

Gary

Misc file

COPY

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Reclamation and Enforcement

0011

TEN-DAY LETTER

Originating Office:

Office of Surface Mining
Reclamation and Enforcement
625 Silver Avenue, S.W., Suite 310
Albuquerque, New Mexico 87102

Number: X-91 - 02 - 244 - 3 TV 1

Telephone Number: 505 766-1486

Ten-Day Letter to the State of Utah

You are notified that, as a result of oversight 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 letter 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>Andalex Resources Inc</u> <small>(Or Operator if No Permit)</small> | County: <u>Carbon</u> | <input type="checkbox"/> Surface |
| Mailing Address: <u>PO Box 902 Price, Utah 84501</u> | | <input checked="" type="checkbox"/> Underground |
| Permit Number: <u>ACT/007/019</u> | Mine Name: <u>Centennial Project</u> | <input type="checkbox"/> Other |

NATURE OF VIOLATION AND LOCATION: Failure to provide a combination of principal and emergency spillways that will safely discharge a 25-year, 6 hour precipitation event

[Pond C]

Section of State Law, Regulation or Permit Utah CMR
Condition believed to have been violated: R614-301.742.223

NATURE OF VIOLATION AND LOCATION: _____

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

NATURE OF VIOLATION AND LOCATION: _____

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

RECEIVED

JUN 10 1991

Remarks or Recommendations: _____

DIVISION OF
OIL GAS & MINING

Date of Letter: May 20, 1991
Certified mail receipt #
P 965 799 060

Signature of Authorized Rep.: Gary Fritz
Print Name and ID: Gary Fritz #244

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

For Office Use Only

| | | |
|---------------|-------------|--------------|
| 1a Y Y M M | 1b Batch | 1c Report |
|---------------|-------------|--------------|

2. Name of Permittee

Andalex Resources Inc

3. Street Address

P.O. Box 102

4. City

Price

5. State

Ut

6. Zip Code

84501

7. Area Code

801

8. Telephone Number

637-5385

9. MSHA Number

42-01474-

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

9/05/16

11. State Permit Number

ACT 007/C19

12. Name of Mine

Centennial Project

13. County Code 14. State Code

007 Ut

15. Strata

16. State Area Office

17. OSM Field Office No.

02

18. OSM Area Office No.

19. OSM Sample No.

0608

20. Type of Inspection (Code)

C

21. Joint Inspection Yes No

X

22. Inspector's ID No.

244

23. Status

- A 01 Type of Permit
- B A Mine Status (Code)
- C 20 Type of Facility (Code)
- D 2360.0 Number of Permitted Acres
- E 34.2 Number of Disturbed Acres

24. Type of Activity (check applicable boxes).

- A Steep Slope
- B Mountain Top Removal
- C Prime Farmlands
- D Alluvial Valley Floors
- E Anthracite
- F Federal Lands
- G Indian Lands
- H Other

25. Performance Standards (Codes)

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

Standards That Limit the Effects to the Permit Area

- A 1 Distance Prohibitions
- B 1 Mining Within Permit Boundaries
- C 1 Signs and Markers
- D 1 Sediment Control Measures
- E 2 Design and Certification Requirements—
Sediment Control TDL 11-02-244-3
- F 1 Effluent Limits
- G 1 Surface Water Monitoring
- H 1 Ground Water Monitoring
- I 3 Blasting Procedures No surface shots
- J 1 Haul/Access Road Design and Maintenance
- K 3 Refuse Impoundments Coal not washed
- L Other: Specify _____

Standards That Assure Reclamation Quality and Timeliness

- M 1 Topsoil Handling
- N 1 Backfilling and Grading
- O 1 Following Reclamation Schedule
- P 1 Revegetation Requirements
- Q 1 Disposal of Excess Spoil
- R 1 Handling of Acid or Toxic Materials
- S 1 Highwall Elimination
- T 1 Downslope Spoil Disposal
- U 1 Post Mining Land Use
- V Cessation of Operations: Temporary
- W Other _____

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

26. State Permit Number

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

ACT 007/019

910516

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. 05 Number of Completes

29b. 05 Number of Partials

LSCJ
4/25/91

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

30a. 04 Number of Completes

30b. 07 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. Letter

Notice of Violation No.

Cessation Order No.

Violation Codes

91-03-24-3

A

B

C

D

E

F

G

H Viol. 1 of 1

I

J

K

L

M

N

O

P

Q

R

S

T

U

Authorizations to Operate

Signs and Markers

Backfilling and Grading

Highwall Elimination

Rills and Gullies

Improper Fills

Topsoil Handling

Sediment Ponds

Effluent Limits

Water Monitoring

Buffer Zones

Roads

Dams

Blasting

Revegetation

Spoil on the Downslope

Mining Without Permit

Exceeding Permit Limits

Distance Prohibitions

Toxic Materials

Other Violations

33. Name of Authorized Representative (print or type)

Gary Fritz

Signature of Reviewing Official

Date

6/7/91

Date

6/7/91

01 0
06 5
07 5
02 0

May 15 through 16, 1991

Andalex Resources Inc.
Tower Resources
PO Box 902
Price, Utah 84501

Centennial Mines Complex

Weather and Ground Conditions:
Clear and Warm

Personnel Present During the Inspection:
Michael Glasson Andalex Resources
David Darby Utah Division of Oil Gas & Mining
Gary Fritz Office of Surface Mining/Albuquerque Field Office #244

GENERAL COMMENTS

This was a complete inspection. The State was notified regarding my schedule and was able to send Mr. Darby with me to conduct a joint inspection.

