

0016

Document Information Form

Mine Number: C/015/004

File Name: Internal

To: DOGM

From:

Person N/A

Company N/A

Date Sent: February 29, 1984

Explanation:

Inspection Memo

cc:

File in: C/015, 004, Internal

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

February 29, 1984

Inspection Memo
to Coal File:

RE: Beaver Creek Coal Company
Huntington #4 Mine
ACT/015/004, Folder #7
Emery County, Utah

A partial inspection was conducted by Barton Kale of the Division on February 7, 1984. The inspector was accompanied by Dan Guy of Beaver Creek Coal Company (BCCC).

The undisturbed diversions along the high wall had been cleaned since the last inspection. The slide at the end of the road has been cleared as well.

As soon as enough snow melts the spill prevention berm around the fuel tank by the coal chute, will be reconstructed in a more efficient manner.

During the previous months inspection, it was discovered that there possibly was a problem with snow removal into the drainage. The operator was told at that time that BCCC would be held responsible for snow removal along the road and Mill Fork. Upon inspecting the site this month snow was found removed into the drainage, at a few locations. Even though the operator had made an effort to remove some snow from the drainage opposite the sediment pond (one of the more seriously impacted areas) Violation N84-6-2-1 was issued as follows:

Nature of the Violation

Failure to operate underground coal mining activities to minimize changes to the hydrologic balance in both the mine plan and adjacent areas in order to prevent long term adverse changes in that balance that could result from their activities.

Provisions of the Regulations Violated

UMC 817.41(a)

Portion of the Operations to which Notice Applies

Mill Fork as it runs along the access road between the sediment pond and the hairpin turn.

Remedial Action Required

Remove blockage of snow removal from drainage where disturbance to drainage will be minimal.

Time for Abatement

One week.

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Refer to Record No. 0016 Date 2-29-84

In C/ 015, 004, Internal

For additional information

Inspection Memo to Coal File
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The operator later claimed that he had never received the violation in the mail. This was confirmed by discovering an office error, a modification to the abatement date to March 1, 1984 was warranted.

The operator was directed to remove only as much snow from the drainage so as to refrain from doing more damage to it than was caused by the violation.



Barton Kale
Field Specialist

BK:re

cc: Dan Gry, BCCC
Tom Ehmett, OSM
Joe Helfrich, DOGM

Statistics:

Vehicle:	#EX 45429--329 Miles
Per Diem:	1 person X 2 days, 6 hours = \$89.00
Grant:	A&E

77110



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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NOV 15/84 File
748

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

February 28, 1984

M E O R A N D U M

TO: Wayne Hedberg, Reclamation Hydrologist
FROM: Barton Kale, Field Specialist
RE: Resolution of snow removal situation at Huntington #4
Subject of NOV 84-6-2-1

The violation in question was issued as a result of snow removal operation at Huntington #4 on the Forest Service haul road. The snow was plowed into the creek and an NOV was issued as a result of impacted hydrologic balance.

The issue that the Division is faced with at this point is similar to past situations where an operator claims to be waiting for approval of their plan and therefore not liable for violations for things contained in those plans.

The Forest Service Special Use Permit States that Beaver Creek Coal Company (BCCC) must plow the snow to the down hill side (creek side of the road) It also states that "through cuts" must be maintained (the first is being practiced the latter is not to my knowledge). The plan awaiting approval claims snow is being placed to the north side (up hill). The TA says that the up hill side is not enough and that because of significant environmental impact other controls must be put into action as well.

Other than the fact that I have been misled by BCCC as to their knowledge of the subject, technically the ball is in their court to respond. Although no plans are required by the NOV, plans are required by the TA. In between the present and the time BCCC's plan is approved (with what ever submittals are reviewed) some basic policy as far as snow removal into the creek is needed by the Division, as well as what is expected by BCCC until their plan is approved.

Thank you for pursuing this matter.

BK:re
76800