

0021



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

gh

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340
(801) 359-3940 (Fax)

Partial: Complete: XXX Exploration:
Inspection Date & Time: 9/22/98 / 8:30a.m.-3:00p.m.
Date of Last Inspection: 9/10/98

Mine Name: Willow Creek Mine County: Carbon Permit Number: ACT/007/038
Permittee and/or Operator's Name: Cyprus Plateau Mining Corporation
Business Address: 847 Northwest Highway 191, Helper, Utah 84526
Type of Mining Activity: Underground XXX Surface Prep. Plant Other
Company Official(s): Johnny Pappas
State Officials(s): Peter Hess Federal Official(s): None
Weather Conditions: Sunny, Cool, 70's
Existing Acreage: Permitted- 14,670 Disturbed- 132.9 Regraded- Seeded- Bonded- 132.9
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ XXX Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation ( Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- 1. Substantiate the elements on this inspection by checking the appropriate performance standard.
a. For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

Table with 5 columns: EVALUATED, N/A, COMMENTS, NOV/ENF. Rows include: 1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE; 2. SIGNS AND MARKERS; 3. TOPSOIL; 4. HYDROLOGIC BALANCE; 5. EXPLOSIVES; 6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES; 7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS; 8. NONCOAL WASTE; 9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES; 10. SLIDES AND OTHER DAMAGE; 11. CONTEMPORANEOUS RECLAMATION; 12. BACKFILLING AND GRADING; 13. REVEGETATION; 14. SUBSIDENCE CONTROL; 15. CESSATION OF OPERATIONS; 16. ROADS; 17. OTHER TRANSPORTATION FACILITIES; 18. SUPPORT FACILITIES/UTILITY INSTALLATIONS; 19. AVS CHECK (4th Quarter-April, May, June) (date); 20. AIR QUALITY PERMIT; 21. BONDING & INSURANCE.



**INSPECTION REPORT**  
(Continuation sheet)

Page 2 of 4

PERMIT NUMBER: ACT/007/038

DATE OF INSPECTION: 9/22/98

(Comments are Numbered to Correspond with Topics Listed Above)

2. SIGNS AND MARKERS

The disturbed area perimeter markers located above the clean coal pile expansion area need to be repainted, as they are very difficult if not impossible to distinguish.

A thousand foot length of stream buffer zone which runs N by NNW on the east bank of the Price River adjacent to the rail car loading facility needs to have additional stream buffer zone markers installed. Only one buffer zone sign was observed, that being in the vicinity of the bridge crossing.

Mr. Pappas agreed to address these issues.

4a. HYDROLOGIC BALANCE: DIVERSIONS

The permittee needs to clean the ditch located behind the warehouse adjacent to the Hilfiker wall. This ditch is a high maintenance item, and normally carries runoff from the facilities area pad to pond 001A.

The permittee needs to redefine the inlet ditch on the south side of pond 011A.

4b. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The second quarter impoundment inspections for the site were conducted on June 17, 1998. There were no problems or hazards noted.

As noted previously, the inspection frequency for pond 013A has been changed through a granted variance from MSHA, Denver. The pond is currently being inspected on a monthly basis. These inspections are current. As noted above, pond 013A is now being used for its storage capacity to try to reduce effluent levels for TDS and oil and grease. This is a change in status, and it has been recommended to the permittee that the inspections once again be returned to a weekly frequency. At the very least, MSHA should be notified of this change in status, and any recommendations which they might have, should be implemented in order to prevent an MSHA compliance issue.

4c. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

The catch basin, which collects sediment in the area of the train loadout (west side of Price River), is functioning as designed. Erosion of the inlet to this basin was evident; no outflow was apparent. It is recommended that the permittee repair this erosion, and possibly grout the inlet to prevent recurrence.

**INSPECTION REPORT**  
(Continuation sheet)

PERMIT NUMBER: ACT/007/038

DATE OF INSPECTION: 9/22/98

(Comments are Numbered to Correspond with Topics Listed Above)

The permittee would like to consider removing the silt fences which were installed between the propane tanks pad and Willow Creek during the construction phase of the Mine. An amendment is pending.

