

March 29, 1985

TO: Coal File, Inspection and Enforcement Folder
 FROM: David Lof, Mining Field Specialist
 Re: Co-Op Mining Company, Bear Canyon Mine, ACT/015/025, Folder #7, Emery County, Utah

DATE: March 7, 1985
TIME: 9:40 a.m. - 3:30 p.m.
WEATHER: Mostly clear and cool
COMPANY OFFICIALS: Wendel Owen
STATE OFFICIALS: David Lof and Tom Munson
ENFORCEMENT ACTION: NOV N85-4-8-2



Compliance With Permanent Performance Standards

UMC 771 et al Permits

The following permit documents were reviewed in the operators mine office:

1. The operators interim approval letter from the Division dated March 20, 1981.
2. A September 29, 1983 letter from the Division approving materials submitted for the abatement of Notice of Violation N83-5-8-3, #3 of 3 (issued for drainage controls on the upper storage pad)
3. Final approval of the operator's Scalehouse modification dated October 12, 1983.
4. An approval order for modifications to Co-Op's air pollution control equipment from State Health dated December 20, 1983.
5. Approval from the Division for the reconstruction of Sediment Pond A dated December 5, 1984. The letter requires that Co-Op implement the plans for pond reconstruction on or before June 1, 1985. The letter also requires Co-Op to contact the Division Inspection and Enforcement staff prior to the onset of construction activities.

UMC 817.11 Signs and Markers

The mine identification sign was posted at the permit area boundary as shown in the operator's mine permit application Plate 2-1, dated April 13, 1984, entitled Permit Area Map.

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UMC 817.21-.23 Topsoil

A topsoil stockpile sign was properly posted on top of the stockpile. The stockpile was located east of the operator's scale-house facilities and was protected by a berm and ditch.

UMC 817.41-.51 Hydrologic Balance

Scalehouse Catch Basin, Notice of Violation N85-4-3-2, #2 of 2

This violation was issued to the operator on February 25, 1985 for failure to reconstruct the scalehouse catch basin in accordance with their approved permit. The remedial action required that the operator either reconstruct the catch basin to meet the approved design specifications or submit the modification of the approved design to the Division for approval. The time for abatement was March 12, 1985.

While inspecting and discussing the catch basin with Mr. Munson we made the following observations in regards to the catch basin construction in addition to the problems which were noted in my February 20, 1985 inspection memo.

- a. The catch basin was constructed in the flood plain of Bear Creek, thereby constricting stream flow during high flows.
- b. It appeared that the embankment was constructed by pushing up the embankment material with a dozer, therefore, there was very little if any compaction of the embankment and some very large (3' +) rocks were incorporated into the embankment.

I asked Mr. Owen what they were planning on doing in regards to abatement of the Violation. He indicated to me that Mr. Coonrod had apparently found some documents indicating that Co-Op has been waiting for review of some additional information prior to the implementation of the plans.

Scalehouse Catch Basin Cross Culvert, NOV N85-4-8-2, # 2 of 2

During a telephone conversation with Mel Coonrod of Co-Op Mining Company on February 25, 1985, Mr. Coonrod informed me that the cross culvert under the road to the catch basin was partially blocked with ice. He asked if it would be all right to divert the disturbed area runoff into the adjacent undisturbed diversion while he tried to clear the ice from the culvert. I specifically told Mr. Coonrod not to divert the disturbed area runoff into the undisturbed diversion.

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I explained to him that one of the best things that he could do to try and clear the ice from the cross culvert was to allow the water to continue to run through the culvert. I told him to try to open up the culvert, and to place strawbales and siltfence in the undisturbed diversion below the culvert inlet just in case some disturbed area runoff happened to bypass the culvert. He said that he had installed strawbales and silt fence already, and that he was going to try and thaw the ice using a salamander.

