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U.S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT 1994

Mine-Site Evaluation Inspection Report

DIV. OF OIL, GAS & MINING



1. Permittee/Person SOLDIER CREEK COAL COMPANY		9. Permit Number ACT/007/034		10. Type a. Permit <input type="checkbox"/> b. RA <input type="checkbox"/> PP S	
2. Address P.O. BOX I		11. Inspection Date 11/08/94 <small>MM - DD - YY</small>		12. Inspection Type FC	
3. City PRICE		14. Permit Status A		13. Joint Inspection Y <small>Y/N</small>	
4. State UT		15. Site Status AN		16. Facility Type F	
5. Zip Code 84501		17. OSM Office # 020		18. RSI # 2	
6. Phone Number 801-637-6360		19. Land Code FS		20. M.S.H.A. ID # 42-01756	
7. Operator if Different than Permittee		21. State Code 49		22. County Code 007	
8. Mine Name BANNING SIDING		23. AVS Permittee Entity ID Number		23b. State Office	

24. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere

A. Administrative 1. <u>1</u> Mining within Valid Permit 2. <u>1</u> Mining within Bonded Area 3. <u>1</u> Terms & Conditions of Permit 4. <u>1</u> Liability Insurance 5. <u>1</u> Ownership and Control 6. <u>3</u> Temporary Cessation	D. Backfilling & Grading 1. <u>3</u> Exposed Openings 2. <u>4</u> Contemporaneous Reclamation 3. <u>4</u> Approximate Original Contour 4. <u>3</u> Highwall Elimination 5. <u>3</u> Steep Slopes (includes downslope) 6. <u>3</u> Handling of Acid & Toxic Materials 7. <u>4</u> Stabilization (rills and gullies)	H. <u>3</u> Subsidence Control Plan I. Roads 1. <u>1</u> Road Construction 2. <u>1</u> Certification 3. <u>1</u> Drainage 4. <u>1</u> Surfacing and Maintenance 5. <u>4</u> Reclamation
B. Hydrologic Balance 1. <u>1</u> Drainage Control 2. <u>1</u> Inspections & Certifications 3. <u>1</u> Siltation Structures 4. <u>1</u> Discharge Structures 5. <u>1</u> Diversions 6. <u>1</u> Effluent Limits 7. <u>1</u> Ground Water Monitoring 8. <u>1</u> Surface Water Monitoring 9. <u>3</u> Drainage -- Acid-Toxic Materials 10. <u>1</u> Impoundments 11. <u>3</u> Stream Buffer Zones	E. Excess Spoil Disposal 1. <u>3</u> Placement 2. <u>3</u> Drainage Control 3. <u>3</u> Surface Stabilization 4. <u>3</u> Inspections & Certifications	J. Signs & Markers 1. <u>2</u> Signs 2. <u>1</u> Markers
C. Topsoil & Subsoil 1. <u>3</u> Removal 2. <u>1</u> Substitute Materials 3. <u>3</u> Storage and Protection 4. <u>4</u> Redistribution	F. Coal Mine Waste (Refuse Piles/Impoundments) 1. <u>3</u> Drainage Control 2. <u>3</u> Surface Stabilization 3. <u>3</u> Placement 4. <u>3</u> Inspections and Certifications 5. <u>3</u> Impounding Structures	K. <u>1</u> Distance Prohibitions L. Revegetation 1. <u>4</u> Vegetative Cover 2. <u>4</u> Timing
	G. Use of Explosives 1. <u>3</u> Blaster Certification 2. <u>3</u> Distance Prohibitions 3. <u>3</u> Blast Survey/Schedule 4. <u>3</u> Warnings & Records 5. <u>3</u> Control of Adverse Effects	M. <u>4</u> Postmining Land Use N. Other 1) _____ 2) _____ 3) _____

25. Inspection Frequency a. Date of Last State Complete Inspection 07/20/94 Frequency for previous 4 Calendar Qtrs. b. Number of required complete inspections 4 / Number of complete inspections conducted 4 c. Number of required partial inspections 8 / Number of partial inspections conducted 8	26. Inspection Hours a. Permit Review 10.0 b. Inspection Time 5.0 c. Travel Time 8.0 d. Report Writing 5.0	27. Bonded Acres a. Total bonded 36.0 b. Phase I released 0.0 c. Phase II released 0.0 d. Phase III released 0.0	28. Acres a. Permitted 36.0 b. Disturbed (Estimated) 27.9
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 Permit Number ACT/007/034

 Inspection Date 11/08/94

29. Identified Violation Data.

For inspection types C (Complete Random Sample) and SC or SP (Complete or Partial In-depth Review), list all violations present during the current Federal inspection and all violations, cited or uncited, identified in the last State complete inspection report. For any other inspection type, including Federal program inspections, list only violations observed during the current inspection or subject of current Federal follow-up actions.

