

To: DOGM

From:

Person N/A

Company OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Date Sent: AUGUST 13, 1990

Explanation:

TEN-DAY NOTICE.

cc:

File in:
C/007, 012, Internal

- Refer to:
- Confidential
 - Shelf
 - Expandable

Date _____ For additional information

Mine file, LPA, JCh, D.H., Tam M

Pfo
CB

RECEIVED

UNITED STATES DEPARTMENT OF THE
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE

AUG 13 1990

Field Office:
Albuquerque Field Office
225 Silver SW Suite 510
Albuquerque, NM 87102
Telephone Number: 505-766-1486

Number: X-90 - 02 - 107 - 12 TV

Ten-Day Notice to the State of Utah, Division of Oil, Gas and Mining

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

Permittee: Genwal Coal Company County: _____
(Or Operator if No Permit)
Mailing Address: P.O. Box 1201, Huntington, UT
Permit Number: 007/012 Mine Name: Huntington Prep
 Surface
 Underground
 Other
Prep Plant

NATURE OF VIOLATION AND LOCATION: Failure to divert runoff from the surface of the refuse pile in stabilized diversion channels designed to meet the requirements of
Section of State Law, Regulation or Permit Condition believed to have been violated:

NATURE OF VIOLATION AND LOCATION: RB14-301-742.300 to safely pass the runoff from a 100-year, 6-hour precipitation event. Location: The outslope of the
course refuse
Section of State Law, Regulation or Permit Condition believed to have been violated: RB14-301-746.212

NATURE OF VIOLATION AND LOCATION: _____
Section of State Law, Regulation or Permit Condition believed to have been violated:

Remarks or Recommendations: _____

Date of Notice: Aug 3, 1990
certified mail
9965 798 976

Signature of Authority
Print Name and

File in:
 Confidential
 Shelf
 Expandable
Refer to Record No. 0012 Date _____
In C/ 007, 012, Internal
For additional information

Mine file, LPS, JCH, D.H., Tam m.

Pfo
CB

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement
TEN-DAY NOTICE

RECEIVED

AUG 13 1990

Field Office:
Albuquerque Field Office
225 S. Ivor SW Suite 310
Albuquerque, NM 87102
Telephone Number: 505-766-1486

Number: X-90 - 02 - 107 - 12

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Ten-Day Notice to the State of Utah, Division of Oil, Gas and Mining

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

Permittee: <u>General Coal Company</u> <small>(Or Operator if No Permit)</small>	County:	<input type="checkbox"/> Surface
Mailing Address: <u>P.O. Box 1201, Huntington, UT</u>		<input type="checkbox"/> Underground
Permit Number: <u>007/012</u>	Mine Name: <u>Waddington Prep</u>	<input checked="" type="checkbox"/> Other <u>Prep Plant</u>

NATURE OF VIOLATION AND LOCATION: Failure to divert runoff from the surface of the refuse pile in stabilized diversion channels designed to meet the requirements of

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

NATURE OF VIOLATION AND LOCATION: RB14-301-742.300 to safely pass the runoff from a 100-year, 6-hour precipitation event. Location: The outslope of the

CONCRETE REFUSE

Section of State Law, Regulation or Permit Condition believed to have been violated: RB14-301-746.212

NATURE OF VIOLATION AND LOCATION:

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

Remarks or Recommendations:

Date of Notice: Aug 3, 1990
certified mail
P965 798 976

Signature of Authorized Rep.: Rade H. Orell
Print Name and ID: Rade H. Orell #107

