



0012

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

April 7, 1987

Mr. John W. Rains
Chief Mining Engineer
California Portland Cement Co.
P. O. Box 947
Colton, California 92324

John

Dear Mr. Rains:

Re: Notice of Violation N87-9-1-1, Hidden Valley Mine,
INA/015/007, File #5, Emery County, Utah

As a result of a recent inspection by the Office of Surface Mining and a subsequent verification inspection by members of my staff, enclosed is the above-referenced Notice of Violation (NOV). Please assure that the necessary remedial action is completed by April 30, 1987, or you may (for just cause), request a written extension to this date.

Attached for your information is a Memo to File from Tom Munson, Reclamation Hydrologist, with recommendations on a suitable installation of the silt fence (remedial action for the NOV).

An item of additional concern is the mulching and erosion protection of the reclaimed area prior to full establishment of vegetation. The attached letter to the Office of Surface Mining substantiates the Division's position that mulching procedures used were in accord with the plan or with field-directed changes thereto. The Division does not support OSM's contention that the mulching provision of the plan is in violation. However, the following is recommended to assure that future storm events do not cause erosion possibly resulting in an NOV and/or major regrading:

1. Monitor monthly, as committed to in the MRP. Monitor after major storm events.
2. Repair minor erosion as it occurs. Special attention should be given to the coal seam area east of the old sediment pond. Hand work may be necessary to create small breaks in this slope to prevent gully formation.

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Mr. John W. Rains

INA/015/007

April 7, 1987

3. DOGM recommends, but will not require, immediate coverage of the coal seam areas with Excelsior or other comparable mulch matting. Immediate use of this material at the site would conserve the soil moisture currently present and promote vegetation. While the erosion netting proposed in the MRP would not have accomplished this goal and would have been very difficult to secure in the very loose soils last fall, the soil has sufficiently stabilized with winter moisture to facilitate attachment of Excelsior matting at this time.
4. During your April monitoring trip, repair vegetation of the road from the first water bar to the fence and use rock or other means to prevent unauthorized access. The "Road Closed" sign has not been effective in preventing damage to the revegetation.
5. Revise the MRP to reflect techniques actually used in the revegetation. Obtain written approval for any additional changes in the MRP prior to their implementation.

If you have any questions on this matter, please feel free to contact me or John Whitehead.

Sincerely,



Lowell P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

JJW/djh

Attachments

cc: J. Jarvis, JBR
J. Whitehead
K. Mutz
D. Duce
T. Monson

0800R/69



NO. N 87-11-1-1

To the following Permittee or Operator:

Name California Portland Cement

Mine Hidden Valley Surface Underground Other

County Emery State Utah Telephone _____

Mailing Address 695 South Rowena Av. Walton UT 84284

State Permit No. INA/015/007

Ownership Category State Federal Fee Mixed

Date of inspection Apr 1 1987, 19__

Time of inspection 10:30 a.m. p.m. to 12:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

notice of violation

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining** is **is not** expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

Date of service/ mailing Apr 1 6 1987

Time of service/ mailing 5:00 a.m. p.m.

[Signature]
Permittee/Operator representative

Title

Signature

[Signature]
Division of Oil, Gas & Mining representative

[Signature]
Title

[Signature]
Signature

11
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OS M PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 87-11-1-1

Violation No. 1 of 1

Nature of violation

Failure to maintain sediment control measures

Provisions of act, regulations or permit violated

AME 811-75

Portion of operation to which notice applies

All silt fence installations

Remedial action required (including any interim steps)

Replace or repair silt fence in a competent manner
to ensure adequate operational stability and function

Abatement time (including interim steps)

April 30, 1987 5:00 pm

April 6, 1987

TO: Coal File

FROM: Tom Munson, Reclamation Hydrologist *TM*

RE: Notice of Violation N87-9-1-1, Hidden Valley Mine,
INA/015/007, File #5, Emery County, Utah

The silt fence as it is currently found has either fallen down or ripped from the posts or chicken wire backing. The best possible method for repairing all the silt fence as it currently exists is stabilize the posts that have fallen over by pounding them back into the soil, putting tension on the outside posts to maintain placements of all the posts, and decreasing the height of the silt fence installation. The following diagram will hopefully provide a guideline for the repair and reinstallation of the silt fences.

The following recommendations concerning the repair of the torn geotextile fabric shall be carried out. The holes or tears in the fabric shall be repaired with heavy tape or the fabric shall be replaced. Care shall be taken when reattaching the fabric to the posts and wire backing, so that the fabric does not tear. Any place where the fabric is not adequately keyed in, it shall be keyed in again. Where the fabric is totally beyond repair, the operator must replace it.

djh
0800R/71

SIDE VIEW

--- LEVEL OF CURRENT FENCE MATERIAL

FOLD CHICKEN WIRE AND FABRIC BACK ON ITSELF TO THE DESIRED HEIGHT OF 24 INCHES.

WIRE USED TO SECURE FABRIC AND CHICKEN WIRE TOGETHER AT TOP OF FENCE

WIRE OR HOG RINGS TO FASTEN FABRIC TO POSTS

TOP OF SILT FENCE AND CHICKEN WIRE

USE A DEAD MAN TO ANCHOR THE END POST

GROUND SURFACE

6" FABRIC KEPT IN

