



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:

OGM	Pete Hess	Environmental Scientist III
OGM	April Abate	Hydrologist

Inspection Report

Permit Number:	C0070011
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, December 02, 2008
Start Date/Time:	12/2/2008 8:00:00 AM
End Date/Time:	12/2/2008 12:00:00 PM
Last Inspection:	Monday, November 10, 2008

Inspector: Pete Hess, Environmental Scientist III

Weather: Sunny; 40's F. Front moving in.

InspectionID Report Number: 1852

Accepted by: jhelfric

12/9/2008

Permittee: **HIAWATHA COAL CO INC**
 Operator: **HIAWATHA COAL CO INC**
 Site: **HIAWATHA MINE COMPLEX**
 Address: **PO BOX 1240, 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 has applied for a Phase I bond release for several of the areas which were reclaimed by U.S. Fuel Company (slurry pond #5, slurry pond #4 / refuse pile #2, borrow area "F", and seven affected areas identified as RA-1 in the reclamation plan. These seven areas were evaluated relative to the applied for Phase 1 release during today's inspection.

Ms. April Abate, Reclamation Hydrologist, attended today's inspection to gain familiarity with the 290 acre disturbed area.

Mr. Shawn Baker represented Hiawatha Coal Company during today's inspection.

Inspector's Signature: _____

Pete Hess

Date: Tuesday, December 02, 2008

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.

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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input 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"/>

2. Signs and Markers

The Permittee identification sign which is posted on the Mohrland road (Carbon County road #338) has been shot up and is in very poor condition. The Permittee was instructed to replace this sign in order to meet the requirement of R645-301-521.244.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The following sediment ponds were inspected; sediment pond 007 (SE corner of slurry pond #5), sediment pond 004 (north of slurry pond #1), slurry pond #1, sediment pond 008 (middle fork surface facilities), and ponds 009 and 011 in South Fork. South fork had snow on the road and in the upper pond but access was not limited. All other ponds were observed as dry. There were no compliance issues identified.

4.e Hydrologic Balance: Effluent Limitations

The Mohrland Mine portal discharge(UPDES #001) and the Mine Quantity to Miller Creek (UPDES #002) in Hiawatha town were observed; both points were flowing clear water. No samples were taken.

5. Explosives

There are no explosive storage or detonator magazines at this site; two magazines were demolished and are being claimed as part of the demolition cost for the Phase I application.

7. Coal Mine Waste, Refuse Piles, Impoundments

The accomplished reclamation work on slurry pond #5 and slurry pond #4 / refuse pile #2 was observed. It is believed that these two areas meet the R645 requirements for Phase I bond release. The recovery of fines from slurry pond #1 was occurring during this inspection.

8. Noncoal Waste

The Permittee has not conducted any activity relative to the remaining demolition of the tippie substation or scrapping of derelict mining equipment about the site.

11. Contemporaneous Reclamation

The Permittee needs to clearly identify to the DOGM what areas of the site will be used for future mining activities and re-initiate the reclamation of those areas which will not be used. The reclamation of this complex is stalled; only minor demolition has occurred since 1994.

13. Revegetation

Seven of the affected areas identified in the Phase I bond release application were observed relative to the effectiveness of the revegetation activities. These have been identified in the application as RA-1; for ease of reference, this reviewer has added alphabetization to the areas, (i.e., RA-1A through RA-1G). Some of the areas contain very well developed native vegetation, with only minor amounts of coal. The coal appears to have had little or no affect.

15. Cessation of Operations

As noted elsewhere, the recovery of fines from slurry pond #1 continues.

17. Other Transportation Facilities

The contractor recovering fines from slurry pond #1 is using the Utah railway right-of-way as access to the north central area (slurry pond 1) fines recovery area. Water is not being applied for dust control. The pond #1 breach and the road going across the railroad tracks is very dusty.