A Ten Day Letter, #91-02-244-3 (TV-1), was issued from this office for the operator's failure to provide a combination of principal and emergency spillways that will safely discharge a 25-year, 6 hour precipitation event for "Pond C". This pond has a combined pvc drop inlet emergency and primary spillway for the discharge system. Both Mr. Glasson and the State inspector, Mr. Darby indicated that they were aware of the need to change the existing discharge system on the pond to a combination of spillways but they said that no commitments had been made as to when that would be done. I was under the impression at the time of this inspection that all ponds on coal mines in the State with this problem had been identified and negotiations were underway as to how and when they would be rebuilt to meet the current statutory requirement. I was told by my supervisor later on in the week that this was not the case and that the spillway system for this pond was in violation and should be handled as an enforcement issue and should be cited as a Ten-Day Letter. I informed the operator, reviewed it with Mr. Darby and discussed my intentions with his supervisory management personnel in their Central office in Salt Lake City.

Mr. Glasson indicated that he would immediately take steps to complete the permit update required for the revision needed to address the spillway change. He said that the company was thinking

about cutting an emergency spillway across the top of the existing dam embankment as the second spillway system. They would then have to channel it down and across one of their mine benches, put it into a diversion and pass it through another pond prior to discharging water from the mine. The primary spillway would not be changed so it now will drop water into a pipe carrying undisturbed area drainage under the mine.

Mr. Darby requested that a couple of culvert openings on the mine be cleaned out prior to the completion of the inspection. He indicated that a comment was made during the previous inspection about spring maintenance but it was not completed to his satisfaction. With that in mind a couple of culverts were identified during this inspection that were taken care of. I do not recall both of them but remember the 18" culvert on the Undisturbed Drainage on the right hand fork into the mine. that was cleaned to the satisfaction of Mr. Darby.

The mine consists of a series of three sets of portals and accompanying ventilation systems into each of three different seams of coal on the property. Per company officials, they do not ordinarily make enough water in the mine system to have to discharge mine water but on the day of the inspection, they were pumping Pinnacle mine water at an estimated rate of 75 gallons per minute. The water quality appeared to be within standard limits for discharge. They do have an interchange system where they pump mine water from one mine to another to insure there is enough to operate as needed. There are a couple of mine wells on the property but they do not use them for dust suppression. I asked about the rate of pumpage if they do discharge mine water and how it is monitored. Mr. Glasson said that they know the volume of the pump and keep track of the hours of pumpage. This brings me to a problem noted on the mine that is associated with the company's present water monitoring techniques. I asked Mr. Glasson to demonstrate how he gathers water samples, how and what he takes field measurements with and where the monitoring stations were as required by their approved surface and ground water monitoring plan. I am qualified to judge as to where the stations are located in relation to the mining and the effect that may or may not result thereof but do want to comment regarding the monitoring. Perhaps an enforcement action would have been more appropriate in this matter but I chose not to, however, this is to serve as a warning with the need to improve. The ground water well that is monitored on the mine of which there are two, warrants some review because the depth to water as recorded in some of the reports is 150 feet but the well record in the mine plan as I found it is 130 feet. I asked if the well is pumped dry before a sample is taken, the comment that it was not. As to the monitoring instrument for depth to water, Mr. Glasson uses string and a bulb, that is not acceptable. If the company chooses not to buy an M-scope, one should be rented. There are other options for monitoring the depth to water but the method as used should be changed. Surface water monitoring: in this case, Mr. Glasson said that he interprets where the stations are from a map but the stations have never been marked in the field. This should be changed, marking the location can be in any shape or form but it should be done. Surface water monitoring below the mine must

also reflect the flow that is in the stream channel even though in most cases it appears to be mine water. In addition, I would recommend that a gauge of some sort be installed at the lower stations to insure consistent readings. Nothing more than a mine fabricated V-notch weir is needed but it will take out any judgement errors that usually result from stream channel estimates. All of the stations below the mine appeared to be dry except for mine water flows but there was some indication of subsurface flows which may show surface water flows depending on the season. Of the surface water stations in the canyon to the east of the mine property, there was one that had standing water with an estimated flow of less than a gallon per minute. I would suggest that the regulatory authority should decide whether the operator needs to monitor the standing water or not in this case. As noted before, the monitoring location is not identified in the field, depending on the location one chooses for monitoring would include or exclude the requirement. We made the choice to sample on the day of the inspection, the field results indicated, a pH of 8.6 with a water temperature of 8.1 degrees centigrade and conductivity of 1,345 mv. Other comments in general, the operator did not rinse the sample bottles, the instrument for field sampling needs to be rinsed with distilled water or water from the site prior to taking a reading. A cooler is needed for preservation of samples taken for lab testing.

