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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter

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 21, 1990

CERTIFIED RETURN RECEIPT REQUESTED

P 074 978 734

Mr. Robert Hagen, Director
Albuquerque Field Office
of Surface Mining
Reclamation and Enforcement
Suite 310, Silver Square
625 Silver Avenue, S. W.
Albuquerque, New Mexico 87102

Beck

Dear Mr. Hagen:

Re: TDN X90-02-107-12, Genwal Coal Company, Wellington Prep Plant,
ACT/007/012, Folder #5, Carbon County, Utah

This letter responds to the above referenced Ten-Day Notice, the certified copy of which was received at the Division's offices August 13, 1990.

Number 1 of 1 was issued for "failure to divert runoff from the surface of the refuse pile in stabilized diversion channels designed to meet the requirements of R614-301-742.300 to safely pass the runoff from a 100-year, 6-hour precipitation event. Location: The outslope of the coarse refuse."

Response: The Division of Oil, Gas and Mining was under the impression that this issue had been resolved after addressing TDN X88-2-107 part 2, which was issued on April 27, 1988. In fact, as stated in OSM's reply letter of January 27, 1989, "The agreed upon course of action to be taken regarding diversion of surface drainage to protect the coarse refuse pile from erosion was to reexamine diversion requirements at the time there is a change in the operational status of the mine."

When Nevada Electric Investment Co. determined to make the Wellington site operational, the Division "reexamined," in depth, diversion requirements at the site. Specialists from OSM were also consulted and the agreed upon course was to build the UD-1A diversion, which has subsequently been built. Also, implicit in this course of action was the concept that the outslope of the refuse pile would not require construction of additional diversions.

SENDER INSTRUCTIONS

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- Complete items 1, 2, 3, and 4 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.



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STATE OF UTAH
 NATURAL RESOURCES
 OIL, GAS, & MINING
 3 TRIAD CENTER, SUITE 350
 SALT LAKE CITY, UTAH 84180-1203



U.S.G.P.O. 1988-217-132

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1. Show to whom delivered, date, and addressee's address. (Extra charge)
 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
 ROBERT HAGEN DIR
 ALBUQUERQUE FIELD OFFICE
 SITE 310 SILVER SQ
 625 SILVER AVE S W
 ALBUQUERQUE NM 87102

4. Article Number
 P 074 978 734

Type of Service:
 Registered
 Certified
 Express Mail
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Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
 X *Wilson Henry*

6. Signature - Agent
 X *Wilson Henry*

7. Date of Delivery
 X **AUG 25**

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P 074 978 734

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

SENT TO	
ROBERT HAGEN, DIR ALBUQUERQUE FIELD OFFICE SITE 310 SILVER SQ 625 SILVER AVE S W	
P.O. State and ZIP Code ALBUQUERQUE NM 87102	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
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PS Form 3800, June 1985

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VB ACT/007/012 TDN X90-02-107-12

DDGM

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 CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

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TDN response
ACT/007/012
August 21, 1990

The regulation sited in this new TDN, R614-301-746-212, does not necessarily require the construction of additional diversions. It only requires that "runoff from the surface of the refuse pile will be diverted into stabilized diversion channels..." Where there is no runoff, no diversion would be needed or required. Please refer to the attached technical review conducted by the Division's Senior Hydrologist Rick Summers, which indicates this to be the case.

All in all, DOGM feels the course of action taken with respect to the refuse pile has been appropriate and the alleged violation does not exist. The issuance of this last TDN has essentially penalized the Division two times on the same issue (double jeopardy).

Based on the work previously done on this issue and the above information, the Division respectfully requests that this TDN and any associated LSCI data be withdrawn.

