Citations Home Page

Citation for Non-Compliance
Utah Coal Regulatory Program

1594 West North Temple, Salt Lake City, UT 84114
Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 16150
Permit Number: C0250005
Date Issued: 04/08/2015

☑ NOTICE OF VIOLATION ☐ CESSATION ORDER (CO) ☐ FAILURE TO ABATE CO

Permittee Name: ALTON COAL DEVELOPMENT LLC	Inspector Number and ID:	71	KSTORRAR
Mine Name: COAL HOLLOW	Date and Time of Inspection:	03/24/2015	8:30 am
Certified Return Receipt Number: 7012 3460 0002 9559 6328	Date and Time of Service:	04/01/2015	11:00 am

Nature of condition, practice, or violation:
Refer to attached document for Condition of Ditch 1, Ditch 4, and Best Technology Currently Available and attached photo documentation.

Provisions of Act, regulations, or permit violated:
R645-301-526.222; R645-301-731.121; R645-301-732.300; R645-301-742.100 through R645-301-742.124; R645-301-742.211; R645-301-742.312; R645-301-752.220

☐ **This order requires Cessation of ALL mining activities.** (Check box if appropriate.)

☐ Condition, practice, or violation is creating an imminent danger to health or safety of the public.	☐ Permittee is/has been conducting mining activities without a Permit.
☑ Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.	☐ Permittee has failed to abate Violation(s) included in ☐ Notice of Violation or ☐ Cessation Order within time for abatement originally fixed or subsequently extended.

☐ **This order requires Cessation of PORTION(S) of mining activities.**

Mining activities to be ceased immediately: ☐ Yes ☐ No	Abatement Times (if applicable).

Action(s) required: ☑ Yes ☐ No
Refer to attached document for actions required.

(Print) Permittee Representative	KEENAN STORRAR (Print) DOGM Representative
Permittee Representative's Signature - Date	DOGM Representative's Signature - Date 4-8-15

SEE REVERSE SIDE Of This Form For Instructions And Additional Information

Citation #: 16150

Condition of Ditch 1, Ditch 4 and Best Technology Currently Available:

Alton Coal Development, LLC (ACD) failed to properly construct and maintain Ditch 1 and Ditch 4. Surface runoff from snow melt breached both ditches in early March, allowing suspended solids to leave the Permit area untreated. Additionally, the Permittee failed to properly maintain best technology currently available at the outlet of Ditch 1 and at the end of Lower Robinson Creek reconstruction. During the runoff event these sediment controls did not properly treat surface runoff and prevent additional contributions of suspended solids to streamflow outside the permit area.

Ditch 1 Actions required:

1) Excess surface runoff from Watershed 4 (Drawing 5-26) will flow to Sediment Pond 4. When the water storage capacity of Sediment Pond 4 is exceeded, the pond will discharge through the designed spillway shown in Drawing 5-31.
2) Ditch 1 must be built to the approved design shown in Drawing 5-33. This design shows Ditch 1 capturing runoff from the undisturbed area to the east and having a 1' berm running along the western edge of the ditch.
3) The southeast corner of Watershed 4 will be lifted and graded to prevent backwater ponding and will be sloped to drain disturbed area runoff from Watershed 4 to Sediment Pond 4's inlet.
4) The west side of Ditch 1 (disturbed runoff side) will be graded and sloped to drain water to Sediment Pond 4's inlet. No ditch or depression may run along the western side of the Ditch 1 berm.
5) Sediment Pond 4 will be built to the approved design in Drawing 5-31. Drawing 5-31 depicts Pond 4 inlet elevation as 6,834'.
6) Best technology currently available will be implemented within the undisturbed side of Ditch 1 to prevent suspended solids from exiting the permit area.

Ditch 4 Action required:

The Permittee must construct Ditch 4 to match the approved design in Drawing 5-34. ACD must submit to DOGM a surveyed longitudinal profile of the bottom of the ditch along the newly constructed length to demonstrate water will flow downhill along its length.

Best Technology Currently Available Action required:

The straw bale check dam at the outlet of the reconstructed Lower Robinson Creek needs additional maintenance. A properly functioning straw bale check dam in this location will capture runoff and allow it to pond and settle out suspended solids prior to allowing runoff to flow offsite.

