



## 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 19, 2009
Start Date/Time:	2/19/2009 10:00:00 AM
End Date/Time:	2/19/2009 2:05:00 PM
Last Inspection:	Thursday, February 12, 2009

Inspector: Pete Hess, Environmental Scientist III

Weather: Sunny; 30's F.

InspectionID Report Number: 1923

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:

Inspector's Signature: \_\_\_\_\_

*Pete Hess*

Date Thursday, February 19, 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 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 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 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"/>

### **3. Topsoil**

The Permittee's contractor has recovered topsoil from the location of the secondary storm drain pond (sediment pond). A track hoe was excavating the incisement during today's inspection. The overall grade of this area needs to be lowered, as part of the truck loading loop construction. Mr. Marshall did not have an estimate of the amount of topsoil removed from the pond area this day. Recovered volumes are being monitored by Environmental Industrial Services.

### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Excavation activities continue at the main sediment pond location. To date, 42,000 yards of material have been removed from this incisement; the approved design estimated a 30,000 yard volume. 60 inch diameter pipe has been ordered for the undisturbed bypass culvert.

### **4.c Hydrologic Balance: Other Sediment Control Measures**

The Permittee was asked to install sediment control along a short length of the Lila main channel between the portal access road and the crest of the bank.

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

There was no runoff observed in either the main fork or the right fork of Lila Canyon. The site has received another skiff of snow, but all melt water is being absorbed by the ground.

### **5. Explosives**

The following was observed at the rock portal faces; #0 entry has been developed 47.5 feet from the outby edge of the protective canopy. #1 entry has been developed 29 feet; #2 has been developed 23 feet. The Permittee suggested that a 35 pound limit be implemented for all shots which are still considered as surface blasts in the tunnels, based upon concerns relative to the golden eagle exclusionary period. The Permittee explained to the DOGM inspector today that the rounds are not effectively breaking or casting the muck from the face, and the Mine employees setting the supports are having exceptional difficulty in getting the legs and cross bars set. Even with 6 foot boreholes, 35 pounds of explosive calculates to be too low of a powder factor (.9 pounds / cubic yard of material) to break the rock.

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

The Permittee continues to utilize professional biologists to evaluate the golden eagle nest which is between 1/4 and 1/2 mile from the rock portal development blasting sites. The Permittee has determined that the 35 pound explosive limit agreed to with the Division and the USFWS is insufficient to break and cast the rock from the round. A review of the blast record conducted on February 11, 2009 using the 35 pound limit was performed by the inspector using a tunnel width of 19.5 feet X 9 feet, with 6 foot boreholes. 28 holes were charged; a powder factor of 0.9 was calculated. This powder factor is too low to develop the entry efficiently.