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**COPY**

# HIAWATHA COAL COMPANY, INC.

P.O. Box 1240  
Huntington, Utah 84528



Office (435) 687-1778  
FAX (435) 687-1378

March 31, 2010

Coal Program  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

To Whom It May Concern,

Re: **Annual Report 2009, Hiawatha Coal Company, Hiawatha Mine, C/007/011**

Enclosed is an electronic submittal of the 2009 Annual Report for Hiawatha Coal Company. A hard copy is being hand delivered to the Price Field Office.

If you have any questions, please call me at (435) 687-9206 or email me at [charles.reynolds@hiawathacoal.com](mailto:charles.reynolds@hiawathacoal.com).

Sincerely,

  
Charles Reynolds, PE  
Mine Manager

File in:

Confidential

Shelf

Expandable

Refer to Record No.

Date

In C/0070011, 2010 Incoming

For additional information

*2009 Annual Report*  
*0007* Date *0331/2010*

To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.

## GENERAL INFORMATION

Permitte Name	<u>Hiawatha Coal Company</u>
Mine Name	<u>Hiawatha Complex</u>
Operator Name (If other than permittee)	<u></u>
Permit Expiration Date	<u>March 14, 2012</u>
Permit Number	<u>C/007/0011</u>
Authorized Representative Title	<u>Elliot Finley, President</u>
Phone Number	<u>(435) 637-1778</u>
Fax Number	<u>(435) 637-1378</u>
E-mail Address	<u>efinley@efinley.com</u>
Mailing Address	<u>P.O. Box 1240, Huntington, Utah 84528</u>
Designated Representative	<u></u>
Resident Agent	<u>Elliot Finely, President</u>
Resident Agent Mailing Address	<u>Same as above.</u>
Number of Binders Submitted	<u></u>

## IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-12157	King Mines	N/A
MSHA Impoundment(s)	01	Slurry Impoundment #1	N/A
	03	Slurry Impoundment #5	N/A
NPDES/UPDES Permit(s)	UT0030942	UPDES, Minor Industrial	December 31, 2014
PSD Permit(s) (Air)	DAQE-50289-00	Issued October 29, 1999	N/A
Refuse Piles	04	Refuse Pile No. 1	N/A

### Other


**CERTIFIED REPORTS**

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included or Included	DOGM file location Vol, Chapter, Page	Comments
	Yes	No			
Excess Spoil Piles		No			None
Refuse Piles	Yes		Included		Appendix A
Impoundments	Yes		Included		Appendix A
<b>Other</b>					
Water Monitoring	Yes			Electronic Database	

**COMMITMENTS AND CONDITIONS**

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year.

**REPORTING OF OTHER TECHNICAL DATA**

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

\*Reminder: If equipment has been abandoned during 2008, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

**LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION**

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report.

Legal / Financial Update	Required		Included or Included	DOGM File location Vol, Chapter, Page	Comments
	Yes	No			
Department of Commerce, Annual Report Officers	X		X		
<b>Other</b>					





**APPENDIX A**

**Certified Reports**

Excess Spoil Piles  
Refuse Piles  
Impoundments

As required under R645-301-514

**CONTENTS**

Refuse Pile 1 Annual Inspection Report  
Pond D003 Annual Inspection Report  
Pond D004 Annual Inspection Report  
Pond D006 Annual Inspection Report  
Pond D007 Annual Inspection Report  
Pond D008 Annual Inspection Report  
Pond D009 Annual Inspection Report  
Pond D011 Annual Inspection Report

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		1	Page 1 of 2	
Permit Number	ACT/007/011	Report Date	6/24/09	
Mine Name	Hiawatha Complex			
Company Name	Hiawatha Coal Company, Inc.			
Excess Spoil Pile or Refuse Pile Identification	File Name	Refuse Pile No. 1		
	File Number	1		
	MSHA ID Number	1211-UT-09-02157-04		
Inspection Date	6/24/09			
Inspected By	Mark Reynolds			
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Annual		Attachments to Report?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>Field Evaluation</b>				
1. Foundation preparation, including the removal of all organic material and topsoil. N/A.				
2. Placement of underdrains and protective filter systems. N/A				
3. Installation of final surface drainage systems. N/A				
4. Placement and compaction of fill materials. No material has been added to the pile.				
5. Final grading and revegetation of fill. N/A				

6. Appearances of instability, structural weakness, and other hazardous conditions.

No signs of embankment instability were observed. No fires have occurred.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No changes have been made to the configuration of the pile.