RECEIVED

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

AUG 09 1990

DIVISION OF
OIL, GAS & MINING

For Office Use Only

1a Y Y M M	1b Batch	1c Report
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<p>2. Name of Permittee GRENWAL CONI COMPANY</p> <p>3. Street Address P.O. BOX 1201</p> <p>4. City HUNTINGTON</p> <p>5. State WV</p> <p>6. Zip Code 25701</p> <p>7. Area Code 801</p> <p>8. Telephone Number 687-9813</p>	<p>9. MSHA Number -</p> <p>10. Date of Inspection (Y M M D D) 900802</p> <p>11. State Permit Number ACT 007/012</p> <p>12. Name of Mine WELLSINGTON</p> <p>13. County Code 007</p> <p>14. State Code WV</p> <p>15. Strata</p> <p>16. State Area Office</p>
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17. OSM Field Office No. 02	18. OSM Area Office No.	19. OSM Sample No. 0914	20. Type of Inspection (Code)	21. Joint Inspection Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	22. Inspector's ID No. 107
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<p>23. Status</p> <p>A <input type="checkbox"/> 01 Type of Permit</p> <p>B <input type="checkbox"/> A Mine Status (Code)</p> <p>C <input type="checkbox"/> 31 Type of Facility (Code)</p> <p>D <input type="checkbox"/> 01730.0 Number of Permitted Acres</p> <p>E <input type="checkbox"/> 00356.0 Number of Disturbed Acres</p>	<p>24. Type of Activity (check applicable boxes).</p> <table style="width: 100%;"> <tr> <td>A <input type="checkbox"/> Steep Slope</td> <td>E <input type="checkbox"/> Anthracite</td> </tr> <tr> <td>B <input type="checkbox"/> Mountain Top Removal</td> <td>F <input type="checkbox"/> Federal Lands</td> </tr> <tr> <td>C <input type="checkbox"/> Prime Farmlands</td> <td>G <input type="checkbox"/> Indian Lands</td> </tr> <tr> <td>D <input type="checkbox"/> Alluvial Valley Floors</td> <td>H <input checked="" type="checkbox"/> Other</td> </tr> </table>	A <input type="checkbox"/> Steep Slope	E <input type="checkbox"/> Anthracite	B <input type="checkbox"/> Mountain Top Removal	F <input type="checkbox"/> Federal Lands	C <input type="checkbox"/> Prime Farmlands	G <input type="checkbox"/> Indian Lands	D <input type="checkbox"/> Alluvial Valley Floors	H <input checked="" type="checkbox"/> Other
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D <input type="checkbox"/> Alluvial Valley Floors	H <input checked="" type="checkbox"/> Other								

25. Performance Standards (Codes)

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

<p>Standards That Limit the Effects to the Permit Area</p> <p>A <input type="checkbox"/> 1 Distance Prohibitions</p> <p>B <input type="checkbox"/> 1 Mining Within Permit Boundaries</p> <p>C <input type="checkbox"/> 1 Signs and Markers</p> <p>D <input type="checkbox"/> 1 Sediment Control Measures</p> <p>E <input type="checkbox"/> 1 Design and Certification Requirements—Sediment Control</p> <p>F <input type="checkbox"/> 1 Effluent Limits</p> <p>G <input type="checkbox"/> 1 Surface Water Monitoring</p> <p>H <input type="checkbox"/> 1 Ground Water Monitoring</p> <p>I <input type="checkbox"/> 1 Blasting Procedures</p> <p>J <input type="checkbox"/> 1 Haul/Access Road Design and Maintenance</p> <p>K <input type="checkbox"/> 1 Refuse Impoundments</p> <p>L <input type="checkbox"/> 2 Other: Specify <u>course Reclamation Operations</u></p>	<p>Standards That Assure Reclamation Quality and Timeliness</p> <p>M <input type="checkbox"/> 1 Topsoil Handling</p> <p>N <input type="checkbox"/> 1 Backfilling and Grading</p> <p>O <input type="checkbox"/> 1 Following Reclamation Schedule</p> <p>P <input type="checkbox"/> 1 Revegetation Requirements</p> <p>Q <input type="checkbox"/> 1 Disposal of Excess Spoil</p> <p>R <input type="checkbox"/> 1 Handling of Acid or Toxic Materials</p> <p>S <input type="checkbox"/> 1 Highwall Elimination</p> <p>T <input type="checkbox"/> 1 Downslope Spoil Disposal</p> <p>U <input type="checkbox"/> 1 Post Mining Land Use</p> <p>V <input type="checkbox"/> Cessation of Operations: Temporary</p> <p>W <input type="checkbox"/> Other</p>
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United States Department of the Interior Office of Surface Mining Mine Site Evaluation Inspection Report