The required actions for Ditch 1, Ditch 4 and the Alternate Sediment Control must be completed within 45 days from the date of receipt of the Notice of Violation.

Figure 1: February 10th inspection. Outlet of Ditch 1 that handles undisturbed runoff. The wood fence line on left and T-post fence line at top right defines permit boundary. Arrow indicates the direction runoff flows from the outlet of undisturbed Ditch 1.

Figure 2: March 24th inspection. Sediment plume at outlet of Ditch 1 showing offsite impact. Permit boundary is roughly defined by yellow line.

Figure 3: March 24th inspection. Sediment plume at outlet of Ditch 1 showing offsite impact. The undisturbed outlet of Ditch 1is left of the photo. Flow is from left to right. Permit boundary is roughly defined by the yellow line.

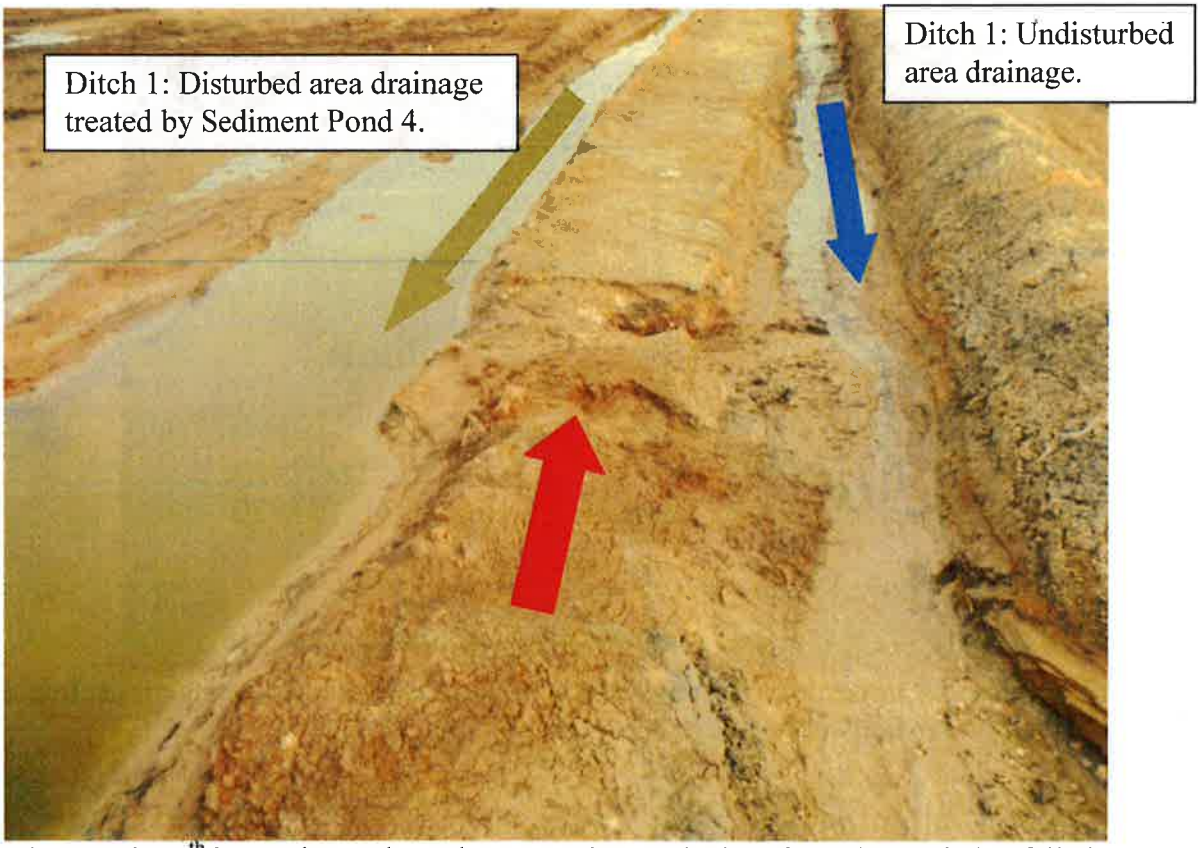

Figure 4: March 24th inspection. The red arrow points to the location where Ditch 1 failed allowing disturbed area runoff carry suspended sediment offsite untreated.

