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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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INSPECTION REPORT

Partial: X Complete: Exploration:

Inspection Date & Time: November 21, 1997, 10:20 AM to 12:40 PM

Date of Last Inspection: October 17 and 23, 1997

Mine Name: Wellington Preparation Plant County: Carbon Permit Number: ACT/007/012

Permittee and/or Operator's Name: Nevada Electric Investment Company (NEICO)

Business Address: c/o Earthco, 1179 East Main #104, Price, Utah 84501

Type of Mining Activity: Underground Surface Prep. Plant X Other

State Official(s): Paul Baker

Company Official(s): Patrick Collins and Steve Traweck

Federal Official(s): None

Weather Conditions: Partly cloudy, 30's

Existing Acreage: Permitted- 1720 Disturbed- 356 Regraded- 1.5 Seeded- 1.5 Bonded- 177

Increased/Decreased: Permitted- 0 Disturbed- 0 Regraded- 0 Seeded- 0 Bonded- 0

Status: Exploration/ X Active/ Inactive/ Temporary Cessation/ Bond Forfeiture

Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June)_(date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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PERMIT NUMBER: ACT/007/004

DATE OF INSPECTION: November 21, 1997

(Comments are Numbered to Correspond with Topics Listed Above)

1. Permits, Change, Transfer, Renewal, Sale

The Division has been reviewing amendment 97H, the operation plan for the new modular preparation plant. One page of this amendment would allow the operator to begin filling the clearwater pond. Because this process is expected to take a few months, the one page was separated from the rest of the amendment, classified as amendment 97I, and approved with conditions in a letter sent November 24, 1997. The conditions include more frequent monitoring of adjacent groundwater wells and daily inspections of the clearwater pond dam for wet areas until the pond is full.

2. Signs and Markers

New entrance signs have been put up in operational areas on the east side of the Price River.

In the next inspection, I will check for disturbed area markers, particularly in the areas of the pumphouse and Covol's new preparation plant. I will also compare the area actually disturbed near the pumphouse with the area of disturbance shown on maps in the plan.

3. Topsoil

To abate violation N97-41-5-1, about 25 yd³ of soil was imported and placed on the topsoil pile on the east side of the river.

4. Hydrologic Balance

c. Other Sediment Control Measures

There is a silt fence south of the concrete ditch leading to the pumphouse by the Price River. The silt fence was partly removed to allow equipment access to the river, but it needs to be replaced.

There is sediment control for all of the area (except as mentioned above) near the pumphouse, but some of the sediment control measures are not discussed in the plan. During the next inspection, I intend to look closely at sediment controls in this area, and it may be necessary to issue a Division Order to take care of this problem.

e. Effluent Limitations

During the inspection, there was a crew working on the pumphouse to get the equipment operational. A pump was turned on, and water was discharged from a 6-inch pipe into a riparian or wetland area adjacent to the Price River. Judging from the size of the pipe and the trajectory of the water, I estimate water was being discharged at a rate of at least 400 gallons per minute. The water was flowing across an area filled with tamarisk and salt grass then into the Price River.

The water and sediment it contained were dark gray to black. I asked Mr. Traweek to have the people working on the equipment turn the pump off, but water flowed for about three minutes while we were there. Based on the amount of water in the wetland/riparian areas and on information from Covol personnel, there had been at least one other discharge earlier in the day. I was told, however, there had been no discharges before this day.

I was not able to obtain a water sample while the discharge was occurring, but I took one about ten minutes later from a saltgrass area several feet from the discharge. Because I did not have a good container and because any sediment had been settling for about ten minutes, I did not consider the sample representative of the discharge.

All of the puddles I saw had a sheen indicating the presence of oil and grease.

I was told by Covol personnel the purpose of the pumping was to clean out sediment in a sump-type of area below the pumphouse. I was told there was about three or four feet of sediment that had accumulated since the

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pumphouse was last used. Based on the size of the building, I estimate there was about 100 yd³ of sediment in the pumphouse that would have been pumped into the river or the adjacent wetland and/or riparian area.

The permittee does not have a UPDES permit to discharge water into the river at this point.

There may have been a PCB spill in the pumphouse in July of 1992. I am checking with the Divisions of Solid and Hazardous Waste and Environmental Response and Remediation to confirm this.

Cessation order C97-41-2-1 was issued for failing to minimize disturbance to the hydrologic balance within the permit and adjacent areas, to prevent material damage to the hydrologic balance outside the permit area, and to make discharges in compliance with all Utah and federal water quality laws and regulations. Most damage has already been done and probably cannot be remediated without damaging the wetland/riparian areas. Abatement requires the permittee to take a sample of water in the sump and have it analyzed for oil and grease. If there is record of a PCB spill in the pumphouse, it will be necessary to test the sediment for PCBs.

7. Coal Mine Waste/Refuse Piles/Impoundments

Covol has been clearing coal fines from the northwest impoundment and stockpiling them near the preparation plant under construction. The dike appears to be complete or nearly so. I was surprised that the soil under the refuse is brown, not black.

Along the railroad tracks, there are three ramps made of coal refuse. The permittee is seeking bond release for this area, and after consulting with a Division engineer, I told Mr. Traweek the refuse should be moved out of this area. The best place for it is probably the coarse refuse pile.

13. Revegetation

We talked about seeding the area that was disturbed to clean the ditch near the tracks in the southern part of the permit area. The seed mixes in the plan are for final reclamation, and, while these mixes would work, it would probably be better to use species that can establish more quickly and are not as expensive. Mr. Collins suggested a seed mix that I verbally agreed to, but the plan should be changed before a different mix is used.

Copy of this Report:

Mailed to: James Fulton (OSM), Patrick Collins (NEICO/Mt. Nebo Scientific), Steve Traweek (Earthco)

Given to: Joe Helfrich (DOGM)

Inspector's Signature:  Paul B. Baker #41 Date: November 28, 1997