**Certification Statement**

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

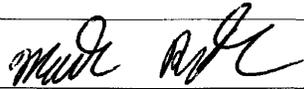
[Cert. Stamp]

By: Mark Reynolds, Chief Engineer  
(Full Name and Title)

Signature: Mark Reynolds Date: 6-24-09

P.E. Number & State: \_\_\_\_\_



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D003	Page 1 of 2
Permit Number	ACT\007\011	Report Date	11/10/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Upper Rail Yard	
	Impoundment Number	D003	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/10/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual/Quarterly		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond banks showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.60 ac-ft 60% cleanout elevation = 7,211.5 100% sediment storage elevation = 7,212.7 Existing sediment elevation = 7,207.7 (Average)		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,214.5 Emergency spillway elevation = 7,217.7			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is 0.15 ac-ft. The existing storage capacity is 2.28 ac-ft, which is greater than the 0.76 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-10-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO



<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		D004	Page 1 of 2
Permit Number	ACT\007\011	Report Date	11/14/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Sed. Pond N. of Slurry pond #1	
	Impoundment Number	D004	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/14/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond banks showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.84 ac-ft 60% cleanout elevation = 7,087.8 100% sediment storage elevation = 7,089.1 Existing sediment elevation = 7,085.0		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,089.3 Emergency spillway elevation = 7,093.2			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009. Pond slopes are well vegetated and covered in snow.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The existing sediment volume is 0.03 ac-ft. The existing storage capacity is 1.38 ac-ft, which is greater than the 0.54 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-14-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D006	Page 1 of 2
Permit Number	ACT\007\011	Report Date	1/14/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Sed. Pond NE. of Slurry pond #5	
	Impoundment Number	D006	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/14/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond's bank showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 1.21 ac-ft 60% cleanout elevation = 6,990.0 100% sediment storage elevation = 6,991.1 Existing sediment elevation = 6,987.4		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 6,992.6 Emergency spillway elevation = 6,993.75			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
The pond contains some snow, with no water. The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The pond currently contains 0.04 sediment. The existing storage capacity is 2.96 ac-ft, which is greater than the 1.32 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-14-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		D006	Page 1 of 2
1. Is impoundment designed and constructed in accordance with the approved plan?		X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		X	
<b>COMMENTS AND OTHER INFORMATION</b>			
The sediment level has not changed measurably in 2008. The pond is in good functioning order.			
<b>Certification Statement:</b>	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.		
[PE Cert. Stamp]	By:	Date: 11-14-09	
	(Full Name and Title)		
	Signature: 		
	P.E. Number & State:		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D007	Page 1 of 2
Permit Number	ACT\007\011	Report Date	11/10/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Sed. Pond SE. of Slurry pond #5	
	Impoundment Number	D007	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/10/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond bank showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.68 ac-ft 60% cleanout elevation = 6,990.9 100% sediment storage elevation = 6,991.2 Existing sediment elevation = 6,986.2		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 6,991.7 Emergency spillway elevation = 6,996.5			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.			
The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009. Pond banks well vegetated and covered with snow.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The pond currently contains 0.18 sediment. The existing storage capacity is 2.42 ac-ft, which is greater than the 0.74 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-10-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)			YES
			NO



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D008	Page 1 of 2
Permit Number	ACT\007\011	Report Date	11/10/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	Middle Fork Pond	
	Impoundment Number	D008	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/10/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond banks showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.48 ac-ft 60% cleanout elevation = 8,034.8 100% sediment storage elevation = 8,036.1 Existing sediment elevation = 8,031.0		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 8,042.0 Emergency spillway elevation = 8,045.5			
4. <b>Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009. Pond is covered in snow.			
5. <b>Field Evaluation.</b> Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The pond currently contains no sediment sediment. The existing storage capacity is 3.6 ac-ft, which is greater than the 0.92 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-10-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO	

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D008	Page 1 of 2
1. Is impoundment designed and constructed in accordance with the approved plan?		X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		X	
<b>COMMENTS AND OTHER INFORMATION</b>			
Sediment level did not change measurably in 2008.			
			
