



OGMCOAL DNR &lt;ogmcoal@utah.gov&gt;

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**Re: Wildcat Meeting Notes**

1 message

**Steve Christensen** <stevechristensen@utah.gov>

Wed, Feb 12, 2014 at 6:03 PM

To: Lance Lee &lt;lance.lee@ladwp.com&gt;

Cc: Joe Helfrich &lt;joe Helfrich@utah.gov&gt;, Dan Baker &lt;danzbaker@msn.com&gt;, Amanda Daniels &lt;amandadaniels@utah.gov&gt;, Pete Hess &lt;petehess@utah.gov&gt;, Chris Hansen &lt;chansen@bowieresources.com&gt;, Kirt Tatton &lt;Ktatton@bowieresources.com&gt;, Priscilla Burton &lt;priscillaburton@utah.gov&gt;, David Spillman &lt;Dspillman@bowieresources.com&gt;, Kit Pappas &lt;kit@emerytelcom.net&gt;, mkelly@bowieresources.com, OGMCOAL DNR &lt;ogmcoal@utah.gov&gt;, Daron Haddock &lt;daronhaddock@utah.gov&gt;, Tom Paluso &lt;tompaluso@preciscom.net&gt;

Good afternoon,

I've attached the finalized notes from our meeting at the Wildcat facility on January 23rd. Thank you for taking the time in reviewing the notes and getting back to us. My hope in going through this exercise was to simply facilitate communication and try to avoid issues down the road.

A couple of comments relative to your response and subsequent conversations regarding the coal fine issue at Wildcat:

1) The Division will not issue a violation for initiating clean-up of the coal fines either inside or outside of the permit area. From our perspective, the violation for errant coal fines was already issued. The clean-up is simply one of the required action items to abate the violation.

It was the Division's understanding following the summary portion of the meeting that all areas (inside/outside of the permit area) of 4" or more of accumulation would be cleaned (i.e. not just in the area of the fence/permit boundary). Based on your response received on February 6th, it appears that we're we're on the same page here.

2) The second item of concern raised in the February 6th response to the Division discusses the amount of coal fines to remain following clean-up activities. Again, based on the summary discussion at the end of our meeting on January 23rd, it is the Division's understanding that all areas of 4" or more of accumulation would be cleaned down to the soil and those areas re-seeded following the clean-up. Please proceed in this fashion with care taken to minimize the amount of soil removed during that process.

One of the biggest challenges with this coal fine issue will be the prevention of additional sedimentation and suspended solids from being contributed to stream-flow or runoff outside the permit area. There are several un-treated areas where the contributing drainage area is of sufficient size that utilizing basic sediment controls (i.e. silt fence/excelsior logs) would, in all likelihood, not be effective in preventing the fines from flowing off-site during a rainfall event.

We appreciate your efforts and willingness to work with us in resolving this issue. Please feel free to contact us with any questions you may have prior to submitting the MRP revisions.

Regards,  
Steve

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On Fri, Jan 31, 2014 at 11:41 AM, Daron Haddock <daronhaddock@utah.gov> wrote:

Everyone,

I have attached the notes provided by Steve Christensen for the meeting held on January 22, 2014 at the Wildcat Loadout. They provide a pretty comprehensive discussion about the meeting and field reconnaissance done that day. Hopefully, they provide adequate direction as to the abatement of the NOV that was issued at Wildcat. Please let us know by February 6, 2014, if you have questions on what needs to be done or corrections to the notes. Thanks. Daron

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Daron R. Haddock

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**Meeting notes 01\_23\_2014FINAL.pdf**  
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## UTAH OGM COAL PROGRAM MEETING NOTES

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**Meeting Date:** January 23<sup>th</sup>, 2014

**To:** Internal File, General

**From:** Coal Regulatory Program

**Note taker:** DOGM

**Attendees:** **Bowie:** Chris Hansen, Mike Kelley, Dave Spillman, Kirk Tatten, **DOGM:** Priscilla Burton, Steve Christensen, Amanda Daniels, Joe Helfrich, Pete Hess, **EIS:** Tom Paluso, **IPA:** Lance Lee, **Wild West:** Dan Baker, Kit Pappas

**Purpose:** Discuss the abatement measures for Notice of Violation #10132.

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### MEETING SUMMARY:

A meeting was conducted at the Wildcat Loadout Facility to discuss the abatement measures for Notice of Violation #10132 (the violation). NOV #10132 was issued for failure to (1) Prevent additional contributions of suspended solids and sediment to streamflow or runoff outside the permit area and (2) protect topsoil and vegetation on undisturbed areas. Coal fines have been documented in both undisturbed areas within the permit area as well as in locations outside the approved permit area.