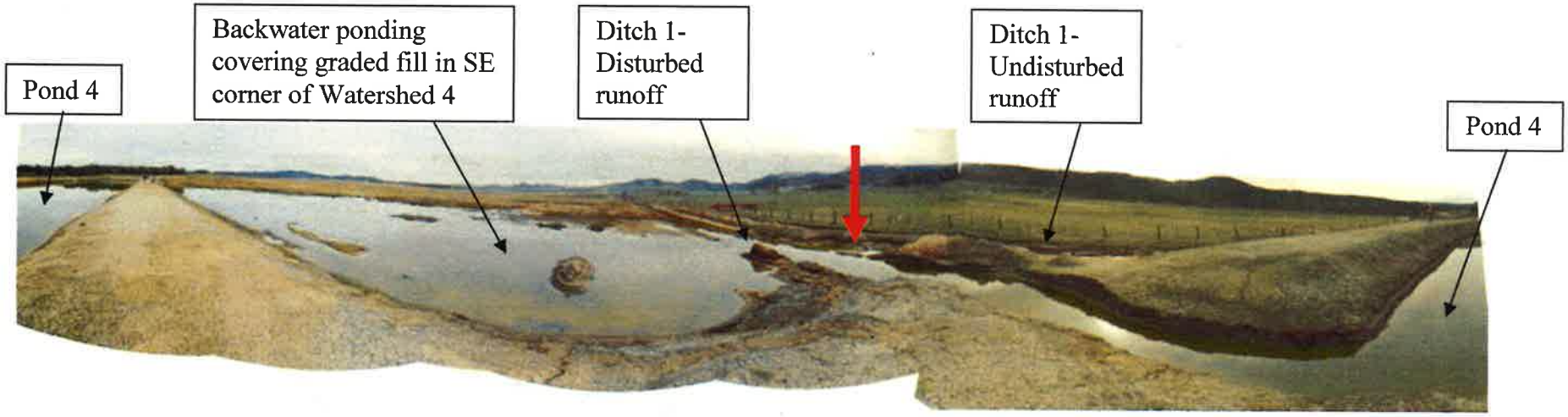

Figure 5. March 24th, 2015 inspection. ~300^{O} panoramic photo of backwater pond outside of Sediment Pond 4. Red arrow points to failure point of Ditch 1 where disturbed area runoff exited the site via the undisturbed ditch.

Figure 6: March 24th inspection. Failure point of Ditch 1 berm. Backwater ponding of Sediment Pond 4 seen in background of photo.

Figure 7: February 10th, 2015 inspection. Head of Lower Robinson Creek channel reconstruction. Ditch 4 is on the far side of the channel in this photo. It is designed to route water drained from the disturbed area in the photo's background to Sediment Pond 3.

Figure 8: March 24th, inspection. Ditch 4 failure #1. Disturbed area runoff and suspended sediment carried into the reconstructed channel of Lower Robinson Creek.

Figure 10: March 24th, 2015 inspection. Ditch 4 failure #1. Disturbed area runoff and suspended sediment carried into the reconstructed channel of Lower Robinson Creek.

Figure 9: March 24th, inspection. Ditch 4 failure #1. Disturbed area runoff and suspended sediment carried into the reconstructed channel of Lower Robinson Creek.

Figure 10: March 24th, 2015 inspection. Ditch 4 failure #1. Yellow arrow points shows direction of design flow in Ditch 4. Red arrow shows failure #1 where Ditch 4 was overtopped by runoff from Watershed 3.

Figure 11: March 24th inspection. Ditch 4 failure #2. Yellow arrow shows design flow direction. Red arrow shows failure point and subsequent flow into the reconstructed Lower Robinson Creek channel.

Figure 12: March 24th inspection. Ditch 4 failure #2, looking up from bottom of Lower Robinson Creek reconstructed channel.

Figure 13: March 24th inspection. Ditch 4 failure #2. Photo taken from bottom of Lower Robinson Creek reconstructed channel. Alluvial fan deposited at base of gully shows a significant amount of sediment was suspended in the runoff.

