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**CASTLE VALLEY SPECIAL SERVICE DISTRICT**

P. O. BOX 877  
CASTLE DALE, UTAH 84513  
TELEPHONE (435) 381-5333

*cc Darn  
Wayne  
Mary Ann*

*orig -> Coal*

PAUL CRAWFORD  
Chairman  
DARREL V. LEAMASTER  
Manager

June 24, 2004

Department of Oil, Gas and Mining  
PO Box 145801  
Salt Lake City, Utah 84114-5801

Attn: Mary Ann Wright

Re: CW Mining Co  
Bear Canyon #1  
Abandoned Equipment

*Incoming  
6/15/0025*

Dear Mary Ann:

Enclosed is a copy of a letter that we recently wrote to the EPA concerning the abandoned equipment within the Bear Canyon #1 Mine. We are extremely concerned about the 8,768 lbs (4.4 tons) of lead left in the middle of our water source and the potential it has for contaminating our water supply

We need your assistance in coming to an understanding of how this type of thing is allowed to happen and in coming to some resolution for the future protection and/or replacement of our water supply. How can it be that all of the regulatory agencies take this so lightly and be willing to move along as though nothing has happened? What action has DOGM taken to protect our source from the potential of contamination from this abandoned equipment? What action do you recommend being taken by all the parties involved to resolve this situation?

For a long time the water users have been saying that studies need to be done by the mines to determine what will happen with the hydrology after the mine is closed and abandoned. This is a classic example. We know of no studies that have been done to determine what will happen to the water in the mine. Will it flood the abandoned mine workings up to the level of the abandoned equipment? Will it run out of the portal? Will it flow into our spring? Will it find new flow channels out of the mine and cause new springs and seeps to appear? (We have previously reported to you that this is already happening in some areas below the mine).

RECEIVED  
JUN 28 2004 *7/2/04*

DIV. OF OIL, GAS & MINING

In addition to the hydrology questions, we have a lot of questions about the abandoned equipment and the lead batteries. Will the water levels in the mine reach the abandoned equipment? If so how long will it take to leach the lead out of the batteries? How long will it take the lead contaminated water to reach our spring?

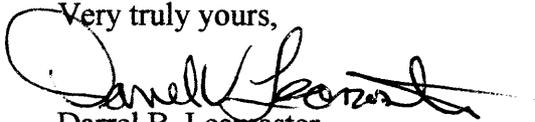
The whole situation leaves us many other questions. Who will take the liability for the contamination of the water and sickness and harm that it may cause? Who will find a replacement source for the water? Who will pay for a replacement source for the water? How long are their bonds in place after mining ceases?

Quite frankly we do not have the ability or the financial resources to conduct a study to answer all of these questions. Neither do we have the financial resources to retain an attorney to protect our interest or liability. We request assistance from the Division of Oil, Gas and Mining to protect our interests.

The Big Bear Spring was put into service in about 1915, serving the community of Huntington. It has remained in service for nearly 90 years and is too valuable to lose due to this accident in the mine.

Please advise us hoe you will proceed on this matter.

Very truly yours,



Darrel B. Leamaster  
District Manager

Cc: Kevin Brown, Division of Drinking Water  
David Arioti, Division of Environmental Health  
Huntington City  
North Emery Users Association

# C.W. MINING COMPANY

P.O. Box 300  
Huntington, Utah 84528

Office (435) 687-2450  
FAX (435) 687-2084

April 14, 2004

Linda Himmelbauer  
U. S. Environmental Protection Agency  
999 18th Street, Suite 500  
Denver, CO 80202-2466

**Re: Abandoned Equipment in the Bear Canyon #1 Mine**

Dear Linda Himmelbauer,

C. W. Mining Company experienced a roof fall in the 1<sup>st</sup> North Section of the Bear Canyon #1 Mine, Hiawatha seam on January 14, 2003 at approximately 6:45 AM. The roof fall (130 feet in length X 20 feet in width) buried a battery powered coal hauler, an electrical distribution box, and a shop trailer. After an investigation of the area by C. W. Mining Company and the Mine Safety and Health Administration all remaining equipment was removed from the section, the area was sealed off, and the buried equipment was abandoned. This letter is being sent to you because reporting for the quantity of lead and sulfuric acid in the battery is required under EPCRA Section 312 Tier II.

There are two underground springs located in the Hiawatha seam of the Bear Canyon #1 Mine. The first one is a floor seep (approx. 4 gpm) labeled water-monitoring site SBC-11. The second one is a drill hole (approx. 30gpm) in the ceiling that goes to the Blind Canyon Seam (water-monitoring site SBC-9) of the Bear Canyon #1 Mine and is labeled water-monitoring site SBC-9a. These springs are the source water for the Bear Canyon culinary water system. Numerous studies have shown that there is no connection between the water encountered in the Bear Canyon #1 mine and source springs for water systems located farther down the canyon (Big Bear Spring and Birch Spring).

Due to hazardous conditions the Bear Canyon #1 Mine was sealed January of 2004. Before the mine was sealed a pipe was installed to collect the water at sites SBC-11 and SBC-9a and carry it to the surface where it is monitored for all parameters required by the Utah Division of Oil Gas and Mining and the Utah Division of Drinking Water.

Although the springs (SBC-11 and SBC-9a) are located in relative proximity to the abandoned equipment it is not anticipated that contaminants from the equipment will enter the ground water system. The elevation of the abandoned equipment is higher than the elevation of the springs so the water will flow in the pipes and out the portal instead of coming in contact with the equipment. Also the area that the equipment was abandoned in was dry so no water

should pass through the equipment and into the springs. A map of the Bear Canyon #1 Mine Hiawatha seam has been included showing the location of the springs and the equipment along with floor seam elevations

The quantities of potential contaminants left behind are shown in the table below.