Their mine permit ACT/007/019 expires January 5, 1992. Annual certifications on the ponds on the mines were dated, March 28, 1991. Certifications for as built construction was done for pond "E" 8/889, pond "C" 1/3/85 and pond "B" 1/3/85. Their NPDES permit, UTG040008 is valid until, April 30, 1993. Reports for water monitoring are required on a monthly basis, with the last recorded report dated, January 13, 1991. Other monitoring has been done. The last subsidence survey for the mine was done, August 20, 1990. The certification on haulroad construction as being built per design for the mine was completed, January 11, 1988. The insurance certificate as noted in an earlier report for the Wildcat Loadout, which is owned and operated by the same company needed to be clarified. Mr. Glasson immediately called their carrier for the policy which in turn faxed in an updated policy addressing the needs of the inspection. The new policy # is 7317-09-43 and was issued by the Chubb Group Insurance Company, the old certificate was carried by the Old Republic agency. Coverage for the new policy is 1,00,000 for each occurrence with a 2,000,000 for the aggregate and is for operations in the State of Utah.

The drainage control system for the mine in general appeared to be well maintained. One of the ponds in the system, the first in the series of the "B" pond was full of sediment but is scheduled for cleanout this summer and the others series below it were dry. Coal fines are again a problem on the mine but the operator brings in a subcontractor, which happened to be on site during the inspection that vacuums areas that are not easily cleaned in other ways. There was comment made about the fueling stations, they need to have a berm around them and should have something to stop fuel spills as vehicles are serviced. There was no large spills noted in the areas where

they fuel but the potential is there. The operator indicated that they would look into it.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
RANDOM SAMPLE MEIR SUPPLEMENT

1. Permittee Andalex Resources Inc 5. Days since Last State Complete Inspection (LSCI) 4/25/91 26
 2. Permit Number ACT 007/019 6. Block 25 Categories in NON-COMPLIANCE this RSI 1
 3. Joint Inspection X Y/N 4. Date 5-16-91 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.

| A | B | C | D | E | F | G | H | I | J | K |
|---|----------------------|-----------------|-----------------|----------------------|----------|--------------------|----------|-----------------|----------|---|
| SPECIFIC STATE LAW/REGULATION VIOLATED | BLOCK 25 CATEGORY | ABATED (Y/N) | STATE ACTION | REASON IF UNCITED | CAUSE | SERIOUSNESS PEO | IMPACT | OSMRE ACTION | OPTIONAL | |
| 1. <u>614.301.742.223</u> | <u>E</u> | <u>N</u> | <u>S</u> | | <u>1</u> | <u>1</u> | <u>4</u> | <u>6</u> | | |
| Description: <u>Combined spillways</u> | | | | | | | | | | |
| 2. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 3. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 4. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 5. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 6. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 7. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 8. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 9. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |
| 10. / / / | | | | | | | | | | |
| Description: | | | | | | | | | | |

- | | | | | | |
|--|--|---|---|---|---|
| <p>STATE ACTION</p> <ol style="list-style-type: none"> 1) Existed on LSCI, cited 2) Existed on LSCI, not cited 3) Cited Prior to LSCI, Abatement Pending 4) Occurred since LSCI 5) Permit defect | <p>STATE'S REASON FOR NOT CITING VIOLATION (AFTER DISCUSSION WITH THE STATE)</p> <ol style="list-style-type: none"> 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: _____ | <p>CAUSES</p> <ol style="list-style-type: none"> 1) Permit Defect 2) Unusual Weather Conditions 3) Unofficial Waiver 4) Operator Negligence 5) Other: _____ | <p>PROBABILITY OF EVENT OCCURRENCE</p> <ol style="list-style-type: none"> 1) None or Unlikely 2) Likely 3) Occurred | <p>IMPACT</p> <p>Damage Remains Within the Permit Area</p> <ol style="list-style-type: none"> 1) None or Minor 2) Moderate 3) Considerable <p>Damage Extends Beyond the Permit Area</p> <ol style="list-style-type: none"> 4) None or Minor 5) Moderate 6) Considerable <p>Obstruction to Enforcement</p> <ol style="list-style-type: none"> 7) None or Minor 8) Moderate 9) Considerable | <p>OSMRE ACTION</p> <ol style="list-style-type: none"> 1) Deferred to State Action 2) TDN issued 3) IH-OO issued 4) Previously Cited, Abatement Pending 5) Abated during or before OSMRE Inspection 6) TDN issued 7) TDN Issued for Permit Defect |
|--|--|---|---|---|---|