<b>Certification Statement:</b>  [PE Cert. Stamp]	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.		
	<b>By:</b> (Full Name and Title) <b>Signature:</b> <u>Mark A. Reynolds</u> <b>Date:</b> 11-10-09 <b>P.E. Number &amp; State:</b>		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D009	Page 1 of 2
Permit Number	ACT\007\011	Report Date	11/10/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	South Fork Mine Yard	
	Impoundment Number	D009	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/10/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond banks showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.76 ac-ft 60% cleanout elevation = 7,902.2 100% sediment storage elevation = 7,903.5 Existing sediment elevation = 7,901.9		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,903.5 Emergency spillway elevation = 7,910.6			
4. <b>Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009.			
5. <b>Field Evaluation.</b> Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The pond currently contains 0.47 acre-ft of sediment. The existing storage capacity is 3.28 ac-ft, which is greater than the 2.99 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-10-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?		X	

<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		D009	Page 1 of 2
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		X	
<b>COMMENTS AND OTHER INFORMATION</b>			
Sediment level did not change measurably in 2008.			
			
<b>Certification Statement:</b>  [PE Cert. Stamp]	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.		
	<b>By:</b> (Full Name and Title) _____ <b>Signature:</b> <u>Mark A. Reynolds</u> <b>Date:</b> <u>11-10-09</u> <b>P.E. Number &amp; State:</b> _____		

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D011	Page 1 of 2
Permit Number	ACT\007\011	Report Date	11/10/2009
Mine Name	Hiawatha Complex		
Company Name	Hiawatha Coal Company, Inc.		
Impoundment Identification	Impoundment Name	South Fork Truck Loading Facility	
	Impoundment Number	D011	
	UPDES Permit Number	UT-0023094	
	MSHA ID Number	N/A	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	11/20/2009		
Inspected By	Mark Reynolds		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual		
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.			
The pond banks showed no signs of instability or hazardous conditions.			
Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.		
	Sediment storage capacity = 0.36 ac-ft 60% cleanout elevation = 7,713.9 100% sediment storage elevation = 7,713 Existing sediment elevation = 7,709.8		
	3. Principle and emergency spillway elevations.		
Principle spillway elevation = 7,713 Emergency spillway elevation = 7,718.7			
4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.			
The inlet and outlets appear in good condition. No discharges were reported or occurred during 2009.			
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.			
The pond currently contains 0.07 ac-ft of sediment. The existing storage capacity is 0.71 ac-ft, which is greater than the 0.31 ac-ft required.			
Qualification Statement	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.		
	Signature: 		Date: 11-10-09
<b>CERTIFIED REPORT</b>			
IMPOUNDMENT EVALUATION (If NO, explain under Comments)		YES	NO

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		D011	Page 1 of 2
1. Is impoundment designed and constructed in accordance with the approved plan?		X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?		X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?		X	
<b>COMMENTS AND OTHER INFORMATION</b>			
No measurable change in sediment level in 2008.			
			
<b>Certification Statement:</b>	I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.		
[PE Cert. Stamp]	<b>By:</b> (Full Name and Title) <b>Signature:</b> <u>Mark A. Reynolds</u> <b>Date:</b> 11-10-09 <b>P.E. Number &amp; State:</b>		

**APPENDIX B**

**Reporting of Technical Data**

Including monitoring data, reports, maps, and other information  
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

**CONTENTS**

None

**APPENDIX C**

**Legal Financial, Compliance and Related Information**

Annual Report of Officers  
As submitted to the Utah Department of Commerce

Other change in ownership and control information  
As required under R645-301-110

**CONTENTS**

Report of Officers



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Utah Department of Commerce

# Business Entity Search

[? Help](#)

## Business Entity Search - Principals:

Name	Type	City	Status
HIAWATHA COAL COMPANY, INC.	Corporation	Salt Lake City	Active

Position	Name	Address	
Registered Agent	CARLE KINGSTON	3212 S STATE ST	Salt Lake City UT 84115
President	E O FINLEY	3212 S STATE ST	Salt Lake City UT 84115
Director	E O FINLEY	3212 S STATE ST	Salt Lake City UT 84115
Director	N J FINLEY	3212 S STATE ST	Salt Lake City UT 84115
Vice President	N J FINLEY	3212 S STATE ST	Salt Lake City UT 84115
Treasurer	N J FINLEY	3212 S STATE ST	SALT LAKE CITY UT 84115
Secretary	N J FINLEY	3212 S STATE ST	SALT LAKE CITY UT 84115

Additional Principals on file at Division of Corporations: N

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**APPENDIX D**

**Mine Maps**

As required under R645-302-525-270

**CONTENTS**

None

**APPENDIX E**

**Other Information**

In accordance with the requirements of R645-301 and R645-302

**CONTENTS**

None