

July 26, 1984

TO: Inspection Memo to Coal File
FROM: Ken Wyatt, Mining Field Specialist *KW*
RE: Utah Power and Light Company, Des-Bee-Dove Mine,
ACT/015/017, folder #7, Emery County, Utah

An inspection of the Des-Bee-Dove Mine was conducted on July 18 and 19, 1984, by Division of Oil, Gas and Mining Field Specialists Ken Wyatt and Tom Wright. Mr. Joe Helfrich, Field Supervisor for the Division, also accompanied these inspectors. Due to the company's miner's vacation, no personnel were available on site and the entrance gate was closed and locked. Mr. Guymon could not be reached at Emery Mining Corporation's Huntington offices.

Following the OSM oversight inspection on June 22, 1984, the Division received Ten-Day Notice (TDN) #84-2-31-3 and TDN #84-2-31-4. The areas subject to these TDNs were to be examined during this inspection in order to resolve this Ten-Day Notice.

Two areas involved in the TDN were not accessible due to the locked gate. These areas were identified during the previous inspection as a potential area of noncompliance. The first area of the TDN included the downslopes to the bathhouse/office pad. The curb along the northern edge of this pad has been impacted by vehicles running against it. This impacted curb has allowed disturbed area drainage to flow onto the downslope, causing erosion. UP&L has suggested that they intend to repair this curb and reroute drainage onto the lower material storage pad via a corrugated metal pipe.

Examination of previous records indicate that erosion of these downslopes has been a continual concern of the Division inspection staff for quite sometime. The company has failed to mitigate these problem areas. As a result, Notice of Violation (NOV) #N84-7-8-4, #1 of 4, was issued to Mr. Larry Guymon on July 19, 1984. This NOV reads as follows:

Notice of Violation #N84-7-8-4, violation #1 of 4.

Nature of the Violation

Failure to maintain sediment control measures to prevent or minimize erosion to the extent possible.

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Provisions of the Regulations, Act or Permit Violated

UMC 817.45(iii)(e)
UMC 817.181(a)

Portion of the Operation to Which Notice Applies

Bathhouse/office/warehouse pad downslopes.

Remedial Action Required

Maintain adequate sediment control structures to divert runoff through disturbed areas so as not to cause additional erosion.

Time for Abatement

30 days, no later than August 20, 1984.

The washed out section of the main mine haulroad has still not been repaired even though UP&L has had almost one year for this work. This section was included as part two of OSM's TDN, and was subject to NOV N84-7-8-4, #2 of 4. This violation reads as follows:

Notice of Violation #N84-7-8-4, violation #2 of 4

Nature of the Violation

Failure to maintain roads and associated sediment control facilities to control or minimize erosion to the extent possible.

Provisions of the Regulations, Act or Permit Violated

UMC 817.45(iii) UMC 817.150(a)
UMC 817.153(a)(1) UMC 817.155(c).

Portion to the Violation to Which Notice Applies

Haul road/access road adjacent to the lower material storage pad where drop drains and culvert downspout have washed out causing erosion of the road's downslope.

Remedial Action Required

Maintain adequate sediment control and drainage structures to minimize erosion and protect the haul road.

Time for Abatement

30 days, no later than 8:00 am, August 24, 1984.

As a result of the previous inspection, the subsoil material excavated in the sediment pond construction and stockpiled southeast of the sediment pond was inspected. This area had no overland flow diversions or soil retaining diversions around the stockpile. According the past inspection memos, the area was seeded in March 1981. Vegetative growth is sparse but the predominant species thriving at this time include:

Greasewood	<u>Sarcobatus vermiculatus</u>
Rubber Rabbitbrush	<u>Chrysothamnus nauseosus</u>
Matting Saltbush	<u>Atriplex cuneata</u>
Snakeweed	<u>Gutierrezia sarothrae</u>
Russian Wildrye	<u>Elymus junceus</u>
Crested Wheatgrass	<u>Agropyron desertorum</u>
Indian Ricegrass	<u>Oryzopsis hymenoides</u>

Notice of Violation #N84-7-8-4, #3 of 4 was issued to the operator due to the lack of water and erosion protection. This violation reads as follows:

Notice of Violation #N84-7-8-4, violation #3 of 4

Nature of the Violation

Failure to conduct underground coal mining activities in accordance with an approved plan.

Failure to maintain sediment control structures in a manner to protect subsoil material from wind and water erosion.

Provisions of the Regulations, Act or Permit Violated

UCA 1953, 40-10-9
UMC 817.23
UMC 771.19

Portion of the Operation to Which Notice Applies

Soil material stockpiled southeast of the sediment pond.

Remedial Action Required

- A. Obtain Division approval for stockpiling the soil material in question at its present location.
- B. Provide adequate protection to prevent wind and water erosion.
- C. Reevaluate the seedmix utilized in March 1981, and revegetate accordingly.

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Time for Abatement

Two weeks, no later than August 2, 1984.

The temporary sediment storage area retaining the sediments removed from the pond cleaning last fall is intact. This area has not showed any changes since the previous inspection. The Division is currently reviewing plans submitted on June 29, 1984, for the stabilization of this area and possibly the permanent disposal of this material on site.

The recently constructed haul road linking the Des-Bee-Dove Mine with the Wilberg Mine haul road was subject to part four of OSM's TDN. Discussions with the operator revealed no evidence that the road has been properly permitted in accordance with UMC 788.12. As a result, NOV N84-7-8-4, #4 of 4 was issued for this unpermitted development. This violation reads as follows:

Notice of Violation, N84-7-8-4, violation #4 of 4.

Nature of the Violation

Conducting underground coal mining activities without Division approval.

Failure to conduct underground coal mining activities in accordance with an approved plan.

Provisions of the Regulations, Act or Permit Violated

UCA 1953, 40-10-9
UMC 771.19
UMC 788.12(a)

Portion to Operation to Which Notice Applies

Haul road constructed between Des-Bee-Dove Mine and Wilberg mine haulroad

Remedial Action Required

Submit a mining and reclamation plan revision to the Division for permitting. This revision should address all pertinent permitting requirements.

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Time for Abatement

30 days, no later than August 20, 1984, for revision submittal

KW:grc

cc: Jodie Merriman, OSM
Larry Guymon, Emery Mining Corporation
Joe Helfrich, DOGM
Mary Boucek, DOGM

Statistics:

See Utah Power and Light's Wilberg Mine memo dated July 26, 1984.

95160-17-21