



## 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:**

Company Jay Marshall Resident Agent

OGM Pete Hess Environmental Scientist III

# Inspection Report

Permit Number:	C0070013
Inspection Type:	PARTIAL
Inspection Date:	Thursday, February 12, 2009
Start Date/Time:	2/12/2009 1:35:00 PM
End Date/Time:	2/12/2009 3:30:00 PM
Last Inspection:	Thursday, February 05, 2009

Inspector: Pete Hess, Environmental Scientist III

Weather: Partly sunny; scattered cumulus clouds. Warm, 30

InspectionID Report Number: 1916

Accepted by: jhefric

3/11/2009

Permittee: **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>
99.56	<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:**

Construction activities continue at the site.

Inspector's Signature:

*Pete Hess*

Date Tuesday, February 17, 2009

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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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**

Excavation activities in the sediment pond area continue. One track hoe was removing material and loading rock trucks in the development of the incisement. A second trackhoe was grading the up-Canyon end of the channel to establish gradient for inflow into the undisturbed by-pass culvert. The Permittee anticipates that the excavation for the pond should be completed by Tuesday, February 17, or Wednesday the 18th. Laying of the sixty inch undisturbed bypass culvert should be started shortly thereafter.

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

There was no flow observed in any of the permit area undisturbed channels. All snow at the site has melted off and been absorbed into the ground.

#### **5. Explosives**

The dynamite and detonator storage magazines have been relocated to the shop / warehouse pad off-road. Signs identifying the storage units have been properly installed. The Permittee conducted a partial face shot in the #1 entry on February 11, 2009 @ 10:53 AM. 35 pounds of explosive were used. Mr. Bodee Allred is the Utah certified coal mine surface blaster. The blasting record for this shot was reviewed on February 12, 2009.

#### **6. Disposal of Excess Spoil, Fills, Benches**

Material from the excavation of the main sediment pond is being hauled and placed for the run-of-mine storage pad.

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

Muck from the development of the #0, #1 and #2 rock tunnels is currently being backstowed against the toe of the escarpment between the canopies. Larger material is being placed atop the canopies to fill the voids between the welded I-beams. The Permittee needs to sample this muck material and analyze for the Analytical Methods for Baseline Soil Characterization, Table 3, and Additional Analyses Required for Substitute Topsoil, Overburden, Spoil, and Coal Mine Waste, Table 7, GUIDELINES FOR MANAGEMENT of TOPSOIL and OVERBURDEN. These requirements are also contained in Appendix 5-7 of the approved MRP.

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

As noted in a previous report, the three tunnel development areas have been re-designated as #0, #1 and #2 by the Permittee. On February 9, a shot was set off using 50 pounds of explosive in the #1 entry. Noise monitoring dosimeters were used at distances of 25 feet and 100 feet. Dosimeter readings were recorded 97 decibels (25 feet) and 84.4 decibels (100 feet) from the blast area. Dosimeter levels were also measured at 25 foot distances from various pieces of operating machinery, (pneumatic face drill, a D-10 dozer, hammer hoes, diesel compressor, etc). This information was provided to the DOGM, in conjunction with the USFWS on February 10, 2009. The USFWS determined that the highest measured noise levels from the blasting appeared to be on par with the highest noise levels measured in areas adjacent to the dosimeter location where numerous pieces of equipment were operating. The closest golden eagle nest is in excess of 1600 feet from the blast area. The USFWS has established five stipulations that the Permittee must adhere to to continue rock tunnel development for the Lila Canyon project; 1) when surface blasting, not more than 35 pounds of explosives are to be used. 2) Use portal canopies to direct noise waves away from the possible nesting area; blast blankets might also be considered. 3) Dosimeter readings should be continued at 100 and 200 foot distances to compare surface blasts with sub-surface blasts. 4) A qualified biologist should observe the closest nest and eagle behavior in the area prior to and during the blast. If negative responses are observed, the USFWS and UDWR should be contacted for additional guidance. 5) Surface blasting should not be conducted if eagles are present at the nest. A qualified biologist must monitor the nest and eagle activity prior to and during blasts.

### **12. Backfilling And Grading**

The fill being placed for the shop / warehouse pad needs to be graded.

### **18. Support Facilities, Utility Installations**

The Permittee anticipates setting up office facilities on the constructed office / bath house pad within the next week.

### **21. Bonding and Insurance**

The Division has generated two deficiencies relative to the Phase III bond release application for the Geneva Mine / permit area "A" reclamation area. The Permittee must respond to these prior to receiving a release of the \$ 1, 061,328.