

orig mine file
cc Y. May 1/83
J. Helfrich

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United States Department of the Interior
OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
219 CENTRAL AVENUE, NW
ALBUQUERQUE, NEW MEXICO 87102

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February 21, 1986

DIVISION OF
OIL, GAS & MINING

Dr. Dianne Nielson, Director
Utah Division of Oil, Gas, and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: DOGM response to Ten-Day Notice #86-2-116-2
Genwall Coal Company, Crandall Canyon Mine

ACT 1015/032
#7

Dear Dr. Nielson:

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has reviewed the above-noted DOGM response. I will address the response by reiterating the site conditions present January 28 and 29, 1986, which led to the Ten-Day Notice (TDN) issuance.

The first part of the TDN indicated the permittee failed to adequately protect the uppermost topsoil stockpile. Mr. Austin documented conditions on the entire minesite with photographs. These photos depict the stockpile unprotected due to inadequate vegetative cover and negligent maintenance of the straw berm surrounding the stockpile. Apparently these conditions were not evident to Mr. Lof during his January 31, 1986 inspection due to the new snow cover. Therefore, OSMRE concludes that the DOGM response to this portion of the TDN is initially appropriate, based solely on Mr. Lof's inability to review site conditions because of recent snowfall. DOGM should reinspect when weather conditions are adequate to see the area.

Part two of the TDN indicated the permittee failed to maintain a portion of the Class I road ditch. During Mr. Austin's inspection, no portion of the Class I road ditch had been "recently maintained" as reported in your response. The maintenance apparently occurred in the time between OSMRE's and DOGM's inspections. In that case, DOGM's response is appropriate because the violation did not exist at the time of the DOGM inspection. Because we are going to reinspect the site we will take another look at this area.

The third part of the TDN indicated the permittee failed to minimize changes to the prevailing hydrologic balance at the site. Again, Mr. Lof apparently was unable to see it

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conditions due to recent snowfall at the portion of the Class I road berm described by Mr. Austin. Mr. Austin has photographs which depict the south face of this road berm. The berm is constructed of soil material and delineates the buffer zone between Crandall Creek and active disturbance. The berm is completely unprotected and during Mr. Austin's inspection was eroding and contributing sediments into the buffer zone area.

OSMRE considers DOGM's response to be initially appropriate concerning this area because of Mr. Lof's inability to accurately review site conditions. DOGM should reinspect this area as soon as possible, weather conditions permitting.

The second area cited by Mr. Austin for contributing sediments off-site is located south and adjacent to the lime rock storage trailer. Contrary to your response, OSMRE believes road material sloughing down the road fill in this area is neither insignificant nor a part of routine snow removal activities. It is possible that Mr. Lof was referring to a different area. The trailer has prevented any snow removal activities from occurring directly south of it, resulting in road surfacing which was stockpiled there to slough within 50 feet of Crandall Creek. The road fill is in the Crandall Creek channel at this location. There is no vegetative barrier in this area to prevent sediments from washing into Crandall Creek.

OSMRE considers DOGM's response to be inappropriate for this area.

In accordance with 30 CFR, Sec 843.12, a Federal reinspection of the site will be conducted and, if the violations continue to exist, a notice of violation (or cessation order, if appropriate) will be issued.

Sincerely,



Robert H. Hagen, Director
Albuquerque Field Office