

Andalex Resources
P.O. Box 902
Price, Utah 84501

Wildcat Loadout
Utah Permit No. Act/007/033

Random Sample Inspection
June 20 and 21, 1990

Participants:

Rade H. Drell, John Kathmann, Office of Surface Mining Albuquerque Field Office (AFO); Bill Malencik, John Pappas, Utah Division of Oil, Gas, and Mining (DOG M); and Mike Glasson, and John Pappas, Andalex Resources, Inc. (operator' representatives).

Introduction:

The inspection commenced the late afternoon of June 20 and terminated in the late afternoon of June 21. The weather was clear, windy and warm. Ground conditions were dry. A Ricoh 35 mm camera and video camera were used to photograph areas of interest. The last state complete inspection was conducted on June 5, 1990 (LSCI). I provided my credentials to the operator's representative at the beginning of the inspection.

Mine Site Evaluation Inspection Report:

The Mine Site Evaluation Inspection Report form has been completed to reflect the random sample inspection. The results of the inspection are described below. Each issue that resulted in a Ten-Day Notice(TDN) is briefly discussed below.

Inspection:

The inspection included a records review and field observations. The inspection commenced with the records review followed by the field observations. Issues identified as a result of the inspection are listed below:

TDN Part 1 - 1) The records review included observations of the sediment pond "As-Built" certifications. There are five sediment ponds at the loadout. The certifications indicated sediment markers should be installed in all ponds (A-F). The inspection indicated that sediment markers were not installed in any of the ponds. The certifications also indicated that the inlets for the all the ponds were completed with half-round culverts. The inspection indicated that three of the ponds do not have inlets that are completed with half-round culverts (ponds A,B and C). The DOGM representative informed me on June 26, 1990 that sediment markers have been installed in all ponds, sediment levels have been verified by survey and the "As-Built" certifications have been corrected with respect to half-round culverts. The Utah Rules at R614-301-742.212 require that siltation structures be certified to be constructed as designed and as approved in the reclamation plan. The LSCI was conducted on June 5, 1990. We agreed that the problems existed at the time of the LSCI.

2) We also reviewed the stipulation response as part of the records review. We reviewed the appropriate parts of the MRP to confirm the responses. In some cases it was not inherently obvious that the stipulations had been adequately addressed. I advised the operator's representative that I would contact DOGM in Salt Lake City to confirm the Division's acceptance of the responses. I contacted DOGM representative Pam Grubaugh-Littig on June 26 1990. At this writing the issue has not been concluded.

3) An additional issue identified as a result of the records review is the manner in which DOGM approved the "pre-SMCRA" impoundment. Though not specifically part of the diversion scheme for structure UD-1 when the permit was initially approved the structure will play an important role in the new scheme as described in DOGM's June 18, 1990 memorandum (attached). Any issues relative to the way the structure was initially approved should be addressed per the new plan.

4) The certificate of liability was also reviewed. We reviewed DOGM's form as signed and notarized by the insurance company. However, we could not locate the form that would have been issued by the insurance company. In addition, the DOGM's form includes a statement that indicates the insurance must be maintained for the life of the permit yet the forms issued by insurance companies are frequently yearly and contain expiration dates. The concern of the form of proof of insurance that we can accept will be relayed to the appropriate program specialist. The permit number that appears on DOGM's form also needs to be revised. The number is listed as PRD 007/033 as opposed to ACT 007/033.

TDN Part 2 - 5) The operations at the loadout include a coal processing waste pile. The waste material consists of "bony coal" or carbonaceous shale removed from the coal as it is processed and sediment pond clean out. Page 146 of the approved mining and reclamation plan (MRP) as reviewed at the mine site, indicates the

material will be deposited in 24 inch lifts and compacted. Material on the perimeter of the pile appears to have been end dumped. The high end of the waste pile is approximately 8 to 9 feet. The Utah Rules at R614-300-143 require the permittee to comply with all terms and conditions of the permit

TDN Part 4 - In addition, the waste pile was approved pursuant to UMC 817.81-88. Page 15 of DOGM's technical assessment indicates the applicant is in compliance with the section. However, the MRP discussion does not describe water control measures required by UMC 817.83. The waste material also cannot be compacted to attain the 90 percent required by UMC 817.85 (if the 90 percent standard exists in the new rules I was not able to locate it). The current Utah rules at R614-301-746.100, .200, address placement of coal mine waste/refuse piles. The rules at section 301-746.212 require runoff be diverted in channels designed to meet the 100-year, 6-hour standard. Runoff at the site of the coal processing waste pile is not being diverted in accordance with the requirements of the rule. The rules at section 301-536.100, and 200 describe engineering practices that must be met. The permit has been approved with deficiencies relative to the design and construction of the coal processing waste pile.