Treatments to remove coal fines were completed in September 2010 on the undisturbed area. The treatments are described in Appendix P of the application. (Note: An email to file on October 7, 2010 confirmed that the entire 7.26 acres were mulched and seeded.) The assembled group walked from Pond D to the area described as vacuum cleaned and continued walking along the fence line shown on Plate 1A. The group observed coal fines covering the entire area, but concentrated in the low point between PR 5 and the lowest point where sediment structures align with the fence line. The highest accumulations (greater than 4 inches) correspond to sample locations N9, N13, N14, N15 and N8 (shown on Figure 1, App P). In 2012, two years after cleaning, these locations had accumulated between 2 - 4 inches of coal fines (2012 EIS report found in App P). Continuing the walk south, we went up over the knoll and to the location of the vegetation reference area. The coal fine accumulations were much less in this mechanically cleaned area, and vegetation was not buried.

There has been minimal activity at the site since the treatment in 2010. A dozer was working a small stockpile in the Primary Storage Area shown on Plate 1. The trucks enter on PR 1 and drive around the coal storage area on PR2 to unload. The "vacuum area" is closer to this activity than the mechanical area which may account for the difference in accumulations between the two areas.

After surveying the coal fine accumulations, the group discussed options to address the issue in the Wildcat office. Based upon that conversation, the following proposed action items were identified.

## PROPOSED ACTION ITEMS

The Permittee (IPA) and Operator (Wild West) indicated that they were considering revising the currently approved permit/disturbed area boundary as one way to address the coal fine accumulation issue. In light of that, the discussion centered on primarily four areas: mining and reclamation plan (MRP) amendment requirements for a permit/disturbed area boundary change, immediate clean-up activities to be initiated to abate the violation, preventive measures to be implemented to minimize the potential for future off-site impacts and changes to the coal fine monitoring plan. The following is a summary of action items as a result of that discussion.

### I. Permit Boundary Change

- a. MRP Changes that would be required:
  - i. Each map that depicts the permit boundary and/or disturbed area boundary would need to be revised.
  - ii. Chapter 1 legal description of the permit/bonded area will need to be revised to reflect the new area to be added. Right of entry to the newly proposed permit area will be verified with the Bureau of Land Management.
  - iii. The bond calculations will need to be revised relative to the newly added bonded/disturbed area.
  - iv. The reclamation plan (map and text) will need to be amended to reflect the clean up work that will be required for bond release on the newly permitted area.

### II. Clean-up activity to be initiated to abate the violation:

- a. Remove all coal fine accumulations of greater than 4" in all areas within and outside the permit area including the existing sediment controls that have been buried/covered with coal fines. It is the Division's understanding that clean up activities will utilize a front end loader in areas where feasible/practical. In areas where a front end loader is not feasible/practical, other methods may be necessary (i.e. hand tools).
- b. Clean up of coal fines will be followed by seeding with the interim mix described in the plan.
- c. Install new sediment controls.

### III. Preventive Measures

- a. Hydrology
  - i. May require the establishment of new water monitoring points (i.e. downstream of permit area). Would depend on the extent of the new permitted area.
  - ii. Amend section of MRP that addresses how additional contributions of suspended solids and sediment to streamflow or runoff outside the permit area will be prevented to the extent possible using the best technology currently available per the requirements of R645-301-742.211.
    1. The construction of Pond G and as well as other sediment ponds was discussed.
    2. Update Appendix R (Sediment and Drainage Control Plan) to include updated descriptions of any new or expanded ASCAs.
    3. Update Plate 15 to include new/expanded drainage and ASCA boundaries.
- b. Amend relevant sections of MRP (i.e. text and maps) as to the establishment/construction of new sediment control measures in current areas of heavy accumulations and adjacent to newly established permit boundary. Relevant sections include, at a minimum, Appendix P and Appendix R.
- c. Additional preventive measures that were discussed/recommended at the meeting relative to controlling coal fines closer to the source included:

- i. To prevent pulverized road dust and fines from washing and blowing to the east, continue the snow fence along the east side of PR 5 at least to a point opposite pond C.
- ii. Install an additional snow fence 15' west of the stockpile pad containment berm. The fence would establish a drop zone between the fence and the edge of the pad. It was recommended that this length of fence be twice the height of the existing snow fence on site. The accumulated coal fines in this area could be easily cleaned/removed.
- iii. Harden the road surface of PR 2 and PR5 so that less dust is generated with vehicle travel. A more durable surface and periodic application of magnesium chloride were suggested.
- iv. Installing telescoping chutes on the radial stackers.

#### IV. Monitoring

##### a. Vegetation Monitoring

- i. Vegetation is currently monitored quarterly for percent cover as noted in Appendix P of the MRP. At the meeting, Permittee proposed reducing vegetation monitoring from quarterly to annually. In order for the Division to approve a reduction in the monitoring frequency for vegetation, the Permittee will need to provide a demonstration that supports that suggested change and revise Appendix P accordingly. The Division will need to review the 2013 monitoring report to make its determination on any proposed reduction in vegetation monitoring

##### b. Coal Fine Monitoring

- i. Amend the coal fine monitoring plan in Appendix P to include the following:
  1. A commitment to visually inspect the entire permit boundary on a quarterly basis and include the results of that inspection in the quarterly coal fine monitoring reports provided to the Division.
  2. Provide a commitment to notify the Division prior to commencing clean up activities outside the permit area on accumulated coal fines.