26. State Permit Number

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

A C T 0 0 7 / 0 1 9

9 0 0 8 / 0 2

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

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

29a. Number of Completes

29b. Number of Partials

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

30a. Number of Completes

30b. Number of Partials

31. Has inspection frequency been met?

31a. Yes No Completes

31b. Yes No Partials

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

Ten-Day Notice No.	Notice of Violation No.	Cessation Order No.	Violation Codes
90-02-117-12			
A <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Authorizations to Operate
B <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs and Markers
C <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Backfilling and Grading
D <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Highwall Elimination
E <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rills and Gullies
F <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Improper Fills
G <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Topsoil Handling
H <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sediment Ponds
I <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effluent Limits
J <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Monitoring
K <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Buffer Zones
L <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roads
M <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dams
N <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blasting
O <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Revegetation
P <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spoil on the Downslope
Q <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mining Without Permit
R <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exceeding Permit Limits
S <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Distance Prohibitions
T <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toxic Materials
U <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Violations

33. Name of Authorized Representative (print or type)

Rude H. O'Neil
Signature of Authorized Representative

Date

04 0

John C. Kathman
Signature of Reviewing Official

Date

8/7/90

06 0

08 0

03 5

Genwal Coal Company
P.O. Box 1201
Huntington, Utah 84528

Wellington Preparation Plant
Utah Permit #007/012

Random Sample Inspection
August 1, 1990

Participants:

Rade H. Orell, Office of Surface Mining Albuquerque Field Office;
Lynn Kunzler, and John Pappas, Utah Division of Oil, Gas and Mining
(DOGGM); and Candy Manzaneras, Genwal Coal Company (operator's
representative)

Mine Site Evaluation Inspection Report:

The Mine Site Evaluation Inspection Report form has been completed to reflect the random sample inspection (RSI). The number 2 is at performance standard code L, Other to indicate the issuance of Ten-Day Notice (TDN) 90-02-107-12. The TDN is explained in greater detail later in this report.

Introduction:

The inspection commenced at the mine site office. The weather was clear to cloudy and warm. Ground conditions were dry. A Ricoh camera was used to photograph areas of interest. I provided my authorization to the operator's representative at the beginning of the inspection.

The permitting situation at the Wellington Preparation Plant is complicated. The property was formerly owned by Kaiser Coal. Genwal Coal Company applied for the transfer in August 1989. DOGM approved the transfer in October 1989. The permit was subsequently renewed in a December 12, 1989 letter to the operator. DOGM reminded the operator of the agreement to submit all the outstanding permitting issues in the same letter. Therefore, it appears that the permit was issued with deficiencies. DOGM's Administrative Overview indicates that the permit was issued with deficiencies because the Kaiser permit was transferred to Genwal with only 60 days prior to expiration of the permit. The deficiencies are attached to the permit as a stipulation (copy attached). This information will be relayed to the appropriate program specialist.

The previous RSI (April 27, 1988) resulted in the issuance of a TDN. Part 2 of the TDN addressed the operator's failure to install the required diversions at the coarse refuse and fine coal slurry. AFO agreed with DOGM to defer installation of the diversions at the coarse refuse until such time that a new operator assumed responsibility for the site. Circumstances surrounding the inactive status of the operation were determined to be justification for delaying action to correct the situation. The letter AFO provided to DOGM indicated that it was our understanding that DOGM would "review the issue".

Inspection:

The inspection included a records review and field observations. The inspection commenced with the records review.

Records Review - The records review included observations of the NPDES permit, discharge monitoring reports, ground and surface water monitoring, sediment pond inspection reports, annual certifications for the fine coal slurry and coarse refuse piles and the clean water pond, weekly MSHA inspections for the same structures, liability insurance, sediment pond certifications, haul road certification, and excerpts of the mining and reclamation plan.

The review of the water monitoring records indicated that either lab errors or transposing errors have rendered much of the data questionable. For example, while TDS increases from one sample to another at a particular station conductance decreases for the same station. The situation exists for other parameters as well. We advised the operator's representative of the need to rectify the situation.

Field Inspection - The field inspection commenced at the coarse refuse pile. It also included observations of the incised sediment ponds, the track hopper and railroad tracks, the "new haul road, the fine coal slurry ponds, the clean water pond, the slurry line sediment pond, and pump station on the Price River.

