

0010

*File*

October 15, 1985

TO: Coal File, Inspection and Enforcement Folder  
FROM: Sandy Pruitt, Mining Field Specialist  
RE: Wilberg Mine, Cottonwood Mine Complex, Utah Power & Light Company, ACT/015/019, Folder #7, Emery County, Utah

DATE: September 11 and 12, 1985  
TIME: 2:30 - 5:00 p.m.  
9:00 - 9:30 a.m.  
WEATHER: Fair  
COMPANY OFFICIALS: Sandy Pruitt *SP*  
STATE OFFICIALS: Larry Guymon  
ENFORCEMENT ACTION: NOV #N85-2-21-4

Compliance With Permanent Performance Standards

UMC 771 et al Permits

Emery Mining Corporation (EMC) received conditional approval for construction of a temporary beltline portal and conveyor system on September 6, 1985. This project was effectively complete at the time of this inspection. Prior to this inspection, Utah Power & Light had initiated construction of a conveyor bent foundation and crane pad, which also required the construction of a binwall in development of the permanent 4 East beltline to the silo. The 4 East beltline construction had not been permitted by DOGM at the time of this inspection. Plans for the development had been submitted to DOGM and were under review, but it became apparent that the construction on site was not consistent with that proposed in the plans, either. Therefore, NOV #1 of 4, N85-2-21-4, was warranted for conducting mining activities without a permit, UCA 40-10-9-1. This Notice of Violation required the cessation of construction activities for the bent foundation, crane pad, and retaining wall for the 4 East permanent beltline until DOGM approval is obtained. The NOV required the immediate cessation of construction activities or no later than 1:00 p.m., September 12, 1985.

UMC 817.11 Signs and Markers

All signs and markers inspected appeared adequate, with the exception of the mine identification sign posted at the entrance to the Wilberg waste rock disposal cell, which has an incorrect ACT number.

UMC 817.21-.24 Topsoil

In partial abatement to NOV #1 of 2, N85-2-17-2, EMC has delineated the reclaimed areas of Cells #1 and #2 with flagged stakes in an effort to minimize disturbance to redistributed topsoil in those areas

UMC 817.41-.46 Hydrologic Balance

The unpermitted construction activities of the bent pad cited in NOV #1 of 4 mentioned above resulted in sidecast from the pad into the adjacent undisturbed drainage of the bypass culvert inlet. No sediment control measures had been implemented below the sidecast or for runoff from the pad area itself, and the sidecast into the undisturbed drainage channel had not been removed to prevent it washing into the bypass culvert and off site. NOV #2 of 4 was therefore warranted for the failure to pass all disturbed area surface drainage into a sediment pond or adequate treatment facility before leaving the permit area, UMC 817.42(a)(1), UCA 40-10-18(2)(i)(ii). NOV #2 of 4 also cites runoff leaving the truck loadout area, which bypasses the mine sediment pond. This bypass problem was previously cited in NOV #N84-7-10-1, which required the submittal and subsequent approval of abatement plans to install a drop drain inlet to the sediment pond which will intercept runoff from the truck loadout area. Over the approximately one-year period since approval of the abatement plans, EMC has delayed implementation of the plans while attempting to make repairs on the mine sediment pond, but runoff from the truck loadout area was still allowed to bypass the sediment pond during this time, which is a violation of UMC 817.42(a)(1). For abatement of NOV #2 of 4, EMC was required to submit complete and adequate plans for DOGM review to provide adequate sediment control measures for runoff from the disturbed area at the bent foundation, or to reconstruct the undisturbed drainage diversion below the bent foundation to prevent additional contributions of sediment to runoff outside the permit area and repair the damaged culvert there. The original abatement deadline was set at October 15, 1985. To abate the second portion of this NOV, EMC was required to implement the drainage control plans submitted and approved in abatement to NOV #N84-7-10-1 no later than October 1, 1985.

Both the first and the second sediment ponds at Wilberg Mine were retaining runoff water at the time of this inspection. Larry Guymon explained that the first standpipe had been accidentally blocked so that now they needed to pump water from the first cell to the second cell to keep the first cell dry for excavation and repairs. Water from the second pond is hauled to the Wilberg waste rock disposal Cell #6.

