



**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	Priscilla Burton	Environmental Scientist III
Company	Jay Marshall	Resident Agent

## Inspection Report

Permit Number:	C0070013
Inspection Type:	PARTIAL
Inspection Date:	Monday, November 19, 2007
Start Date/Time:	11/19/2007 11:00:00 PM
End Date/Time:	11/19/2007 2:00:00 PM
Last Inspection:	Tuesday, September 11, 2007

Inspector: Priscilla Burton, Environmental Scientist III

Weather: sun 50 F

InspectionID Report Number: 1466

Accepted by: dhaddock *JK*

11/26/2007

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**

5,992.07	<b>Total Permitted</b>
122.49	<b>Total Disturbed</b>
61.65	<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:**

Traveled the length of the recently bladed County Road (EC 126) to the proposed Lila Canyon mine site. No construction has occurred at the proposed site.

Inspector's Signature: *Priscilla Burton*

Priscilla Burton, Environmental Scientist III

Inspector ID Number: 37

Date Monday, November 19, 2007

**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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input 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 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**

The Horse Canyon permit including Part B [Lila Canyon facilities] was approved May 2, 2007. Issuance of the permit was contested based upon the County Road Finding dated July 18, 2001. On September 18, 2007 the Board found that the 2001 Road Finding is still applicable as there has been no change in the facts surrounding the road (i.e. right of way, ownership or maintenance). The September 18, 2007 Order invited the Southern Utah Wilderness Association to provide evidence of changes in the facts surrounding the road. No request for Summary Judgement based upon the facts was received. Emery County held a public hearing on the proposed construction of Emery County Rd 126 (EC 126) on September 4, 2007. The centerline of EC 126 was surveyed and a road was bladed within the right of way in early November 2007 (email from Jay Marshall to Wayne Western November 5, 2007). During this inspection, it was noted that the road passes over SITLA and BLM ground, past two stock watering ponds. The ponds were full of water, but no livestock or wildlife was noted along the route.

**3. Topsoil**

To date there has been no construction activity at the proposed mine site. On Thursday November 15, 2007 SUWA requested an injunction against construction of the mine facilities based upon the cryptogamic soils at the site (Salt Lake Tribune 9/16/2007). I photographed the proposed facilities location and noted the predominance of shrubs and grasses on the site. According to Mr. Marshall, the vegetation and cryptobiotic soil has returned after experiencing wildfire in the 1940's.

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

I observed field notes from the 4th quarter monitoring, which was completed on November 2 & 3.