

0013



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

*gjd* 100271

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## INSPECTION REPORT

INSPECTION DATE & TIME: 8/19/92

8:45 a.m. - 5:30 p.m.

Permittee and/or Operator's Name: Castle Valley Resources  
Business Address: Box 766, Wellington, UT, 84542  
Mine Name: Wellington Prep. Plant Permit Number: Act 007/012  
Type of Mining Activity: Underground Surface Other x  
County: Carbon Company Official(s): Larry Jonson, Candy Manzanares  
State Official(s): Sharon Falvey,  
Federal Official(s): none  
Partial: Complete x Date of last Inspection: 7/28/92  
Weather Conditions: Clear, Hot  
Acreage: Permitted 1720 Disturbed 356 Regraded 1.5 Seeded 1.5  
Bonded 469 Enforcement Action: yes

### COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	YES	NO	N/A	COMMENTS
1. PERMITS	( )	(x)	( )	(x)
2. SIGNS AND MARKERS	(x)	( )	( )	(x)
3. TOPSOIL	(x)	( )	( )	( )
4. HYDROLOGIC BALANCE:				
a. STREAM CHANNEL DIVERSIONS	(x)	( )	( )	( )
b. DIVERSIONS	(x)	( )	( )	( )
c. SEDIMENT PONDS AND IMPOUNDMENTS	( )	(x)	( )	(x)
d. OTHER SEDIMENT CONTROL MEASURES	(x)	( )	( )	( )
e. SURFACE AND GROUNDWATER MONITORING	(x)	( )	( )	(x)
f. EFFLUENT LIMITATIONS	(x)	( )	( )	( )
5. EXPLOSIVES	( )	( )	(x)	( )
6. DISPOSAL OF DEVELOPMENT WASTE & SPOIL	(x)	( )	( )	( )
7. COAL PROCESSING WASTE	(x)	( )	( )	(x)
8. NONCOAL WASTE	(x)	( )	( )	( )
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	(x)	( )	( )	( )
10. SLIDES AND OTHER DAMAGE	(x)	( )	( )	( )
11. CONTEMPORANEOUS RECLAMATION	(x)	( )	( )	( )
12. BACKFILLING AND GRADING	(x)	( )	( )	( )
13. REVEGETATION	(x)	( )	( )	( )
14. SUBSIDENCE CONTROL	( )	( )	(x)	( )
15. CESSATION OF OPERATIONS	( )	( )	(x)	( )
16. ROADS				
a. CONSTRUCTION	(x)	( )	( )	( )
b. DRAINAGE CONTROLS	(x)	( )	( )	( )
c. SURFACING	(x)	( )	( )	( )
d. MAINTENANCE	(x)	( )	( )	( )
17. OTHER TRANSPORTATION FACILITIES	(x)	( )	( )	(x)
18. SUPPORT FACILITIES				
UTILITY INSTALLATIONS	(x)	( )	( )	( )
19. A.V.S.	( )	(x)	( )	(x)

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PERMIT NUMBER: ACT/007/012

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(Comments are Numbered to Correspond with Topics Listed Above)

- 1. Permits.** See AVS for non compliance issue.

The expansion/modification amendment for the Dryer Sediment Pond was received by the Division on June 8, 1992.

The Division has not yet received a copy of the current(1992) insurance accord form. A current copy will be requested in the midterm review.

The Division received a fines removal report, describing the previous month's activities for June and the following months activities for July, on July 13, 1992. No August report was received. The operator has received approval for a method to remove moisture from the fines, as a one day trial. This trial has not yet occurred. No new activities for fine removal was observed to occur at the site. However, the operator has recently done some core sampling at the site of the impoundments.

**4. Hydrologic Balance**

**c) Sediment Ponds And Impoundments**

Certified inspection reports for the 2nd quarter MSHA impoundments were received at the Division on August 12, 1992. Weekly inspections of MSHA refuse ponds were not available at the mine site or office. NOV N921-38-4-1 was issued.

**d. OTHER SEDIMENT CONTROL MEASURES**

Once again the silt fence shows signs of piping under the fences along the undisturbed drainage ditch at the north east end of the upper refuse impoundment, Alternate Sediment Control Area #7.

The operator has committed to place straw bales in locations where the piping appears to occur. The straw bales should slow water velocities and help prevent piping in these areas. Loose straw will also be placed around the bales to prevent the flow from channeling around the bale to an area where additional piping might occur.

**e) Surface and Ground Water Monitoring**

Surface and Ground Water sample data were received at the Division on August 12, 1992 for the second quarter.

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### 6. DISPOSAL OF DEVELOPMENT WASTE & SPOIL

In conjunction with the midterm review I inspected the spoil pile II as identified on the facilities map.

This site has little established vegetation. The majority of cover is halogeton, a couple of shrubs were well established. An area with out vegetation growth was also noted. Further attention to this area by the vegetation and soils specialist is recommended.

