



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:

Company Mark Reynolds Resident Agent

OGM Pete Hess Environmental Scientist III

Inspection Report

Permit Number:	C0070011
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, August 29, 2007
Start Date/Time:	8/29/2007 8:00:00 AM
End Date/Time:	8/29/2007 10:20:00 AM
Last Inspection:	Wednesday, July 11, 2007

Inspector: Pete Hess, Environmental Scientist III

Weather: Clear with some clouds; 60's - 70's F.

InspectionID Report Number: 1384

Accepted by: dhaddock *JK*
9/12/2007

Permittee: **HIAWATHA COAL CO INC**
 Operator: **HIAWATHA COAL CO INC**
 Site: **HIAWATHA MINE COMPLEX**
 Address: **PO BOX 1245, HUNTINGTON UT 84528**
 County: **CARBON**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **ACTIVE**

Current Acreages

12,177.00	Total Permitted
290.00	Total Disturbed
	Phase I
	Phase II
	Phase III

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 Permittee notified the Division on June 25, 2007 that the first quarter of 2007 surface and ground water monitoring information for the Hiawatha Complex was in the pipeline of the Division data base ready for uploading. The Permittee continues to meet the Special Condition of the State issued permit which is included as Attachment "A". There are no pending compliance actions for the C/007/011 permit area.

Inspector's Signature:

Pete Hess

Date

Tuesday, August 28, 2007

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

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

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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 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 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 type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

Mr. Reynolds has received finalized drawings for the leach field which is being proposed from AQUA Engineering. The submittal of those plans to the South Eastern Utah District Health Department and the Division should occur in the near future.

4.a Hydrologic Balance: Diversions

The Permittee has removed the obstructions from the two culvert inlets which were located in the upper railroad yard, and identified as needing work in the July 2007 inspection report.

4.c Hydrologic Balance: Other Sediment Control Measures

The berm about the toe of the topsoil stockpile which is located at the middle fork / upper rail yard access road junction is retaining the runoff and sediment which it is receiving. The pile has been in place for many years and is well vegetated.

7. Coal Mine Waste, Refuse Piles, Impoundments

Several exploration pits were observed on the #1 refuse pile. A power screening unit was sitting on this refuse facility. The sub-contractor who was mining the fines from slurry pond #1 apparently made the excavations to determine if coal could be recovered from the refuse disposal area. The pits were dug without any approval from the Division, and could thus be considered a compliance action. Mr. Reynolds was instructed to have these exploration pits backfilled. The Division suggested that a representative of the Permittee who is familiar with the requirements of SMCRA as well as the Hiawatha MRP be on site when sub-contractors are conducting any kind of activity. Hiawatha Coal Company is responsible for all activities occurring within the permit area. Notice of Violation #N 100006 has been terminated; the Permittee has submitted a plan for breaching the impounding embankment and abandoning slurry pond #1 to both the Division and MSHA. Federal approval of that plan is pending. The Permittee intends to have the sub-contractor which was recovering the fines from the cell continue with that mining until the impounding embankment can be breached and the final surface configuration can be established to meet the requirements of the reclamation plan.

8. Noncoal Waste

The Permittee has disposed of most of the used lubricant containers and much of the paper/cardboard waste which existed in and adjacent to the repair shop located directly south of slurry pond #1. Several barrels containing usable lubricant have been stored on a concrete pad adjacent to the shop; the area is bermed. Several other barrels of new lubricant were observed in the parts supply room off the shop area. These will also be moved into the bermed lubricant storage area as soon as the Permittee's backhoe has a rear tire fixed. Mining machine relics are located throughout the disturbed areas of this site; the Division has suggested that the Permittee bring in a steel scrap specialist to dispose of these items. Mr. Reynolds was cautioned to be aware of electrical transformers or distribution boxes which may have PCB components inside them. Many of the units had been in outside storage during the late 80's prior to the shut down by U.S. Fuel Company (the previous Permittee). Mr. Reynolds indicated that he has re-documented the serial numbers of the electrical transformers located in the old tipple substation, which needs to be reclaimed. He is in the process of seeking information relative to the cooling oils used in each, such that the units can be disposed of according to environmental requirements.

12. Backfilling And Grading

The Permittee has pushed more fill material into the South Fork concrete fan portal.

15. Cessation of Operations

At present, no fines are being recovered from slurry pond #1; no reclamation activities are occurring at this site.

16.a Roads: Construction, Maintenance, Surfacing

The asphalt roads accessing the middle fork and south fork areas are deteriorating, as cracks develop, and the freeze / thaw cycle takes over. Vegetation is overgrowing the road berms and coming through surface cracks as well.