TDN Part 3 - 6) The records review also included observations of the haul road certifications. Plates 1 and 17 depict the certified haul roads at the loadout. The field inspection indicated coal is also transported on the road from the north entrance to the truck scales to the stoker coal stockpile. The road is not designated as a haul road, not certified, etc. The Utah Rules at R614-301-512.250 require that primary roads be certified as meeting the requirements of sections 301-534.200 and 301-742.420. The DOGM representative advised me, during our June 26, 1990 telephone conversation that the operator is in the process of completing the new certification.

TDN Part 2 - 7) The inspection also included observations of the clean water diversion on the west side of the permit boundary, designated UD-1. The inspection indicated that the approximately 1200 feet of the structure does not meet the typical design approved in the MRP. The typical indicates the diversion should be an offset "V" with 2H:1V upslopes, 3H:1V inslopes and 9 inch rip rap. The channel we observed has a rounded bottom, is not rip rapped and is substantially smaller than the recently constructed upstream part of the structure. The location of the part of the ditch that needs to be improved per the typical is from the coal waste pile south to sediment pond F. We agreed that the problem existed at the time of the LSCI. During the June 26 telephone conversation referenced above the DOGM representative advised me that the operator is in the process of reconstructing the diversion in accordance with the typical depicted in the MRP. There is also an issue relative to the construction of the north end of UD-1. Construction of this part of the diversion was terminated within the past year. The operator's representative indicated that construction terminated based on the feasibility of constructing the extreme north west end of the diversion. DOGM representatives in Salt Lake City indicated that they advised the operator to terminate construction last October. During

the week of June 18 DOGM advised the operator to modify the drainage control scheme. I advised the DOGM representatives as well as the operator that the issue of timeliness of permitting actions would be relayed to the appropriate state program specialist for further review. A copy of DOGM's June 18, 1990 memorandum describing the diversion issue is attached.

8) The review of the surface water monitoring records included observations of results for station WCW-3. The inspection of the location of the station as well as map review indicates the upstream undisturbed sampling station is located in clean water diversion UD-1. The diversion is a constructed channel. Although for the purposes of sediment control the area occupied by the diversion does not classify as disturbed water sample collected from that point may not be representative of upstream undisturbed conditions. In addition, WCW-1 is located in a natural drainage labeled ND-1 on Plate 1. This station is also labeled as a upstream station yet is located downstream from part of the disturbed area. DOGM should reconsider placement of the stations relative to whether or not they are representative of undisturbed conditions.

9) The inspection of sediment pond B indicated that the west inlet, a 12 inch CMP was plugged with coal fines. Although the operator repaired the problem prior to the end of the inspection I advised the DOGM representatives that a walkover letter would be issued because the violation existed at the time of the LSCI (June 5, 1990).

10) We also inspected the area east of sediment pond B relative to wind blown coal fines. The operator has installed a row of straw bales to control fines that have been deposited by wind. The straw bales have been effective in reducing the downstream deposition of the fines. The DOGM representative also requested and the operator agreed to install an additional row of straw bales.

Close-Out Meeting:

The close-out meeting was conducted in two parts. AFO and DOGM representatives met first. We discussed the issues identified during the inspection and more or less agreed on a course of action for each. We then met with the operator's representatives. The DOGM representative listed the issues on a media board in the mine office. Although not in the same order the issues listed above are consistent with those listed by the DOGM representative. We discussed each problem with the operator's representatives. I explained the TDN process to the representatives. I also indicated that we are required to return to AFO for management concurrence before TDNs are issued.

Post Inspection Discussions:

On June 25 and 26, 1990 I talked with two DOGM representatives, one in Salt Lake City, and the other in Price. We discussed the inspection results and actions taken since the inspection to correct the problems. I advised that even though some of the problems have now been corrected TDNs may still be issued.

As a result of the meeting with AFD management TDN 90-02-107-8(1-4) has been issued. The paragraphs above, numbered 1, 5, 6, and 7 describe each part TDN.



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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June 18, 1990

TO: Pamela Grubaugh-Littig, Permit Supervisor
FROM: Jeff Emmons, Reclamation Hydrologist 
RE: Amendment to Permit Application Package, Permanent Impoundment, Andalex Resources, Inc., Wildcat Loadout, ACT/007/033, Folder #2, Carbon County, Utah

Synopsis of Proposal

Currently, the Permit Application Package (PAP) proposes to extend Diversion UD-1 650 feet to intercept the undisturbed drainage located west of the existing impoundment. Due to topography and slope requirements, and environmental destruction, the Division determined it was not feasible to extend Diversion UD-1. A variance was granted by the Division based on a field inspection. Subsequently, the Division asked the operator to permit a permanent impoundment as an alternative to Diversion UD-1. The operator's first submittal was received on January 29, 1990.

On June 6, 1990, Susan White, Tom Munson and I met with Mr. John Pappas at the Wildcat Loadout to discuss the plan for utilizing the existing impoundment and small depression adjoining the impoundment for total containment of the disturbed drainage mentioned above. Sedimentation ponds act as final control for water leaving the disturbed area.

Based on the June 6, 1990 inspection, the amendment to the PAP includes construction of a combined overflow from the existing impoundment and the construction of a five-foot berm and combined overflow to increase the capacity of the existing depression. The drainage intercepted by the partial extension of UD-1 will be returned to the original drainage pattern.

