

November 16, 1987

TO: Coal File

FROM: Holland Shepherd, Reclamation Specialist *HS*

RE: Temporary Disposal of Underground Development Wastes at the Convulsion Canyon Mine, ACT/041/002, File #2

During an inspection I conducted on May 15, 1987, I determined that the operator had started to remove large volumes of underground development wastes from the mine, as a result of recent MSHA directives. The waste material was being stockpiled onsite for a short period of time, then was taken to the Salina City landfill and disposed of.

I indicated to the operator at the time of inspection that this procedure is not allowable under UMC 817.71 and that the practice must stop until a permitted area was found to dispose of the waste material. No violation was issued because the operator had stated that this practice would be followed in the approved MRP (an oversight during earlier permit approval).

Following my inspection in May of 1987, the operator's representative consulted with our management regarding the problem of disposing of the large volume of waste material then being generated. The operator was given Division Administrative approval to temporarily store the material at the operator's unpermitted Salina Coal Yard. Administrative approval was made in June of 1987. Since that time to the present, the operator has been removing large volumes of underground development wastes from the mine site and storing them in the Salina Coal Yard.

The administration's approval was contingent upon sample analysis of the material being stored, indicating coal content and content of toxic- or acid-forming material. Also, the operator was asked to initiate the permitting of a permanent disposal site in Convulsion Canyon.

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The operator submitted a plan for the Waste Rock Disposal Site on August 3, 1987. The Division has made an Initial Completeness Review of the plan, which was sent to the operator on October 6, 1987. The operator now needs to respond to the review, and subsequent Division review is required before construction is initiated on the permanent site. Even if each stage of the process is accelerated, the site will not be ready for waste material until mid or late spring, at the earliest.

The operator has sent the Division an analysis of the material which was first sent to the Salina Coal Yard in June of 1987. The analysis is a short proximate analysis which addresses general coal content only and does not address toxic- and acid-forming materials. I have recently requested over the telephone (in a conversation with Mr. Mike Davis on November 10, (6th?) 1987) that the operator send the Division a more comprehensive analysis on a monthly basis. I think this is something which should be made official through a more formal form of correspondence.

I inspected the Salina Coal Yard on July 21, 1987 and found, based on a simple visual reconnaissance, that the storage of waste material there would cause very little increased environmental impact. The area has already been impacted by earlier coal storage. It is dry, sparsely vegetated, and not in the proximity of any major streams or bodies of water. The terrain is flat and drainage off the disturbed area would be minimal. However, I would suggest that the Division request the operator to construct some very simple, temporary sediment controls around the area where the waste materials are being stored.

Currently the operator is still generating some 100 to 200 tons of waste materials monthly, which are to be taken to the Salina Coal Yard. As long as the operator is conducting this activity, SUFCO is in violation of UMC 817.71.

As a means of clarifying the situation with the operator, I would suggest that a letter to the company be written, stating the details of the situation and our position.

jr
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