

January 16, 1984

Inspection Memo
to Coal File:

RE Natomas Trail Mountain
Coal Company
Trail Mountain Coal Mine
ACT/015/009, Folder No. 7
Emery County, Utah

On September 28, 1983 I conducted a partial inspection at the above mentioned mine site. I was accompanied on the inspection by Allen Childs and Joe Fielder of Natomas Trail Mountain Coal Company.

As I neared the mine site I came upon a dump truck which was in the process of emptying its load onto the downslopes of the road embankment several hundred feet south of the sediment pond. I asked the truck operator where the material he was dumping was from, he indicated that it was from the mine site. At that time I asked him to stop dumping immediately, he did so and returned to the mine site with the remainder of his load. After discussing the situation with the operator I found that the material which was being dumped off the permit area was underground development waste from the facing up of the coal stockpile area, and that they were going to use the material as fill for the road embankment. I informed the operator that they could not remove any underground development waste from the permit area, therefore, they would have to stop the dumping and retrieve the approximately forty cubic yards of material which had already been dumped onto the road embankment. On the following day (September 29, 1983) I issued to Mr. Childs, Notice of Violation N83-4-12-1 which reads as follows:

Nature of the Violation

Failure to conduct mining activities in accordance with an approved interim mine plan.

Failure to dispose of underground development waste in a designated disposal area within the permit area.

Provision of the Regulations, Act, or Permit Violated

UMC 771.19
UMC 817.71(a)

Portion of the Operation to which Notice Applies

Underground development waste dumped off the operators permit area, several hundred feet below the sediment pond, adjacent to the haul road.

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Remedial Action Required

Retrieve the underground development waste and dispose of it in accordance with UMC 817.71 - .74.

Time for Abatement

One week from date of receipt of this notice; October 6, 1983

By the time I served the operator with the Notice much of the material had been removed from the road embankment, and much of the work left to do was hand work.

The operator had completed the riprapping of the Cottonwood Creek stream channel diversion inlet. However they still had not submitted plans to modify their approved plan as I requested during my August 11, 1983 complete inspection. The operator was once again reminded of the need to submit the modification.

The operator had installed all except approximately 300 feet of the half-round culvert which runs along the eastern perimeter of their mine site and is designed to convey disturbed area runoff from the mine site to the sediment pond. The operator has ordered the additional half-round culvert which is needed and are awaiting delivery.

The access points to the mine yard were well maintained and the operator had installed strawbales on the west side of the Cottonwood Creek stream crossing as requested during my August inspection.

Road construction was being conducted on the county road from the junction with State Highway 29 to a point approximately 3600 feet up the road. Natomas is paying for the reconstruction of the road and mine personnel are being used to do the actual reconstruction. The reconstruction of the road was stipulated in an emergency federal coal lease which the operator had obtained.

On September 14, 1983, Trail Mountain Coal Company entered into an agreement with Emery County which required Trail Mountain to; reconstruct the road in three phases, to assume all obligations imposed on the county by the Forest Service and the Bureau of Land Management (BLM) for the reconstruction of the road, and to obtain all permits required by the Utah Division of Transportation for the construction of the road. Emery County applied for and was granted Right of Way U-40600 from the BLM for the reconstruction of the road. The county will also obtain the necessary permits required by the Forest Service for that portion of the roadway which will cross land subject to its jurisdiction. The operator does not have a permit or approval from the Division of Oil, Gas and Mining for the reconstruction of the road. At the time of the inspection it was unclear whether, or not the operator would be held responsible for the county road even though they are the primary user and are paying for the reconstruction and maintenance of the road.

During the process of reconstructing the road the operator constructed two stream channel diversions along Cottonwood Creek and had plans for thirteen other stream channel diversions. The operator did not have approval from the Division for the stream channel diversions and it was very evident to the inspector that the diversions were wholly inadequate. The diversions were approximately 100 feet and 150 feet long respectively. There were several major problems with the diversions; they were constructed improperly, they were inadequately sized, the channel slopes were almost vertical, the channels were not lined to prevent erosion, and the inlet and outlet to each diversion were improperly aligned so as to promote erosion. It could not be determined how much damage had occurred however, it was evident that a very large amount of damage may have occurred at the two diversion sites and the additional thirteen diversion sites of similar design. Because of this Notice of Violation N83-4-13-1 was issued, it reads as follows:

Nature of the Violation

Conducting underground coal mining activities without a permit. Diverting a perennial stream without prior approval from the Division. Failure to design and construct a stream channel diversion in such a manner as to insure the stability of the channel and to prevent additional contributions of suspended solids to stream flow.

Provision of the Regulations, Act or Permit Violated

UCA 40-10-9 (1)
UMC 771.11
UMC 817.44(a)(b) and (d)
UCA 40-10-18(2)(i)(ii)

Portion of the Operation to which Notice Applies

The two stream channel diversions which have been constructed in conjunction with the reconstruction of the Class I road from State Highway 29 to the mine site.

Remedial Action Required

- A. Implement changes to the stream channel diversions as directed by Division hydrologists during the October 5, 1983 on site meeting concerning this NOV.
- B. Develop and submit to the Division complete and adequate plans for the permitting of the stream channel diversions.
- C. Implement the approved plans.

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Time for Abatement

- A. Immediately
- B. Two weeks from the receipt of this Notice; October 19, 1983.
- C. Immediately upon receipt of approval.

This Notice was hand delivered to the operator by Joe Helfrich, Division Field Supervisor on October 5, 1983. At that same time Mr. Helfrich and Dave Darby, Division Hydrologist, directed the operator in making changes to the channel alignment, channel slope and channel lining.


David Lof
Field Specialist

DL:re

cc: Jodie Merriman, OSM
Allen Childs, Trail Mountain Coal Company
Joe Helfrich, DOGM

Statistics: See Emery Deep Mine memo dated December 19, 1983