### 7. COAL PROCESSING WASTE

The gullies that were formed on the pond refuse pile UT09-0099-05 were filled and regraded. Following regrading the operator noted additional formation of rills/gullies. The operator placed riprap along portions of the refuse where gulling was occurring. Following the riprap addition, a rain event did occur at the site. The operator indicated the riprap appeared to be working.

The operator submitted the construction inspection report for previous refuse pile gully stabilization as the quarterly report. The engineer made a note to recognize the previously noted area of erosion as a part of Refuse Pile UT 09-0099-05. The most recent certified inspection report on file completed in June 6/92 indicated no further erosion at the gully repair site on the refuse pile. The report does not mention the recent repairs which I assume occurred after the June inspection.

The operator has moved approximately 350 cubic yards of pond material from Genwal to Wellington. Larry Jonson indicated additional 750 cubic yards of reject from the road materials was mixed with the pond waste to absorb water to allow for removal. Larry indicated he had received approval from Daron Haddock to include the reject waste, through a phone conversation in June. These materials were added to the plant refuse pile and are being compacted into the pile. The operator should be aware that the drainage plan must be followed on the refuse pile and that no ponding is allowed on the refuse pile.

### 8. NONCOAL WASTE

It was evident that some gas product had spilled from the operators diesel tank. Candy Manzanares indicated the tank had received recent replacement of the tank hose and nozzle. The presence of diesel at the site was a result of over filling the tank by the delivery company. Candy indicated that he informed the delivery person not to overfill the tank. The volume spilled did not appear extensive and was contained within the dug out trough.

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### 8. NONCOAL WASTE (cont.)

During the month of July the operator removed all of the PCB transformers. General Electric controlled removal and transportation of the PCB's.

### 17. OTHER TRANSPORTATION FACILITIES

The portions of rail used for loading trains and the railroad spur that are located within the permit area at the Wellington Preparation Plant were measured in cross section. The purpose is to assist in determining the cost of ballast removal for the bond to be estimated in conjunction with the midterm review. A discussion resulted as to what portions of the rail/spur are the responsibility of the operator. The MRP under review does not contain information indicating that the railway spur or portions of the spur are under the control of the railroad. Until such time as the operator presents adequate information demonstrating otherwise, the Division will consider any culverts on areas, where these areas will also include any adjacent land the use of which is incidental to "Coal Mining and Reclamation Operations" as defined in the regulations, to be the responsibility of the operator. The operator indicated culverts along the rail spur, identified as needing maintenance during the inspection, would be attended.

### 19. A.V.S.

The operator has proceeded with another structure change within CVR permitting. The operator has changed the resident agent for the Wellington Preparation Plant. The operator had proposed to change the Operator to Genwal.

The February complete inspection stated. " The operator needs to submit the proposed changes in an amendment. The operator is waiting for completion of the permit transfer amendment to begin the next corporate re-organization."

#### Facts.

1. According to the (Faxed) memo from Jon Passic, dated May 19, 1992 and received at the Division on May 28, 1992, the total responsibility for permitting and compliance work will be Genwal Coal Company.
2. A second memo received May 22, 1992 at the Division from Jon Passic states that all correspondence will go through Genwal's Chief Engineer (Jay Marshall).
3. On May 28, two memos were addressed to Jay Marshall of Genwal Coal Company and copied to J. Passic. One, indicated the permit transfer amendment was approved. The operator was to include the

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approved changes in the 7 copies of the MRP requested to be submitted. These changes were not included. The second memo indicated the operator needed to submit an amendment for any operations changes. To date, no amendments were submitted.

4. The currently approved plan, per the recent permit transfer states:

1. CVR is the applicant/operator.
2. Jon Passic is the resident agent.
3. The address and telephone number of the operator is P.O. Box 766 Wellington, Ut. 84542 ph. 687-9813.

5. The Office for CVR is moved to the Genwal office. The plan and all permit documentation is planned to be kept at the Genwal site.

6. The most recent submittal to the Division, the 2nd quarter monitoring report indicates Castle Valley Resources address is now in Huntington, UT. The letter head also indicates Castle Valley Resources is marketing for Genwal. The cover letter provided with the document from Genwal Coal Company indicates the information (for Genwal and CVR) is being submitted in accordance to Genwal's Mining and Reclamation Plan.

7. Candy Manzanares, who runs truck loading operations, stated in conversation during this inspection that his new boss is Randall Ralphs, an (former?) employee of Genwal.

It appears that the operator has effectively changed the ownership and control and has therefore violated R645-301-100, a change in the resident agent indicates the operator is not in compliance with the approved plan R645-301-100 and R645-300-142. The violation is written as one NOV because the regulations violated are the result of one action with one abatement requirement.

Copy of this Report:

Mailed to: Brian Smith (OSM), Larry Jonson, Jon Passic CVR  
Given to: Joe Helfrich and Daron Haddock, DOGM

Inspector's Signature & Number: Sharon Falvey #38 Date: 8/26/92