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State of Utah

Department of  
Natural ResourcesMICHAEL R. STYLER  
Executive DirectorDivision of  
Oil, Gas & MiningJOHN R. BAZA  
Division DirectorJON M. HUNTSMAN, JR.  
GovernorGARY 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:	Thursday, November 29, 2007
Start Date/Time:	11/29/2007 9:00:00 AM
End Date/Time:	11/29/2007
Last Inspection:	Thursday, October 11, 2007

Inspector: Pete Hess, Environmental Scientist IIIWeather: Partly sunny; cold, 20's to 30's F.InspectionID Report Number: 1486Accepted by: dhaddock *dh*

12/5/2007

Permitee: **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	<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 site remains basically unchanged since the previous inspection.  
 There are no pending compliance actions.  
 A skiff of snow was on the ground in Hiawatha town proper.

Inspector's Signature:

Date Monday, December 03, 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

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

The Permittee has received notification that MSHA considers slurry pond #1 abandoned; the access road into this area is the breach. The pond can no longer function as it was originally intended. Also, according to Mr. Reynolds, MSHA has never held a distinction between slurry pond #5 (which is considered reclaimed) and 5A (which is the depression area on the NE end). The Permittee must breach the impounding embankment located on the NE corner, and then P.E. certify (with photographs and a contour map) that the pond has been breached in the area shown on the plan submitted to MSHA. MSHA field confirmation will follow, with deletion of the MSHA file, and identification number. Thus, slurry pond #1 and #5 is no longer required to be inspected every seven days, R645-301-513.200, (30 CFR 77.216-3(a)(1)).

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

The catch basin #2,(which is the alternate sediment control treatment for the shop / equipment storage area below the South Fork / Middle Fork road junction) was inspected and observed as dry. There is a lot of vegetation growing in this basin, but same appears to be functioning as designed.

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

The Permittee notified the Division on November 19, 2007 that the third quarter of 2007 surface and ground water monitoring information for the Hiawatha Mine Complex permit area was in the Division EDI "pipeline" ready to be uploaded. Thus, the Permittee continues to meet the Special Condition which is included as Attachment "A" of the current State permit.

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

Approximately 40 tons of coal processing waste recovered from the Bear Canyon #4 Mine's product have been placed on the active lift of refuse pile #1. When observed, the material had not been spread or compacted, but it was clean of non-coal waste. Mr. Reynolds indicated that the transport vehicle had become stuck on the lift due to soft ground conditions. The material is reject from the first longwall panel being extracted.

#### **8. Noncoal Waste**

To date, the scrapping of derelict mining equipment from any of the King Mines operational pads has not occurred.

#### **9. Protection of Fish, Wildlife and Related Environmental Issues**

The scrapping of the numerous electrical transformer / distribution boxes located in the yard east of the South Fork road junction was discussed. It was suggested that these electrical devices be evaluated for components containing polychlorinatedbiphenyls (PCB's) prior to scrapping to ensure proper disposal of any potential carcinogenic material.

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**18. Support Facilities, Utility Installations**

No activity has occurred relative to the dismantling and scrapping of the electrical transformers from the old tipple substation.