Coarse Refuse File - The inspection of the coarse refuse pile indicated that the operator has installed an undisturbed runoff 100-year, 6-hour diversion along the south side of the structure. The inspection of the refuse pile toe however indicated that the required 100-year, 6-hour diversions have not been installed. A recent permit revision, September 22, 1989, approved by DOGM identifies the 2.4 acres of outslope as a small area exemption (SAE). The plan describes the area, the nature of the material and the use of straw bales and silt fences on the north and east. Drainage from the south and west side would drain to a small basin at the toe of the refuse. The SAE is also designated on the As-Built Disturbed Area and Hydrology Map, Dwg. No. 4067-6-10A (Rev 2/23/90). I met with DOGM representative at the offices of the Division on August 2 for the purpose of discussing

the required diversions further. I advised the DOGM representatives that while a 2.4 acre area may qualify for an SAE that it is questionable that such an area could include the outslopes of a coarse refuse pile. In addition, I indicated that even if the area does qualify for an SAE that it does not exempt the operator from the requirement to divert the runoff via 100-year, 6-hour diversions. If any exemption exists it would be that the runoff from the diversions could be passed through something other than a siltation structure. Therefore, TDN 90-02-107-12 was issued from AFD via certified mail on August 3, 1990. The TDN cites R614-301-746-212 as the Rule believed to have been violated. The rule requires that runoff from the surface of the refuse pile be diverted in stabilized diversions designed to safely pass the 100-year, 6-hour precipitation event.

Haul Road - The inspection of the haul road indicated that approximately 1000 feet of the structure is located outside the permit boundary. The part of the road that is outside the permit boundary is at the entrance to the preparation plant where it meets a county road. This road situation will be added to the haul road issue currently under review in Utah.

Close-Out Meeting:

The close-out meeting was a retiteration of the inspection. I advised the operator's representative of my intent to meet with DOGM representatives in Salt Lake City to further discuss the coarse refuse diversions. I also indicated that a TDN would probably be issued to the state for the lack of toe diversions at the coarse refuse pile.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
RANDOM SAMPLE MEIR SUPPLEMENT

LSC# 6-29-90

1. Permittee Crowder Coal Company
 2. Permit Number 607/012
 3. Joint Inspection Y Y/N 4. Date 8-1-90

5. Days since Last State Complete Inspection (LSCI) 32
 6. Block 25 Categories in NON-COMPLIANCE this RSI 1
 7. Total Violations this RSI 1

8. List (only once) all violations:
 1) where State enforcement was required and taken during the LSCI;
 2) recorded in the LSCI report but the State failed to take enforcement;
 3) observed during this RSI which clearly existed during the LSCI but the State failed to take enforcement; and;
 4) existing during this RSI which are not already listed under one of the categories above.

LAW	A		B	C	D	E	F	G	H	I	J	K
	SPECIFIC STATE REGULATION VIOLATED	REGULATION VIOLATED										
1.	/	1614 / 301 / 1746.212	L	x	2		1	2	2	2		
Description:			NO DIVERSIONS AT TOP OF COAL REINS									
2.	/	/										
Description:												
3.	/	/										
Description:												
4.	/	/										
Description:												
5.	/	/										
Description:												
6.	/	/										
Description:												
7.	/	/										
Description:												
8.	/	/										
Description:												
9.	/	/										
Description:												
10.	/	/										
Description:												

- STATE ACTION**
 1) Existed on LSCI, cited
 2) Existed on LSCI, not cited
 3) Cited Prior to LSCI, Abatement Pending
 4) Occurred since LSCI

- STATE'S REASON FOR NOT CITING VIOLATION (AFTER DISCUSSION WITH THE STATE)**
 1) Not a Violation
 2) Precluded by State Policy
 3) Not included under State Program
 4) Warning given in lieu of a Citation
 5) Violation not recognized (missed)
 6) Practice allowed under approved Permit
 7) Too minor to cite
 8) Working with Operator to Correct
 9) Other:

- CAUSES**
 1) Permit Defect
 2) Unusual Weather Conditions
 3) Unofficial Waiver
 4) Operator Negligence
 5) Other:

- PROBABILITY OF EVENT OCCURRENCE**
 1) None or Unlikely
 2) Likely
 3) Occurred

- IMPACT**
Damage Remains Within the Permit Area
 1) None or Minor
 2) Moderate
 3) Considerable
Damage Extends Beyond the Permit Area
 4) None or Minor
 5) Moderate
 6) Considerable
Obstruction to Enforcement
 7) None or Minor
 8) Moderate

- OSMRE ACTION**
 1) Deferred to State Action
 2) TDW issued
 3) EN-CO issued
 4) Previously Cited, Abatement Pending
 5) Abated during or before OSMRE inspection