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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

Inspection Report

Permit Number:	C0070013
Inspection Type:	TECHNICAL
Inspection Date:	Thursday, September 28, 2006
Start Date/Time:	9/28/2006 2:40:00 PM
End Date/Time:	9/28/2006 4:10:00 PM
Last Inspection:	

Inspector: Dave Darby, Environmental Scientist III

Weather: Clear, moderate temperature

InspectionID Report Number: 1100

Accepted by: whedberg
10/31/2006

Permitee: **UTAHAMERICAN ENERGY INC**
Operator: **UTAHAMERICAN ENERGY INC**
Site: **HORSE CANYON MINE**
Address: **PO BOX 986, PRICE UT 84501**
County: **CARBON**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

1,327.75	Total Permitted
87.00	Total Disturbed
61.65	Phase I
	Phase II
	Phase III

Mineral Ownership

- [x] Federal
- [x] State
- [x] County
- [x] Fee
- [ ] Other

Types of Operations

- [x] Underground
- [ ] Surface
- [ ] Loadout
- [ ] Processing
- [ ] Reprocessing

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

The technical inspection was conducted to observe and evaluate the reconstructed Horse Canyon Mine Refuse Pile channel. The channel was damaged during a storm on September 9, 2005. The area surrounding the channel is in Phase II reclamation. Nielson Construction (Mark Greenhalgh) rebuilt the channel on September 22 and 23, 2006.

Inspector's Signature: Dave Darby, Environmental Scientist III

Date Wednesday, October 04, 2006

Inspector ID Number: 18

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 performace 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	☐	☐	☐	☐
2. Signs and Markers	☐	☐	☐	☐
3. Topsoil	☐	☐	☐	☐
4.a Hydrologic Balance: Diversions	☑	☐	☑	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☐	☐	☐	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☐	☐	☐	☐
4.d Hydrologic Balance: Water Monitoring	☐	☐	☐	☐
4.e Hydrologic Balance: Effluent Limitations	☐	☐	☐	☐
5. Explosives	☐	☐	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☐	☐	☐	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☐	☐	☐	☐
8. Noncoal Waste	☐	☐	☐	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☐	☐	☐	☐
10. Slides and Other Damage	☐	☐	☐	☐
11. Contemporaneous Reclamation	☐	☐	☐	☐
12. Backfilling And Grading	☐	☐	☐	☐
13. Revegetation	☐	☐	☐	☐
14. Subsidence Control	☐	☐	☐	☐
15. Cessation of Operations	☐	☐	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☐	☐	☐	☐
16.b Roads: Drainage Controls	☐	☐	☐	☐
17. Other Transportation Facilities	☐	☐	☐	☐
18. Support Facilities, Utility Installations	☐	☐	☐	☐
19. AVS Check	☐	☐	☐	☐
20. Air Quality Permit	☐	☐	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☐	☐	☐	☐

4.a Hydrologic Balance: Diversions

The reconstructed channel site including ingress and egress areas consist of about 0.49 acres. The lower part of the channel required repairs, because the large storm had plucked out the protective riprap and cut down the channel bottom. A trackhoe was used to grade and shape the channel and set the riprap into place. Dumptrucks delivered new riprap used to rebuild the channel. Observation revealed that the upper part of the rebuilt channel showed good placement and compaction of the riprap. The sides of the upper rebuilt section were sloped and well riprapped. I have concerns with the lower southwest side of the rebuilt channel. The contractor did not excavate the embankment as we had discussed during our previous preconstruction meeting. A large boulder was placed at the mouth of the channel and other large boulders were piled up against the southwest bank. The lower end of the rebuilt channel was left vertical. I noticed that many of the large boulders had large voids between them, and I have concerns that the riprap on the bottom end of the southwest may not be high enough for the design storm and freeboard established in the designs. I am also skeptical that the riprap is keyed into the bank. The plans call for a trapazoid channel, but the lower southwest side does not meet the specifications of the plans. The site was not seeded after consturction. In a phone conversation with Dave Shaver on September 26, Dave stated that the seed mix was on order. Pictures were taken and are located in O:/C0070013.HOR/Images/Refuse Pile Channel 92806. My plan is to call Dave Shaver, Engineer at UtahAmerican, and set a meeting to discuss the concerns.