This memo details the information needed by the Division to finalize this amendment and approve the plans.

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Analysis

To expedite the amendment review process, I have compiled the following list of items that must be addressed in subsequent submittals. Additional information may be required to complete the review. The submittal review will be based on the new rules which became effective April 12, 1990.

1. Existing Permanent Impoundment

- (a) Surveyed volume calculations to determine capacity of the impoundment with required freeboard.
- (b) Certified map and cross section of impoundment.
- (c) Details of a nonerodible open channel spillway capable of passing the 100-year, 6-hour storm with riprap design included.

2. Depression Area

- (a) Volume calculation to determine capacity of the enlarged depression with required freeboard (one foot).
- (b) Certified map and cross section of new five-foot berm.
- (c) Details of a nonerodible open channel spillway and riprap sizing.

NOTE: The operator can use the combined capacity of the two depressions to show if the volume of the 10-year, 24-hour storm will be safely contained within the two impoundments with adequate freeboard.

3. Upper Diversion

The farthest reach of Diversion UD-1 intercepts a small natural drainage coming off the rim of the small canyon. To re-establish the drainage pattern, a berm must be constructed.

- (a) Details of berm must be submitted. Field discussions indicated an acceptable design would include berm with a height of four feet, a top width of two feet, a 2:1 side slopes, and the utilization of existing available riprap material on the upstream face.

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- (b) The plan must commit to the use of additional erosion control measures approved by the Division if erosion becomes apparent on the upstream face of the berm.

4. Lower Diversion

The midsection of the UD-1 extension has also blocked a natural drainage ditch. To re-establish the natural drainage pattern, the channel will have to be reconstructed through the blocked drainage ditch.

- (a) Details of the channel must be submitted. Field discussions indicate an acceptable design would include a channel two feet deep, two feet wide, and a side slope of 2:1. This would achieve two purposes: (1) to repair the gully formed upstream of the fill; and (2) to prevent the drainage from meandering out of the channel and causing additional erosion.

5. Reclamation Plans

- (a) Identify on Map Plate 15 or subsequent map which portion of UD-1 will remain as a permanent diversion following final reclamation.
- (b) Immediate reclamation plans for the areas of UD-1 disturbed through reconstruction of the natural drainage.
- (c) Final reclamation plans for the impoundment created in the depression area.

djh
cc: T. Munson, DOGM
AT54/3-5

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
RANDOM SAMPLE MEIR SUPPLEMENT

1. Permittee Andalex Resources, Inc.
 2. Permit Number 007/033
 3. Joint Inspection 1 Y/N 4. Date 6-21-90
 5. Days since Last State Complete Inspection (LSCI) 16
 6. Block 25 Categories in NON-COMPLIANCE this RSI 4
 7. Total Violations this RSI 5

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.

LAW	A				E	F	G	H	I	J	K			
	SPECIFIC STATE REGULATION VIOLATED											B BLOCK 25 CATEGORY	C ABATED (y/n)	D STATE ACTION
1.	1614	301	1742	212	E	N	2		4	2	2	2		
Description: Failure to certify and roads to be constructed as designed														
2.	144	300	143		L	N	2		4	2	2	2		
Description: Permit conditions - clear water diversion + 24" lifts @ coal waste														
3.	1614	301	1512	250	J	N	2		4	2	2	2		
Description: Failure to designate / certify haul roads														
4.	1614	301	1746	212	Q	N	2		1	1	2	2		
Description: 100 yr 6 hour diversions @ coal processing wash														
5.														
Description:														
6.														
Description:														
7.														
Description:														
8.														
Description:														
9.														
Description:														
10.														
Description:														

- STATE ACTION**
- 1) Existed on LSCI, cited
 - 2) Existed on LSCI, not cited
 - 3) Cited Prior to LSCI, Abatement Pending
 - 4) Occurred since LSCI

- STATE'S REASON FOR NOT CITING VIOLATION (AFTER DISCUSSION WITH THE STATE)**
- 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:

- CAUSES**
- 1) Permit Defect
 - 2) Unusual Weather Conditions
 - 3) Unofficial Waiver
 - 4) Operator Negligence
 - 5) Other:

- PROBABILITY OF EVENT OCCURRENCE**
- 1) None or Unlikely
 - 2) Likely
 - 3) Occurred

- IMPACT**
- Damage Remains Within the Permit Area
 - 1) None or Minor
 - 2) Moderate
 - 3) Considerable
 - Damage Extends Beyond the Permit Area
 - 4) None or Minor
 - 5) Moderate
 - 6) Considerable
 - Obstruction to Enforcement
 - 7) None or Minor
 - 8) Moderate
 - 9) Considerable

- OSMRE ACTION**
- 1) Deferred to State Action
 - 2) TDN issued
 - 3) IH-CO issued
 - 4) Previously Cited, Abatement Pending
 - 5) Abated during or before OSMRE Inspection