



The State of Utah  
 Department of  
 Natural Resources

Division of  
 Oil, Gas & Mining

ROBERT L. MORGAN  
*Executive Director*

LOWELL P. BRAXTON  
*Division Director*

OLENE S. WALKER  
*Governor*

GAYLE F. McKEACHNIE  
*Lieutenant Governor*

Representatives Present During the Inspection:	
OGM	Joe Helfrich Environmental Scientist III
Company	Mark Reynolds Resident Agent

# Inspection Report

Permit Number:	<b>C0070011</b>
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, March 29, 2005
Start Date/Time:	3/29/2005 10:30:00 AM
End Date/Time:	4/6/2005 11:00:00 AM
Last Inspection:	Thursday, February 24, 2005

Inspector: Joe Helfrich, Environmental Scientist III

Weather: sunny breezy 45

InspectionID Report Number: 577

Accepted by: whedberg  
 4/15/2005

Permittee: **HIAWATHA COAL CO INC**  
 Operator: **HIAWATHA COAL CO INC**  
 Site: **HIAWATHA MINE COMPLEX**  
 Address: **PO BOX 1202, HUNTINGTON UT 84528**  
 County: **CARBON**  
 Permit Type: **PERMANENT COAL PROGRAM**  
 Permit Status: **ACTIVE**

### Current Acreages

12,177.00	<b>Total Permitted</b>
290.00	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

### Mineral Ownership

- Federal
- State
- County
- Fee
- Other

### Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

### Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The purpose of this site visit was to conduct a complete inspection of the Hiawatha complex. There are no permit conditions or off site impacts. One compliance issue was cited for not entering water monitoring data into the database as required by the permit. The fourth quarter monitoring data had not been entered into the water monitoring database by midnight on March 31, 2005. The Midterm review is scheduled for completion by May 31, 2005.

Inspector's Signature

Joe Helfrich, Environmental Scientist III  
 Inspector ID Number: 1

Date

Thursday, April 07, 2005

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

**REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS**

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **1. Permits, Change, Transfer, Renewal, Sale**

The DOGM permit was issued on March 14, 2002 and expires on March 14, 2007. Other documents include the following:

- Certificate of Insurance by Scottsdale Insurance Co. Policy # CLS0668789 effective 01/27/04 and expires 1/27/06.
- UPDES Permit UT-0023094 issued 10/01/2004 and expires 09/30/2009 at midnight.
- Air Quality Permit BAQE-502-89 issued 07/25/1989 and remains in effect.
- Bond is an irrevocable letter of credit issued by Bank One in the amount of \$2,838,000.

## **2. Signs and Markers**

Signs containing the required information were posted at access points to the property. Disturbed area markers were also in place.

### **4.a Hydrologic Balance: Diversions**

Diversions noted during the inspection were snow covered at the facilities located at the upper elevations. The diversion ditch along the road leading from the #1 slurry pond to the RR tracks could use some minor grading. The ditch allows runoff to flow on the road in one small area for approximately 10'.

### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The sediment pond inspections for the fourth quarter of 2004 were conducted on 12/20/04 showing no signs of instability or hazards.

### **4.c Hydrologic Balance: Other Sediment Control Measures**

Surface roughening is implemented in conjunction with diversion ditches and a sediment pond at the #5 reclaimed slurry pond. As a result, very little if any run-off actually enters the adjacent sediment pond.

### **4.d Hydrologic Balance: Water Monitoring**

Hard copies of the DMR's and fourth quarter data were available for review. No spikes or parameter exceedances were noted. However, the data had not been entered into the Division's water monitoring database. The division issued NOV # N05-01-01-01. The permittee will have until April 22, 2005 to enter the data into the database.

### **4.e Hydrologic Balance: Effluent Limitations**

DMR's are required quarterly. Hard copies of fourth quarter data were available for review.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The slurry ponds are inspected weekly. The most recent inspections were conducted on 03/24/05, indicating no hazards or signs of structural weakness. The refuse pile was inspected on 12/20/04, indicating no hazards or signs of structural weakness.

**8. Noncoal Waste**

The inspection of the surface facilities indicated that non-coal waste materials are properly handled.

**21. Bonding and Insurance**

The bond is an irrevocable letter of credit issued by Bank One in the amount of \$2,838,000. The insurance is current through 1/27/06.