

December 8, 1981

Inspection Memo
to Coal File:

RE: Beaver Creek Coal Co.
C. V. Spur Prep Plant
ACT/007/022
Carbon County, Utah

DATE: September 14 and 17, 1981
TIME: 3:00-5:30 p.m.; 9:30-11:50 a.m., respectively
WEATHER: Warm and Clear
COMPANY OFFICIAL: David Meyer
STATE OFFICIAL: David Lof and Tom Portle
ENFORCEMENT ACTION: NOV N81-4-2-1 and NAOC N81-4-2-1

Compliance with Permanent Performance Standards

771 et al Permits

On September 20, 1979, Swisher Coal Company received Violation #79-5-5-29 from OSM. The violation was issued for operating without a permit. The abatement required that Swisher Coal Company submit to the Division MR forms #1 and #2. The violation was terminated by OSM on October 16, 1979. The Division did not make a formal response to the abatement action but did conclude that the Mining and Reclamation Plan and forms were sufficient for the facility to operate under interim program status. Mr. Ron Daniels, at that time, the Coordinator of Mined Land Development for the Division, discussed the issues with Mr. Dan Guy of Swisher Coal during a telephone conversation. During the conversation, Mr. Daniels granted a verbal approval for the C. V. Spur Preparation Plant to conduct operations and issued an ACT mine identification number.

At the time this complete inspection was made, C. V. Spur had never received written approval from the Division. At this time, the inspectors called the Division office and the above-mentioned circumstances were made known. In order to correct the lack of a formal letter of approval from the Division, James Smith, the current Coordinator of Mined Land Development, wrote C. V. Spur a letter formalizing the verbal approval given by Mr. Daniels to Beaver Creek Coal Company to operate the C. V. Spur facility. This letter is dated September 24, 1981.

During the inspection, it was also found that Beaver Creek had never received tentative approval for a thickener overflow pond which was constructed in response to an emergency situation where the coal thickener had to be emptied in the fall of 1980. In order to correct this situation, Mr. Smith wrote C. V. Spur a letter of tentative approval for the thickener overflow pond. The letter is dated September 24, 1981.

Available at the offices was the September 8, 1981, letter from the Division approving the construction, operation and reclamation plan submitted to the Division for the shop/lab/warehouse at the C. V. Spur loadout.

817.11 Signs and Markers

A complete identification sign was posted at the entrance to the preparation plant. The permit area is surrounded by a high chain link fence which serves as an adequate perimeter marker. Topsoil markers are in place and properly identify the topsoil stockpiles.

817.21-.25 Topsoil

The topsoil in the new shop/warehouse/lab construction area had been stripped to a depth of six inches and stockpiled on the north end of the existing topsoil stockpile. This newly stockpiled topsoil will be graded and seeded this fall. The already existing topsoil and subsoil stockpiles had previously been hydromulched. The old stockpiles showed evidence of good revegetation.

817.41-.52 Hydrologic Balance

There are several areas where Division inspectors felt that sediment control structures had not been properly constructed or maintained. These areas are listed below:

1. A newly constructed disturbed area runoff ditch just north of the new warehouse/office facilities had been improperly constructed so that it emptied into an undisturbed channel.
2. The disturbed area runoff channel directly west of the old truck dump facility is in need of maintenance. Excessive erosion was occurring on the channel slopes and there were also some fill materials stockpiled on the east side of the channel preventing some disturbed area water from reaching the ditch.
3. Gullying was occurring at the inlets to sediment ponds #1, #4. Gullying was occurring at the inlet to sediment pond #5. A slope failure had occurred on the southern slope of sediment pond #4 causing several cubic yards of material to slump into the sediment pond.

Due to the number of maintenance problems involving sediment control structures, Division inspectors wrote NOV N81-4-2-1, which reads as follows:

Nature of Violation:

Failure to construct and maintain sediment control measures according to design in order to prevent, to the extent possible, additional contributions of sediment to runoff outside the permit area and minimize erosion to the extent possible.

Provision of the Regulation, Act or Permit Violated:

UMC 817.45, UMC 817.42(a)(1), UMC 817.43(c) and (f), UMC 817.46(s), UMC 817.41(d)(2)(v), 40-10-17(2)(j)(ii).

Portion of the Operation to Which Notice Applies:

1. ~~Those sediment pond inlets which are backcutting.~~
2. ~~Areas where disturbed area drainage mixes with undisturbed drainage.~~
3. ~~South slope of sediment pond #4.~~
4. Disturbed drainage north and west of old truck dump.

Remedial Action Required:

Complete construction and maintain sediment control measures as designed.

Time for Abatement:

Thirty days, no later than October 18, 1981.

There are also two small areas where ponding was occurring along the refuse haul road. The operator was asked to install culverts beneath the road in order to drain these areas.

817.52 Surface and Ground Water Monitoring

C. V. Spur does not discharge any disturbed area runoff from the permit area. Disturbed area runoff is conveyed into sediment ponds and eventually into a filter pond where it is cleaned and then discharged into the underground sump and eventually recirculated to the plant as wash water. Available at the mine office was a copy of the submittal to the EPA dated July 1, 1981, for an NPDES permit. The operator had not yet received approval. Water monitoring data were available at the office for the month of July.

817.81-93 Coal Processing Waste

All coal processing waste from the preparation plant is disposed of within the permit area in an approved disposal site. At the time of the inspection, the operator was working on the development of plans for submittal to the Division concerning an extension of their coal processing waste disposal site.

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817.111-.117 Revegetation

There was a regraded area adjacent to the thickner overflow pond which Division inspectors felt should be revegetated in order to minimize, as much as possible, erosion off the site and control sediment. This area of concern was expressed to the operator via Notice of Area of Concern (NAOC) 81-4-2-1 which reads as follows:

Nature of Concern:

Minimize, as much as possible, erosion and control sediment.

Pertinent Regulation of Permit Condition:

UMC 817.100, UMC 817.41(d) and UMC 817.45.

Portion of Operation to Which Notice Applies:

The regraded area adjacent to the thickner overflow pond.

Compliance Action Required:

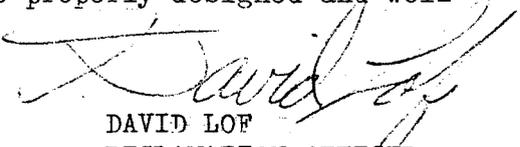
Preparation of plans for revegetation and/or alternative erosion control (time for preparation of appropriate endemic seed mix and evaluation of budgetary constraints).

Deadline:

October 9, 1981.

817.150-.176 Roads

The main haulage roads to the truck dump sites are Class I. The remaining roads are Class II. All roads appear to be properly designed and well maintained.


DAVID LOF
RECLAMATION OFFICER

cc: Tom Ehmett, OSM
David Meyer, Beaver Creek
Inspection Staff

DL/btb

Statistics:

See Atlas Dirty Devil Mine memo dated October 1, 1981.
Grant: A & E