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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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November 10, 1992

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Thomas Munson, Senior Reclamation Hydrologist *Tm*

RE: Erosion Control Violation Response for J.B. King, Western States Minerals Corporation (WSMC), J.B. King Mine, ACT/015/002, Folder #2, Emery County, Utah

J.B. King

Western States Minerals Corp. recently submitted a response addressing Violations N91-35-6-1, N91-35-7-1, N91-32-6-1 and stipulation R614-301-742.113. This memo will discuss the adequacy of this response.

Synopsis

The submittal addresses what the operator considers a valid response to describe erosional stability. Page four of the submittal states "[f]rom an erosional standpoint the site is rapidly stabilizing." A statement made on page 3 of the submittal proclaims, "[e]rosion of the site is continually decreasing because of natural armoring of the surfaces and because the soil is beginning to develop structure."

Unfortunately, the operator has not submitted any data to substantiate these claims of stability and natural armoring. The Division has found that the site conditions at the J.B. King Mine currently are not stable (50+ gullies in excess of 6" measured during a site visit on 10/1/92). This real data also contradicts the assumption the operator used regarding gully erosion provided in Appendix 5, assuming that only 3 gullies would form on the face of the refuse pile. The Division is not as concerned with the capacity of the sediment pond to hold eroded sediments as it is concerned with the stability of the site and the refuse pile. Without meaningful data and assumptions, the Division is not able to reach the same conclusions or substantiate the claims regarding erosional stability.

In regards to the channels found on site, the Division feels the operator has not taken on what it considers is a reasonable approach to stabilizing these channels. The Division agrees that in their present configuration that these channels are not stable. On page 4 of the submittal, the operator states "[it] would be more efficient and effective to allow nature to reconfigure the ditches." As this is such a radical departure from the standard reclamation procedures, the Division could only entertain this idea as an experimental practice involving rigorous monitoring and planning. The operator has presented other proposals regarding these channels in past meetings with the Division which were well thought out and technically sound. The Division would like to know why these plans are not being pursued.

Conclusion

The operator has 1) not submitted any site data to support assumptions or conclusions regarding erosional stability of the J.B. King site, and 2) the plans for stabilizing the channels are not compatible with standard reclamation procedures and as such can not be approved by the Division. Therefore, the Division can not abate the Violation Nos. N91-35-6-1, N91-35-7-1 or find adequate the response to stipulation R614-301-742.113.

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