



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

027

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INSPECTION REPORT

INSPECTION DATE & TIME: September 26, 1990
10:00 am to 4:30 pm

Permittee and/or Operators Name: Soldier Creek Coal Company/Savage Coal Serv.
Business Address: P.O. Box I Price, Utah 84501
Mine Name: Banning Siding Loadout Permit Number: ACT/007/034
Type of Mining Activity: Underground Surface Other X
County: Carbon
Company Official (s): Johnny Pappas, Dave Spillman
State Official(s): Rick P. Summers

Partial: Complete: X Date of Last Inspection: 8/28/90
Weather Conditions: Clear, some ppt. yesterday (9/25/90)
Acreage: Permitted 36 Disturbed 26.1 Regraded Seeded Bonded 21.4
Enforcement Action: N90-15-1-1, 1 of 2 and 2 of 2, issued from Division offices 10/4/90

COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	YES	NO	N/A	COMMENTS
1. PERMITS	()	(X)	()	(X)
2. SIGNS AND MARKERS	(X)	()	()	(X)
3. TOPSOIL	(X)	()	()	(X)
4. HYDROLOGIC BALANCE:				
a. STREAM CHANNEL DIVERSIONS	()	()	(x)	()
b. DIVERSIONS	(X)	()	()	()
c. SEDIMENT PONDS AND IMPOUNDMENTS	(X)	()	()	(X)
d. OTHER SEDIMENT CONTROL MEASURES	(X)	()	()	(X)
e. SURFACE AND GROUNDWATER MONITORING	()	(X)	()	(X)
f. EFFLUENT LIMITATIONS	(X)	()	()	()
5. EXPLOSIVES	()	()	(X)	()
6. DISPOSAL OF DEVELOPMENT WASTE AND SPOIL	()	()	(X)	()
7. COAL PROCESSING WASTE	()	()	(X)	()
8. NONCOAL WASTE	(X)	()	()	()
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	(X)	()	()	()
10. SLIDES AND OTHER DAMAGE	()	()	(X)	()
11. CONTEMPORANEOUS RECLAMATION	(X)	()	()	()
12. BACKFILLING AND GRADING	(X)	()	()	()
13. REVEGETATION	(X)	()	()	(X)
14. SUBSIDENCE CONTROL	()	()	(X)	()
15. CESSATION OF OPERATIONS	()	()	(X)	()
16. ROADS				
a. CONSTRUCTION	(X)	()	()	()
b. DRAINAGE CONTROLS	(X)	()	()	()
c. SURFACING	(X)	()	()	()
d. MAINTENANCE	(X)	()	()	()
17. OTHER TRANSPORTATION FACILITIES	()	()	(X)	()
18. SUPPORT FACILITIES				
UTILITY INSTALLATIONS	(X)	()	()	()

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PERMIT NUMBER: ACT/007/034

DATE OF INSPECTION: 9/26/90

(Comments are Numbered to Correspond with Topics Listed Above)

1. Permits:

The State permit was issued on October 24, 1988 and expires October 25, 1993. Approval was given on September 12, 1989 for an 0.83 acre incidental boundary change to the permit area. Conditional approval for a power substation was granted on October 3, 1989. The approval required as-built designs of the substation to be submitted. As-built drawing (dated 3/15/90) of the area certified by J.T. Paluso (Exhibit 5.2.1) was approved by the Division on July 5, 1990.

Site as-builts for the entire permit area are certified and dated 2/27/89. Road certifications are contained in the MRP and are dated 2/28/89. The sediment pond certification as per UMC 817.49 (h) and as-builts are in order (dated 2/28/89, Exhibit 5.2-2). A right of way for the access road was granted to Soldier Creek Coal Company from the B.L.M. on February 13, 1984. A stipulation of that right of way is that the operator carry insurance for \$300,00 injury, \$1,000,000/one occurrence, and \$100,000 property. These limits are exceeded with the operator's current policy.

Division files contain the bonding agreement. Section 1.12.1 of the MRP discusses the bond. The bond is a surety bond in the amount of \$211,000.00 signed on October 20, 1988. The Division files do not contain a copy of the liability insurance. Page 1 of the coal reclamation agreement lists the insurance carrier as Alexander & Alexander and the expiration date of the policy as "until canceled". Johnny Pappas of Soldier Creek Coal was called on 10/2/90 requesting copies of the insurance to update the Division's files.

