

May 6, 1985

TO: Coal File, Inspection and Enforcement Folder
FROM: David Lof, Mining Field Specialist 
RE: Soldier Canyon Mine, ACT/007/018, Folder #7. Carbon County, Utah

DATE: April 18, 1985
TIME: 12:30 - 4:00 p.m.
WEATHER: Overcast and mild; to raining and cool
COMPANY OFFICIALS: Tom Paluso
STATE OFFICIALS: David Lof
ENFORCEMENT ACTION: NOV N85-4-15-1

Compliance With Permanent Performance Standards

UMC 771 et al Permits

The following permits were reviewed in the operator's mine office :

1. The operator's interim approval letter from the Division dated January 17, 1979.
2. A September 3, 1982 letter from the Division granting conditional approval of the operator's ventilation shaft and the underground stream crossing.
3. A May 17, 1983 letter from the Division approving drainage diversion improvements on the mine yard.
4. A July 14, 1983 letter from the Division approving the construction of the operator's sewage lagoons.
5. An August 7, 1984 letter from the Division approving a runoff control modification submitted by the operator on July 6, 1984.

UMC 817.11 Signs and Markers

Mine identification signs are posted along the county road above and below the mine site as required.

The sewage lagoon site which is down the canyon from the main mine site has signs posted along its fence identifying the site as part of Soldier Creek's operation and warning people of the nature of the material within the lagoons. During my last complete inspection on February 21, 1985, I asked the operator to post a mine identification sign on the west side of the pond near the gate.

At the time of this inspection a mine identification sign had not been posted near the sewage lagoon gate.

I asked Mr. Paluso about this and he informed me that they had ordered a sign and had not received it yet. He showed me a purchase request form dated March 19, 1985 for the purchase of a mine identification sign from Tony Koss of Price.

Perimeter markers were properly posted around the permitted disturbed area boundary.

UMC 817.21-.23 Topsoil

What little topsoil the operator has removed and stored for redistribution upon final reclamation is stored on the southern slope of the material storage pad south of the sediment pond. The stockpile is identified by a topsoil sign and was well vegetated.

UMC 817.41-.51 Hydrologic Balance

The disturbed area runoff controls for the mine yard, parking area and material storage area by the pond were adequately maintained.

Sediment Pond Inlet

As was mentioned in my March 12, 1985 memorandum for my February 1985 inspection some disturbed area runoff had been bypassing the sediment pond inlet and going down the slope into the sediment pond. This runoff has caused excessive erosion all along the downslope from the road to the sediment pond. The operator received approval on August 7, 1984 for a runoff control modification plan which addresses this problem, however in the approval letter a date for the implementation of these plans was not given. I informed Mr. Paluso that the plans had to be implemented by June 30, 1985 or enforcement action would be taken.

Bin Wall

The runoff control modification plan which was approved by the Division on August 7, 1984 also addresses settling and erosion of the bin wall fill material. The June 30, 1985 deadline for implementation of the above mentioned approved plans also applies to the drainage controls proposed for the bin wall.

Sediment Pond, NOV N85-4-15-1

While inspecting the sediment pond, I found two problems with the pond's embankment.

1. The top of the sediment pond embankment was only 6 feet wide at its narrowest point. According to the plans for the sediment pond which were approved by the Division on November 23, 1979, the top width of the embankment is suppose to be 9.5 feet.

2. According to the operator's approved plan the combined side slopes of the sediment pond embankment should not be less than one to five with neither slope steeper than one to two. The inside slopes of the sediment pond were O.K. but the outside slope, especially the east side adjacent to Soldier Creek, does not comply with the regulations nor the approved plan. It is almost vertical at some points and is highly eroded due to Soldier Creek.

Because of the problems with the sediment pond's embankment Notice of Violation N85-4-15-1 was issued, it reads as follows:

Nature of the Violation

Failure to mine in accordance with an approved interim permit. Failure to construct and maintain the sediment pond embankment to ensure the proper top width. Failure to construct and maintain the sediment pond embankment to ensure proper side slope gradient.

Provisions of the Regulations, Act or Permit Violated

UCA 40-10-22(1)(c)
UMC 771. 19
UMC 817.46 (1)
UMC 817.46 (m)

Portion of the Operation to Which Notice Applies

Sediment pond embankment.

Remedial Action Required

- A. Submit complete plans to the Division to bring the sediment pond into compliance with UMC 817.46 (1) and UMC 817.46 (m).
- B. Implement said plans upon Division approval.

Time for Abatement

- A. May 20, 1985
- B. Complete the implementation of the approved plans within 30 days of receipt of approval from the Division.

The violation was issued from the Division office on May 2, 1985.

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Pond Inspections

The operator had quarterly sediment pond and sewage inspection reports through March 25, 1985. These reports did not indicate any problems with either pond.

UMC 817.52 Surface and Groundwater Monitoring

The operator is currently operating under NPDES permit UT-0023680 issued by EPA on October 29, 1982. This permit is for the mine water discharge and sediment pond overflow into Soldier Creek. The permit is scheduled to expire on September 30, 1987.

Surface water and mine water discharge data was available through March 15, 1985. There were no apparent problems with the data which were reviewed. The operator started analyzing their mine water discharge samples for Total Manganese in February 1985 as requested during my February 1985 complete inspection.

Mine water was discharging into Soldier Creek at the time of my inspection at a rate of approximately several CFS. I was not able to get a sample at the discharge point because it is inaccessible. I asked Mr. Paluso how they sampled their mine water discharge and he informed me that there is a valve in the mine water pipe just inside the mine workings from which they take their samples.

UMC 817.57 Stream Buffer Zones

Stream buffer zone signs were posted along Soldier Creek as required.

UMC 817.71-.73 Disposal of Underground Development Waste and Excess Spoil, and Nonacid and Nontoxic Forming Coal Processing Waste

Mr. Paluso informed me that they are currently disposing of all their underground development waste underground in the cross cuts within the stream crossing buffer area.

UMC 817.121-.126 Subsidence Control

Sitpulation 9-2-82-4-CY was attached to the conditional approval for the ventilation shaft and underground stream crossing dated September 3, 1982. This stipulation required that a subsidence monitoring plan for the underground stream crossing be submitted to the Division by October 1, 1982, and the data be submitted annually.

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On September 29, 1982, the Division received a subsidence monitoring plan from the operator. I asked Dave Spillman of Soldier Creek Company if they had submitted their 1984 subsidence data yet? He showed me a rough draft of a letter he was working on regarding their subsidence monitoring for the stream crossing area for the year 1984.

On April 26, 1985, the Division received the operator's annual subsidence monitoring report for the underground stream crossing. The operator reported that they had not found any visual evidence of existing or potential subsidence in the entries beneath Soldier Creek.

re

cc: Donna Griffin, OSM
Tom Paluso, Soldier Creek Coal CO.
Joe Helfrich, DOGM

Statistics:

Vehicle: EX 45428 - 562 miles
Per Diem: 1 person X 3 days, 3.5 hours = 143.85
Grant: A&E

0243Q-4-8