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United States Department of the Interior
OFFICE OF SURFACE MINING
Reclamation and Enforcement
POST OFFICE BLDG. RM. 270
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DENVER, COLORADO 80202

R
Rt to Doug &
Joe
#7

March 6, 1980

Mr. Ron Daniels
Coordinator of Mined Land Development
Department of Natural Resources
1588 West North Temple
Salt Lake City, Utah 84116

RECEIVED
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DIVISION OF
OIL, GAS & MINING

Dear Mr. Daniels:

Enclosed please find copies of on-site inspection reports. The inspections were conducted within Cottonwood Canyon Mine during the period of February 22, and 27, 1980.

If you have any questions or problems, please contact this office.

Sincerely,

Murray T. Smith
Murray T. Smith
Federal Lands Coordinator

REGION V CITIZENS COMPLAINT INSPECTION REPORT

UTAH POWER AND LIGHT
COTTONWOOD CANYON
Box 899
Salt Lake City, Utah 84110
(801) 535-4227

DATE: February 22 and 27, 1980
WEATHER: Clear, sunny, warm
COUNTY AND STATE: Emery County, Utah
COMPANY OFFICIAL: None
STATE OFFICIALS: Mike Thompson, Joe Helfich, and Doug Stewart
CITIZENS: Carolyn Johnson and Edward Crawford
STATE PERMIT NUMBER: None
FEDERAL LEASE NO: None
FEDERAL NOV: 80-5-3-3 (six violations)
FEDERAL CO: None
STATE ENFORCEMENT: None

GENERAL COMMENTS

A citizens complaint letter dated February 8, 1980 was hand delivered to this office on the same date. Mr. Edward S. Crawford a land owner within Emery County, Utah, and Ms. Carolyn Johnson of the Public Lands Institute submitted ten allegations which they felt violated Federal regulations, and two additional problem areas of possible violation which they felt existed at the Cottonwood Canyon site. An inspection was scheduled with the two citizens, and was conducted on Friday, February 22, 1980. State personnel were in attendance during the inspection, but no company personnel were present. The company was notified, in person, on February 26, 1980 that this office intended to reinspect the Cottonwood site and that personnel from the company were invited to attend. The site was reinspected the following day, February 27, 1980. State personnel were present, but no company personnel attended the inspection. Following the inspection, six violations were issued to the company at the company office in Salt Lake City on Redwood Road.

ENFORCEMENT ACTIONS TAKEN

On February 27, 1980, following an on-site inspection of the Cottonwood Canyon site, six violations were issued to Utah Power and Light Company under Notice of Violation number 80-5-3-3.

Violation Number 1 of 6 - Opening or developing a site for surface coal mining operations without a State permit, in violation of 30 U.S.C. 1252 paragraph (a). ✓

During the inspections of February 22 and 27, 1980 no equipment or company personnel were present at the Cottonwood site. According to conversations with company personnel, following the inspection, all equipment was removed and activities at the site were terminated by December 15, 1979.

CITIZENS COMPLAINT - COTTONWOOD CANYON

ENFORCEMENT ACTIONS (cont.)

From conversations with the company on February 26, 1980 and following the inspection of February 27, 1980, their contentions are that all activities conducted at the Cottonwood Canyon site were exploration activities conducted in accordance with the exploration plan submitted to the State of Utah on October 3, 1979 and approved October 18, 1979.

The violation was issued on the contention that the activities conducted by the company exceeded exploration and are perceived to be development activities associated with a proposed portal site at that location.

Violation Number 2 - Mining within 100 feet of the outside right-of-way line of a public road. ✓

During the inspection, it was observed that the toe of material deposited below the future portal area, the topsoil stockpile and the toe of the waste rock disposal area are all within 100 feet of the east outside right-of-way of the public road within Cottonwood Creek Canyon. It was observed at several points that the deposited material was the eastern limit of access along the road. A distance of fifty feet was measured from the toe of the material deposited below the future portal area to the Cottonwood Creek drainage, at a point approximately 100 feet south of the southern most access to the Trail Mountain Coal Company.

Violation Number 3 - Failure to post mine and permit identification signs. ✓

No identification signs were observed during the inspections.

Violation Number 4 - Placing material on the downslope, below a (future) portal site and at the excess rock and earth material deposition area.

The area where the activities took place had natural slopes exceeding 20 degrees. Fill areas have not been stabilized with vegetation and no reference to the minimum static safety factor of the deposited material is available.

Violation Number 5 - Failure to pass surface drainage from the disturbed area through sedimentation ponds.

Although a sedimentation pond had been constructed between the future portal excavation area and the topsoil stockpile area (south of the abandon shack) to receive surface drainage from the topsoil stockpile and the rock storage area, ditches constructed immediately adjacent to the public road to channel drainage from the affected areas had not been maintained and at the time of the inspection conducted February 27, 1980, were non-functional, allowing surface drainage from the rock storage area and the topsoil stockpile to drain onto the public road and enter Cottonwood Creek below the affected area. No sedimentation control had been constructed for the outside slope of the material excavated from and deposited below the future portal area. Drainage from the area passed

CITIZENS COMPLAINT - COTTONWOOD CANYON

Violation Number 5 (cont.)

onto the county road and entered Cottonwood Creek below the affected area. During the inspection of February 27, 1980, surface drainage from the affected areas was observed going onto the public road, which drains into Cottonwood Creek. Due to the time of day (morning) and the western aspect of the affected area, little snowmelt was occurring and the amount of drainage observed from the affected areas was extremely small (estimated to be less than one gallon per minute).

Violation Number 6 - Failure to use an approved surface water monitoring plan.

No surface water monitoring had taken place at the time of inspection. In discussions with the company following the February 27, 1980 inspection, it was understood that a proposed plan had been submitted but that approval had not yet been made by the agency regulating surface discharge operations.


LARRY DAMRAU
RECLAMATION SPECIALIST