The Air Quality Order for the site was approved on 7/16/80 with no expiration date and no renewal required. That order required that an annual emissions inventory be conducted at the site. That order was subsequently amended to conduct the inventory every other year (letter F. Burnell Cordner, Dept. Health to John Taiton, Coal Service Company, March 29, 1988). The approved MRP states that the emissions inventories will be submitted with the annual report. The Department of State Health conducts the inventories and an inventory is scheduled this fall.

The previous NPDES permit (UT-0023817-1) expired on 6/30/90. A new permit was approved on May 5, 1990, effective July 1, 1990. The permit was issued with a new permit identification number, UT-6040011. The first quarterly monitoring report (July, August, September, 1990) is due October 28, 1990. A water right exists for the loadout for 0.03 cfs. Water right application #54809 (91-4226) was approved on March 26, 1981.

The operator has installed a temporary scale house and weighing facility near the entrance to the property. The facility is constructed within the permitted disturbed area and no additional disturbance was created. The facility was necessary to facilitate blending of coal to meet contract specifications. The facility is not expected to be a permanent installation, however, it may be needed occasionally in the future. The operator did not submit a proposal and obtain Division approval for the installation. Therefore, violation N90-15-1-1, 1 of 2, was issued from the Division offices on October 4, 1990. The abatement requires the operator to submit plans for the facility (maps and text) and obtain Division approval. The abatement date was set at November 1, 1990.

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PERMIT NUMBER: ACT/007/034

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2. Signs and Markers:

The operation identification sign at the entrance has been changed from PRO/007/034 to ACT/007/034 to correctly identify the operation as active.

3. Topsoil:

The operator has not stockpiled significant quantities of topsoil. Minor amounts have been used in the creation of berms at the site as per the approved MRP (section 2.4).

4. Hydrologic Balance: Sediment Ponds and Impoundments:

The sediment pond was inspected and observed to be in good repair. Spillway dimensions were verified and found to be consistent with the permit (30 inch riser and 18 inch barrel). Pond inspections have been conducted quarterly (3/7/90, 5/31/90, and 9/14/90). The pond spillway has an dewatering line with a valve that is to be locked to prevent unauthorized access and decanting. There are no other impoundments at the facility.

Hydrologic Balance: Other Sediment Control Measures:

Silt fences and straw bales at the site are in good condition and have been installed as per the approved MRP (section 5.2.1). The installations include metal posts with mesh wire. The recently completed substation area is adequately graveled to minimize sediment production from the area. Revegetation success at the area is still marginal (re: previous inspection reports).

Hydrologic Balance: Surface and Groundwater Monitoring:

The operator conducts testing of the stockpiled coal as part of the monitoring plan. The approved MRP requires that an annual sample of the coal be taken and tested according to EPA Toxicity Test Procedures and parameters given in section 5.3.2. The operator has been conducting the sampling on a quarterly basis for the past year.

The sump at the site is to be monitored on an annual basis with the sample to be taken in the fall (section 5.3.2). Records at the mine and the annual report submitted to the Division indicate that a sample for 1989 was not taken. Therefore, violation N90-15-1-1, 2 of 2, was issued for failure to conduct operations as approved in the MRP. A sample has been collected for 1990. The sample was taken on 9/14/90 and submitted to ACZ laboratory in Steamboat Springs, Colorado for analysis.

NPDES monitoring records were reviewed. The records indicate that six samples of sediment pond discharge were collected in 1988. At that time, the pond was reconstructed and enlarged. There have been no reported discharges from the pond since pond completion. NPDES reports are current through the first and second quarters of 1990 (1/90 through 6/90). The third quarter report is due 10/28/90. The operator intends to submit a revision to section 5.3.2 of the MRP before 10/12/90 to commit to submitting copies of the NPDES monitoring to the Division on a quarterly basis.

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13. Revegetation:

The MRP states that vegetation monitoring will be conducted at the site every two years (section 3.7). The reference area vegetation was sampled this year on September 26 by Mr. George Cook of the SCS Price office. The test plot is scheduled to be sampled September 29 of this year by a private consultant.

Copy of this Report:

Mailed to: John Kathman - AFO, John Pappas - Soldier Creek Coal

Given to: Daron Haddock and Joe Helfrich - DOGM

Inspectors Signature and Number: #15  Date: _____