On February 27, 1985, OSM, Inspector Frank Atencio, called me from Price and informed me that Mr. Coonrod had breached the berm and directed the disturbed area runoff into the undisturbed diversion and was passing it through a siltfence and strawbale. Because of this, the Division received Ten-Day Notice X-85-02-031-02 (TDN) on March 4, 1985.

At the time of this inspection the culvert inlet was approximately 85% blocked with ice. I told Mr. Owen that they needed to clear the culvert inlet. In addition I told him that they should clean the inlet and outlet of the culvert after each snowstorm.

Mr. Munson and I inspected the strawbales and silt fence which the operator had placed in the undisturbed diversion to treat the disturbed area runoff from the scalehouse area. We could see under the siltfence and we could also see where runoff had gone around the siltfence. It was also apparent where runoff had gone around the strawbale. It was obvious that the siltfence and strawbale would not have treated the disturbed area runoff whatsoever.

Because the culvert inlet was not properly maintained, Notice of Violation N85-4-8-2, #2 of 2 was issued, it reads as follows:

Nature of the Violation:

Failure to maintain sediment controls in such a manner as to prevent additional contributions of suspended solids to stream flow or runoff outside the permit area.

Provision of the Regulations, Act or Permit violated

UMC 817.45

Portion of the Operation to Which Notice Applies

The cross culvert to the scalehouse catch basin (Sediment Pond B).

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Remedial Action Required

Maintain the culvert so that it can pass the runoff from a 10 year, 24 hour event as designed.

Time for Abatement

March 21, 1985 at 5:00 p.m.

The violation was issued from the Division offices on March 12, 1985.

Scalehouse Area Undisturbed Diversion

The operator had recently maintained the berm and undisturbed diversion on the east side of the scalehouse area as requested during my February 7, 1985 inspection.

Culvert #2 D

The downspout for the disturbed area runoff from the coal storage yard down to the shop pad was still partially blocked by ice. I discussed this problem with Mr. Munson and we agreed that replacing the culvert with an open riprap ditch would probably eliminate the problems. The operator should submit plans to modify their existing structure.

60 Inch Culvert Trash Rack

Mr. Munson and I inspected the inlet to the 60 inch culvert which conveys Bear Creek under the haul road. We discussed the possibility of installing a trash rack upstream of the present culvert inlet. We agreed that a good location for the trash rack would be at a point approximately 125 to 150 feet upstream of the inlet where the stream channel is somewhat restricted. The operator should submit plans for the trash rack to the Division for approval.

Fuel Storage Tank

During my February inspection, I asked Mr. Coonrod why a berm had not been constructed around the fuel storage tank. At that time he indicated to me that they had modified their plans to allow any fuel which leaked from the storage tanks to go to Sediment Pond A. Following my inspection, I called Mr. Steve McNeal of the Bureau of Water Pollution Control. Mr. McNeal informed me that they would normally require a berm to be constructed around fuel storage tanks rather than directing it to a sediment pond unless there were unusual circumstances preventing an adequate berm.

I discussed this matter with Mr. Munson and Mr. Owen at the time of the inspection. While looking at this area we found that it would

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be possible to install a berm around the storage tanks without obstructing the diversion ditch/road to Sediment Pond A. Mr. Owen seemed to be agreeable to installing the berm.

Sediment Pond A Inlet Ditch

The operator had maintained the inlet ditch (D-5-D) to Sediment Pond A as requested during my February 7, 1985 inspection.

Crusher Pad Drainage Controls

I discussed the ice build up problem on the south end of the crusher pad and the disturbed area runoff culvert inlet with Mr. Munson and Mr. Owen. We discussed the need to consolidate the flow and steepen the grade of the crusher pad to prevent water from ponding on the pad and icing up, and the need to install a headwall at the culvert inlet. Inlet controls for the culvert were almost nonexistent at the time of the inspection. There was a great deal of erosion on the downslope from the crusher pad down to the coal pad.