Figure 14: March 24th inspection. Ditch 4 failure #3. Gully is seen running from Ditch 4 down into Lower Robinson reconstructed channel on photo right.

Figure 15: March 24th inspection. Ditch 4 failure #3. Gully is seen running from Ditch 4 down into Lower Robinson reconstructed channel. Photo taken from bottom of reconstructed channel.

Figure 16: March 24th inspection. Ditch 4 failure #3. Failure point where gully begins running from Ditch 4 down into Lower Robinson reconstructed channel.

Figure 17: March 24th inspection. Ditch 4 failure #3. Failure showing gully running from Ditch 4 down into Lower Robinson reconstructed channel. Photo taken from bottom of channel looking up towards Ditch 4.

Figure 18: February 10th, 2015 inspection. Straw bale check dam installed at outlet of reconstructed Lower Robinson Creek.

Figure 19: February 10th, 2015 inspection. Straw bale check dam installed at outlet of reconstructed Lower Robinson Creek.

Figure 20: March 24th, 2015 inspection. Excess runoff from failed Ditch 4 formed gully at outlet Lower Robinson Creek channel reconstruction.

Figure 21: March 24th, 2015 inspection. Excess runoff from failed Ditch 4 formed gully at outlet Lower Robinson Creek channel reconstruction.

Figure 22: March 24th, 2015 inspection. Straw bale check dam at end of Lower Robinson Creek reconstruction; disturbed area runoff flows from photo right to left across the structure.

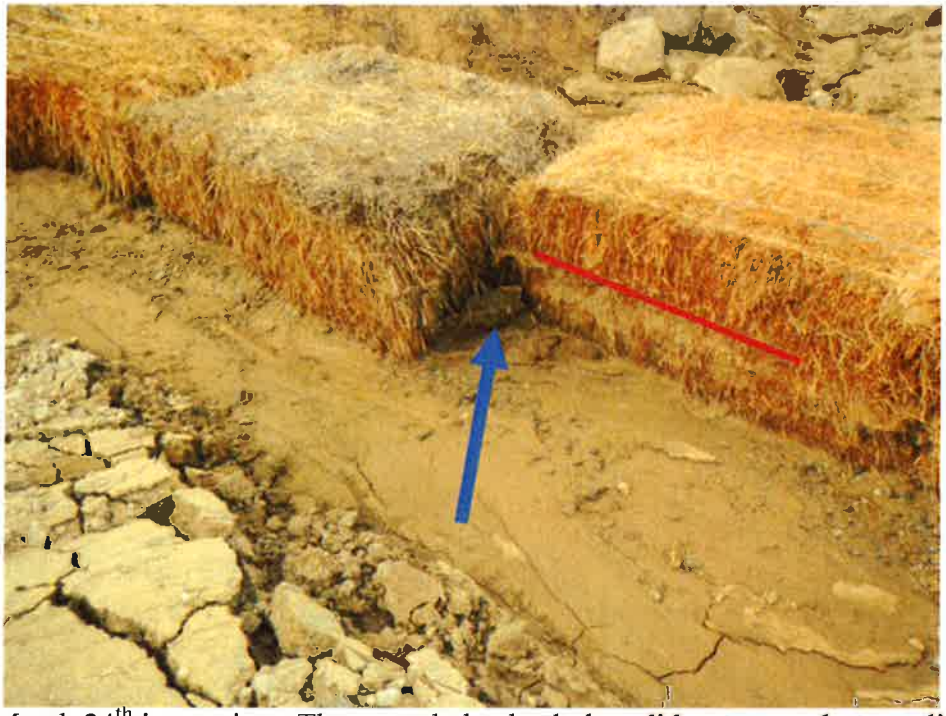

Figure 23: March 24th inspection. The straw bale check dam did not properly treat disturbed area runoff. Instead of ponding runoff and allowing to suspended sediment to settle out, the runoff piped under and between the two abutting straw bales. The red line indicates the height water pooled, before flowing under and through the joint.

Figure 24: March 24th inspection. The scoured gully shows runoff and sediment made it past the straw bale check dam and flowed offsite. The permit boundary is < 30ft to the left of the photo.

Figure 25: March 24th inspection. Unmaintained section of Ditch 1. This blockage will keep runoff from flowing to Sediment Pond 4.