Potential Toxin	Quantity	Source
Lead	8,768 lb	Coal Hauler Batteries
Sulfuric Acid	5,504 lb	Coal Hauler Batteries
Renolin AW68 (Hydraulic Oil)	80 gal	Coal Hauler Hydraulics
Powergear EP5 (Gear Oil)	10 gal	Coal Hauler Gear Boxes
Copper	minor	Distribution Box\Welder
Aluminum	minor	Distribution Box\Welder

If you have any questions, please call me at (435) 687-2450.

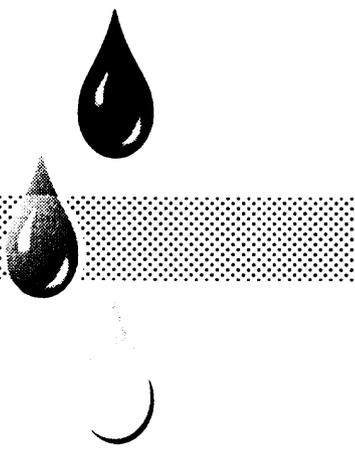
Thank You,



Mark Reynolds,  
Environmental Coordinator

**Enclosures**

Cc: Peter Hess, Utah Division of Oil, Gas & Mining  
Director, Utah Division of Solid and Hazardous Waste  
Don Ostler, Utah Department of Environmental Quality, Division of Water Quality  
Dave Ariotti, Southeastern District District Health Department  
Jackie Wilson, City of Huntington  
Darrel V. Leamaster, Castle Valley Special Service District.  
Walter E. Nowak, USFS / Manti-LaSal National Forest



# CASTLE VALLEY SPECIAL SERVICE DISTRICT

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TELEPHONE (435) 381-5333

PAUL CRAWFORD  
Chairman  
DARREL V. LEAMASTER  
Manager

June 21, 2004

Linda Himmelbauer  
U.S. Environmental Protection Agency  
999 18<sup>th</sup> Street, Suite 500  
Denver, CO 80202-2466

**Re: Abandoned Equipment in the Bear Canyon #1 Mine**

Dear Linda Himmelbauer,

C.W. Mining Company recently wrote to you and advised you of a roof fall and equipment that has been abandoned within the Bear Canyon #1 mine.

They advised you that the abandoned equipment included substantial quantities of lead (8,768 lb) and sulfuric acid (5504 lb) along with quantities of oil and minor amounts of copper and aluminum.

We are extremely concerned about the lead that has been left in the mine. We operate Big Bear Spring in close proximity to the mine. This spring provides culinary water to the residents of the communities of Huntington, Cleveland, and Elmo.

A Drinking Water Source Protection Plan has been developed and is on file at the State of Utah Division of Drinking Water. It includes a two-mile protection zone up gradient from the spring. This protection zone includes the Bear Canyon #1 Mine. This Mine was identified as the Priority #1 potential source of contamination to the Big Bear Spring. It now appears that potential lead contamination has been left in our protection zone area. The adverse effects of this contamination on our springs are obvious.

The letter from CW Mining Company states, "These springs are the source water for the Bear Canyon culinary water system. Numerous studies have shown that there is no connection between the water encountered in the Bear Canyon #1 mine and source springs for water systems located farther down the canyon (Big Bear Spring and Birch Spring)." We do not agree with this statement at all. We believe that their mining operations have already interfered with the quantity of water flowing from the spring. We also believe that since the mine has now been abandoned that the mine workings will become flooded with water and the lead will be leached out and absorbed into our culinary water supply. We are not aware of any studies that "have shown there is no connection between the water encountered in the Bear Canyon #1 mine" and our springs. No studies have been done to show what will happen to the water in the abandoned mine and how the hydrologic flows in the area will be altered and impacted. We certainly cannot assume that our springs will not be impacted.

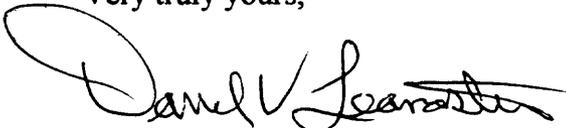
In the abandoned mine many additional roof falls will occur over time. These roof falls will damage the pipe that was installed to collect the water at sites SBC-11 and SBC-9a. In fact, we have been advised that the flow from the pipeline has greatly diminished and that something has already happened to the pipeline. It is now impossible to re-enter the mine to inspect and repair the pipeline. Therefore, monitoring of the water from this source will be impossible.

We are sure that you will agree with us that this is a very dangerous situation to have these large quantities of lead, surrounded by water, setting in the protection area of our culinary spring.

We feel that at a minimum C.W. Mining should be required to do increased monitoring of our Big Bear Spring for lead and other contaminants. Also, they should be required to prepare a replacement plan for the spring if it does become contaminated. Also, some type of bonding or affirmative action needs to be taken to assure that the funding will be available for the spring replacement

Please advise us of your decisions about this matter, and advise us what additional actions we can take to protect our springs.

Very truly yours,



Darrel V. Leamaster P.E.  
District Manager

Enc

Cc: Mary Ann Wright, Utah Division of Oil, Gas and Mining  
Dennis Downs, Director, Utah Division of Solid and Hazardous Waste  
Peter Hess, Utah Division of Oil, Gas and Mining  
Walt Baker, Utah Department of Environmental Quality, Division of Water Quality  
Dave Ariotti, Southeastern District Health Department  
Jackie Wilson, City of Huntington  
Brian, USFS/Manti-LaSal National Forest  
North Emery Water Users Special Service District  
Kevin Brown, Utah Division of Drinking Water  
Mark Reynolds, C.W. Mining