Sincerely,



Lowell P. Braxton
Associate Director

Attachment
cc: D. Haddock
J. Helfrich
P. F. O.
C. Manzanarez (Castle Valley Resources)
BT52/5-6



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August 21, 1990

To: Daron Haddock, Permit Supervisor

From: Rick P. Summers, Senior Hydrologist

Re: Hydrology Response to TDNX-90-02-107-12, Wellington Preparation Plant, Genwal Coal Company, ACT/007/012, Carbon County, Utah

Summary:

The above referenced TDN (received August 13, 1990) was issued for "failure to divert runoff from the surface of the refuse pile in stabilized diversion channels designed to meet the requirements of R301-742.300....location: the outslope of the coarse refuse". The surface (top) of the pile is bermed to direct runoff from the pile to the sedimentation pond. The TDN references the outslopes of the refuse pile as needing a diversion.

The outslope of the pile is approximately 2.4 acres (As-built Facilities Submittal, December 21, 1989). A diversion to the east of the pile is existing. This diversion is essentially created by the pile and the base for the railroad track (see Dwg. 4067-6-8A, Diversion dd-4, Wellington Plant As-built Facilities, December 21, 1989). It estimated that approximately 40 percent of the 2.4 acres of outslope is served by this diversion. The diversion is at least 1.8 feet deep and (based upon the forthcoming calculations) more than adequate to handle the 100 yr. - 6 hr. event. In practicality, it is questionable if the remaining 1.5 acres (approximate) require a diversion due to: 1) the lack of evidence of significant runoff from the outslope, 2) calculations indicating nonexistent runoff, and 3) site constraints that make diversion placement difficult.

Site conditions indicate that very little runoff has originated from the pile outslopes as little or no refuse sediment has been observed beyond the toe of the outslope. It is my understanding that the pile has been in place since the late 1950's. Considering the length of time the pile has been subjected to precipitation events, it is highly likely that the pile outslope has extremely high infiltration rates and overland flow would not be expected. This is further supported by the unconsolidated,

poorly sorted, and significantly rough surface nature of the outslope.

The original MRP stated that the pile did not produce runoff and proposed a relatively low curve number to be used in the SCS design work. Following my site visit, I would tend to agree with that conclusion. I would not, however, agree with that conclusion for the surface (top) of the pile. That surface has been compacted and has evidence of runoff. The modification of November, 1989 accounted for this and used a curve number of 73 in the design work.

For the refuse outslopes, a curve number of 40 is suggested for use in determining the expected design flow from the west to southwest outslope of the pile. This determination was made assuming a hydrologic soil group A (high infiltration) and using tabular values for unvegetated spoil (Table 2.16, Hydrology and Sedimentology Manual, Prepared for Office of Surface Mining, Nadolski, et. al.). The SCS methodology results in no flow (less than 0.009 cfs) for a 100 yr. - 6 hr. precipitation event of 1.91 inches.

It should be noted that the use of hydrograph models for a such a small area with a low time of concentration and curve number is extrapolating the method beyond the intent. Also, the assumptions and results of the analysis could be verified with a rainfall-type infiltrometer, however, I don't believe the existing evidence and magnitude of the question begins to require that amount of attention. The runoff volume for that same event would be 0.011 ac-ft. The runoff depth would be 0.085 inch. These results all suggest that the expected runoff is insignificant to non-existent.

These numbers have been presented to demonstrate that the runoff from these outslopes is insignificant. I believe the permitting process should have some allowance for a professional decision on the expected significance a runoff design without necessarily granting a variance and requiring calculations from the applicant. In a sense, a variance was granted by default.

Additionally, it was noted that during the design of the diversion UD-1A required by a previous TDN that a diversion at the toe of the slope would require a significant excavation (8 ft.?) at the south end just to establish a drainage slope. That was the rationale for locating the diversion away from the refuse pile at the toe of the undisturbed slope along the contour. A diversion at the toe of the west side of the refuse pile would not drain anywhere except to the terminus of the excavation (essentially a box cut). Were this excavation to overflow (extreme event) the runoff would be enclosed in a natural depression. It is important to remember the expected runoff is insignificant (0.085 in.).

I hope these calculations and observations assist in the response for the TDN.

cc: Lowell Braxton
Lynn Kunzler