4d. **HYDROLOGIC BALANCE: WATER MONITORING**

The second quarter water monitoring report for the site was submitted to the SLO-DOGMA on August 5, 1998.

A review of same indicated that the following water samples had cation/anion balances with the following ranges:

1)	B351	.....	-6.6%	Sample date	.....	5/27/98
2)	B353	.....	-6.7%	"		"
3)	B211	.....	-6.5%	"		"
4)	B131	.....	-6.6%	"		"
5)	B26	.....	-6.2%	"		"

Samples which have cation/anion balance errors in excess of 5% should be looked at to determine why these balances are excessive.

Discharge monitoring reports for the site for the months of May, June, and July of 1998 were reviewed. None of the site's UPDES ponds had out falls during this period. All reports were submitted timely.

4e. **HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS**

The interception of crude oils (hydrocarbons) in the "D" seam mine workings and the subsequent pumping of same to the surface with the mine water discharge has raised concerns as to what to do with the hydrocarbon contaminated waters. The permittee is fully aware that effluent limitations established by the site's general UPDES permit must be met prior to the discharge of any water to the Willow Creek or Price River drainages. The permittee has been in constant communication with both the Division and the Utah Division of Water Quality regarding the handling of this water. The mine water (with the oils) is exceeding both TDS limits and oil and grease limits; there has been no discharge of any of these waters from the permit site. As of 10/1/98, a contingency plan to dispose of these waters is still being developed through the Utah Division of Water Quality.

As of September 15, 1998, the permittee has disposed of 31,500 gallons of the crude oils at the cost of \$0.10 per gallon. Analysis of same by the AMOCO refinery in Salt lake City indicates that the oils are of no marketable value.

**INSPECTION REPORT**  
(Continuation sheet)

Page 4 of 4

PERMIT NUMBER: ACT/007/038

DATE OF INSPECTION: 9/22/98

(Comments are Numbered to Correspond with Topics Listed Above)

A review of the UPDES permit for the site (UTG040000) indicates that same expired on April 30, 1998. In July of 1997, ground waters from the flooded Kenilworth Mine ("K" coal seam) were intercepted when an unplugged exploration borehole was mined past. These waters have an incredibly high TDS level, and cannot pass acute and chronic toxicity testing. Due to these concerns, the Utah Division of Water Quality is working with the permittee to develop an individual permit for the Willow Creek site. Regarding same, a letter from the DWQ to Cyprus dated 9/21/98 has indicated that the UPDES general permit is still viable until the individual permit can be authorized.

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The second quarter inspection for the School House Canyon refuse pile was conducted by Mr. Tom Hurst, P. E. on June 30, 1998. Mr. Hurst's P.E. certification indicated that there were no signs of instability or any other hazardous conditions noted with the pile. All piezometer monitoring holes were reported as dry.

The aforementioned is acceptable by this inspector as indicative of the fact that the inspection was conducted. It should be pointed out; however, that the inspection book which is normally used to record the inspections of the refuse pile could not be found at the site. It was recommended to Mr. Pappas that a new record book be started, rather than change the procedure for the recording of these inspections. Mr. Pappas agreed with this.

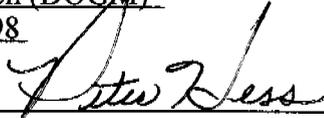
9. PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES

Accumulations of coal fines are beginning to build underneath the surface conveyors at the site. The permittee should evaluate the need for removing these, based on the requirements of 30 CFR 77.202, and the fact that these fines may be windborne to undisturbed areas.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

Mailed to: Johnny Pappas (Plateau) Henry Austin (OSM)  
Given to: Joe Helfrich (DOGMA) Filed to: Price Field Office  
Date: October 2, 1998

Inspector's Signature:  #46  
Peter Hess