A section of the undisturbed drainage ditch, which used to pass behind the coal silo, had been covered by the binwall construction so that overland flow from the undisturbed drainage area above the coal silo would be diverted to the sediment pond. The quantity of runoff generated from the undisturbed slope, and whether the sediment pond was oversized to handle the additional runoff water, was unknown. The section of undisturbed drainage ditch remaining past the binwall has filled in with sediment and should be reestablished to the design depth.

Road drainage from areas above the mine sediment pond flowed onto the reclaimed wasterock fill located across from the sediment pond the uncontrolled road drainage onto the fill resulted in excessive erosion with several gullies up to three feet deep and four feet wide extending down all the way down to Grimes Wash. The excessive erosion of the reclaimed fill warranted NOV #3 of 4 issued for the failure to minimize erosion to the extent possible or regrade and stabilize gullies formed in reclaimed areas, UMC 817.45, UMC 817.106, UCA 40-10-17-2(d). The remedial action required by this NOV was to: 1. divert drainage off the fill; 2. regrade and stabilize gullies; 3. reseed the effected areas with an approved seed mix; 4. provide and maintain adequate sediment control measures at the base of the regraded area until sufficiently revegetated. Time for abatement was originally set at October 19, 1985.

Road drainage past the mine sediment pond bypassed a blocked culvert located in the Y of the road at the end of the sediment pond. This resulted in NOV #4 of 4 mentioned below.

Water monitoring data examined at the mine office was available and up to date to August 1985. Of interest was the rise in TDS levels in Grimes Wash from above mine to below mine. It was considered that the portal sealing operation underway at the Wilberg mine could have affected the bypass below the above mine sampling point at the weir. Val Payne committed to check the area for impacts from the portal sealing project and improve drainage control measures as necessary.

#### UMC 817.61-.68 Use of Explosives

Blasting records for the Wilberg Mine were maintained and up to date to July 30, 1985. Blasting was conducted for the temporary beltline portal development. The blasting records inspected were maintained by Lowdermilk and appeared adequate.

Page 4  
ACT/015/019  
October 15, 1985

UMC 817.106 Regrading or Stabilizing Rills and Gullies

NOV #3 of 4 required that EMC regrade and stabilize the gullies on the reclaimed waste rock fill area no later than October 1, 1985.

UMC 817.150-176 Roads

NOV #4 of 4 was issued for the failure to maintain adequate road drainage structures to function as designed, UMC 817.153 (a)(1). The NOV sites a blocked culvert located at the Y in the road below the sediment ponds. This culvert has been blocked, plugged or crushed repeatedly over the last year. In abatement to this NOV, EMC is required to repair and maintain this culvert to function as designed and submit construction designs to prevent plugging and collapse of the culvert in accordance with UMC 817.153 (c)(1)(ii). the original abatement deadline was set October 1, 1985.

An emergency access road to the 4 East Beltline portal was established after the Wilberg Mine fire for improved control of the beltline portal breakout and pad development. At the time of this inspection, pad development was completed and portal faceup (cement and steel faceup) was underway. The surface access is no longer necessary due to easier access from underground, also this emergency access road is not permitted. Since emergency use of the road is no longer necessary the road should be promptly reclaimed no later than this fall in accordance with UMC 817.100 and UMC 817.166 or 176. Larry Guymon mentioned that EMC was considering to retain this emergency access road for future use. He was informed that the road needed to be permitted and that in the present condition it does not meet the design or performance standards for a Class II or even Class III road. It was recommended that if EMC chose to retain the road that it be upgraded and permitted to a Class II design specifications. If the road is to be retained for use after the fall reclamation and seeding season, EMC must submit a permit application for use of the road prior to that time. A November 15, 1985 deadline was agreed upon and should be enforced.

re

cc: Larry Guymon, EMC  
Donna Griffin, OSM  
Joe Helfrich, DOGM  
Bart Kale, DOGM

Statistics: See Des-Bee Dove Mine memo dated October 11, 1985

0347Q-23-26