B Per. Std. Category	C Abated (Y/N)	D State Action	E Reason if Uncited	F Cause	G Seriousness		I OSM Action	J OSM Action Number	K Optional	
					PEO	Impact				
A. Specific State Law/Regulations Violated: <u>R645-301-521.241</u> Description: <u>MINE IDENTIFICATION SIGN NOT PRESENT</u>										
1	J1	N	4		5	1	7	1	V#	
A. Specific State Law/Regulations Violated: _____ Description: _____										
2									V#	
A. Specific State Law/Regulations Violated: _____ Description: _____										
3									V#	
A. Specific State Law/Regulations Violated: _____ Description: _____										
4									V#	
A. Specific State Law/Regulations Violated: _____ Description: _____										
5									V#	
A. Specific State Law/Regulations Violated: _____ Description: _____										
6									V#	
A. Specific State Law/Regulations Violated: _____ Description: _____										
7									V#	

- | | | | |
|---|--|--|--|
| D. State Action
1) Existed on LSCI, Cited
2) Existed on LSCI, Not Cited
3) Cited Prior to LSCI, Abatement Pending
4) Occurred Since LSCI
5) N/A Federal Program
6) N/A Permit Defect | E. State's Reason for not Citing Violation
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
6) Practice Allowed under Approved Permit
7) Too Minor to Cite
8) Working with Operator to Correct
9) Other _____ | F. Cause
1) Permit Defect
2) Unusual Weather Conditions
3) Unofficial Waiver
4) Operator Negligence
5) Other _____ | G. Probability of Event Occurrence
1) None or Unlikely
2) Likely
3) Occurred |
| H. 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 | I. OSM Action This Inspection
1) Deferred to State Action
2) TDN Issued
3) NOV Issued
4) FTA-CO Issued
5) IH-CO Issued (Imminent Environmental Harm)
6) ID-CO Issued (Imminent Danger to Public)
7) Previously Cited by RA, Abatement Pending
8) Abated during or before OSM Inspection
9) Follow-up of Federal Action | | |

30. Signature

 Inspector's Signature

THOMAS WRIGHT
 Inspector's Printed Name

31. OSM
Inspector
ID#

Dated: 11/20/94 190

Reviewing Official:

Review Date: 11/23/94

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Revised July 1, 1993

Minesite Inspection Narrative

Inspection Date November 8, 1994

Mine: Banning Loadout

Company:
Soldier Creek Coal Company
P. O. Box 1
Price, Utah 84501

Weather: sunny and windy

Comments

This was a complete random sample inspection. Permits and records were reviewed at the Soldier Creek Coal Company's Soldier Canyon Mine during the morning of 11/8/94.

The present permit was issued to Soldier Creek Coal which is owned by Coastal States Energy Company on 11/17/93. Transfer of the previous permit to Coastal States Energy was approved in September of last year. Review of AVS records received from the Lexington AVS Office indicated that Coastal States had a permit deny recommendation at the time of the transfer and following conversations with the Lexington Office it is possible that the required 510(C) clearance may not have been properly done.

As a result a letter containing the information required in accordance with the policy set forth in INE-34 a letter has been sent to the Utah Division of Oil Gas and Mining identifying this site as one that may have an improvidently issued permit.

A copy of the Surety Bond from United Pacific Insurance for \$211,000.00 was on file. Liability insurance is valid till 3/16/95. A copy of NPDES Permit UTG040000 which expires 10/23/98 was on file. Water monitoring records were available through the second quarter of 1994. The annual inspection of the sediment pond by the company was done during this oversight inspection. A copy of the permit package was available in the Carbon County Courthouse.

No coal was being loaded on trains during this inspection and no activity other than maintenance of the site was ongoing.

Drainage control berms on the northwest side of the site was in need of maintenance and the berm on the southeast side was not functional when this inspection began. Both berms were repaired during the inspection and no evidence of any environmental harm was identified so no action was issued by the state and no Federal action will result.

Minesite Inspection Narrative
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The sediment pond for this site was dry during this inspection and no evidence of any recent discharge was identified. This structure is to remain once operations are completed. A small drainage sump southwest of the pond had been removed after approval from DOGM. This area had been graded, seeded and mulched. Silt fence had been installed along the northern side of the area to serve as drainage control. While the area appears to have adequate drainage control additional silt fencing on the western side of the area would provide additional protection and the company representative indicated this could be done after requested by Mr. Demczak.

As the inspection was being concluded the entrance road was checked to see if a mine identification sign was present. No sign could be located and as a result Mr. Mr. Demczak issued Notice of Violation 94-38-5-1.

The access road for this site crosses Federal Lands and is approximately 3600 feet in length, running from U.S. Highway 6 to the site where it ends. This road is a paved two lane structure with three drainage culverts passing underneath.

A copy of the BLM Right of Way 33855 for the access road is included in the permit package. Permit Area Map (Exhibit 5-1), shows the access road in the permit area but reclamation of the road is not included in the bond calculations. According to the permit package this road is to remain once mining is completed.

No other enforcement actions resulted from this inspection.