Culvert Downspouts

I pointed out the culverts to Mr. Munson, which I had suggested that Mr. Coonrod install downspouts on. The culverts discussed were primarily those culverts for both disturbed and undisturbed runoff under the portal/fan /substation pad and the portal access road.

Substation Area

There was some water ponding on the road between the upper storage pad and the substation. I asked Mr. Owen to have this area graded so that the water will not pond on the road.

UMC 817.52 Surface and Groundwater Monitoring

The operator currently holds NPDES permit #UT-0023612 dated March 23, 1982 which expires December 31, 1986. Surface water monitoring data was available through January 1985. There were no apparent problems with the monitoring data which was reviewed.

UMC 817.181 Support Facilities and Utilities Installations

Upper Storage Pad, NOV N85-4-3-2, #1 of 2

On February 25 1985, Co-Op was issued a violation for conducting underground coal mining activities on the upper storage pad without Division approval. The remedial action required that the operator remove all materials from the area and not use the area until approved by the Division. The time for abatement was March 12, 1985.

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At the time of this inspection the operator had not removed any of the materials from the upper storage pad and there was no reason why the materials could not be removed because the access road to the portal deck was dry.

While discussing the matter with Mr. Owen, he showed me a September 29, 1983 letter from the Division which stated that the Division had reviewed materials submitted for the abatement of Notice of Violation N83-5-8-3, #3 of 3 (issued for drainage controls on the upper storage pad) and had found the material to be adequate and in compliance with the regulations. The letter went on to say "approval is hereby granted to continue operations in these described areas in accordance with practices and procedures established in UCA 1953, Title 40-8 and regulations pertaining to surface effects of underground mining activities (UMC 700-944) promulgated under Title 40-10-1, UCA 1979."

Mr. Owen told me that he felt they were granted approval to use the upper storage pad. I told Mr. Owen that I could not be sure of exactly what had been approved and that I would have to refer back to the submittals referenced in the letter to see exactly what the operator had submitted and what was approved. I did not indicate to Mr. Owen at that time that I was either going to vacate or modify the Notice of Violation in any form.

Old Hiawatha Seam Portal, NOV N85-4-8-2, #1 of 2

During the inspection I found that the operator had constructed a new pad several hundred feet square in the disturbed drainage below the fan portal. When I asked Mr. Owen what the new disturbance was for, he said that they had gone up there to work on the drainage from the upper pad and to establish a bench so that they could access the lower seam (Hiawatha Seam) in order to map some old mine workings. Mr. Owen went on to explain that while they were drilling a groundwater monitoring hole near the fan portal they got to the level of the Hiawatha seam and the drill dropped about eight feet. This led them to believe that there were old mine workings in the lower seam which they had not been aware of and they needed to map the extent of the old workings for safety purposes. Mr. Owen said that they had chosen that location to enter the old workings, because that was the most likely place for the location of an old portal due to the closeness of the coal outcrop and the structure of the overlaying geological material.

Because there were no modification plans nor approvals for this new disturbance, Notice of Violation N85-4-8-2, #1 of 2 was issued, It reads as follows:

Nature of the Violation

Conducting underground mining activities without Division approval.

Provision of the Regulation, Act or Permit Violated

UCA 40-10-9
UMC 771.19

Portion of the Operation to Which Notice Applies

New pad developed for access to the old works in the Hiawatha seam.

Remedial Action Required

- A. Cease all activities on the new pad and slopes affected by the pad development.
- B. Submit complete plans to the Division for the approval of the pad development.

Time for Abatement

- A. Immediately
- B. March 27, 1985 at 5:00 p.m.

re

cc: Donna Griffin, OSM
Mel Coonrod, Co-op Mining Company
Joe Helfrich, DOGM
Tom Munson, DOGM
John Whitehead, DOGM

Statistics: See Kaiser Steel Corporation, Sunnyside Mine memo dated March 28, 1985

0166Q-35-41