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State of Utah

Department of
Natural ResourcesMICHAEL R. STYLER
Executive DirectorDivision of
Oil, Gas & MiningJOHN R. BAZA
Division DirectorJON M. HUNTSMAN, JR.
GovernorGARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:

OGM	Pete Hess	Environmental Scientist III
Company	Jay Marshall	Resident Agent

Inspection Report

Permit Number:	C0070013
Inspection Type:	PARTIAL
Inspection Date:	Thursday, May 07, 2009
Start Date/Time:	5/7/2009 12:00:00 PM
End Date/Time:	5/7/2009 2:02:00 PM
Last Inspection:	Thursday, April 30, 2009

Inspector: Pete Hess, Environmental Scientist IIIWeather: Clear; warm. 70's F. Very hazy.InspectionID Report Number: 1994

Accepted by: jhelfric

5/13/2009

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	Total Permitted
99.56	Total Disturbed
	Phase I
	Phase II
	Phase III

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:

The activities associated with the Phase I construction activities are nearing completion. Spillways for the two sediment ponds need to be completed, as does the inlet culvert for pond #2 reporting runoff from the office access road into this incisement. Grading activities on the coal storage pad need to be completed. Rock tunnel development has advanced to approximately 220 feet in each of the three accesses; the Federal lease line is at the 300 feet line.

Inspector's Signature:

Date Thursday, May 07, 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 checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 is surveying the south side of the topsoil storage area to determine what needs to be done to bring that storage pile to finish contour. Upon completion of grading on the south side, a designed retention berm will be installed. The Permittee has proposed to recover topsoil from the undisturbed areas adjacent to the coal storage pad in order to prevent future environmental issues from blown coal fines. This additional soil volume would be placed on the north side of the topsoil storage area.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The impounding embankment at pond #1 (south end of Emery County road #126) has been reconstructed. The Permittee's contractor was completing the installation of the outlet apron on the 60 inch undisturbed bypass culvert during today's inspection. The installation of the inlet apron has also been completed. The contractor is waiting on delivery of the oil skimmer collars for the #1 pond primary and emergency spillways. The Permittee has installed large angular rock about the collar of the 80 inch riser / cleanout of the 60 inch undisturbed bypass. A grate will be installed over the 80 inch opening as a safety measure. Although the oil skimmer collars remain to be installed, it appears that pond #1 is now capable of functioning.

4.c Hydrologic Balance: Other Sediment Control Measures

Although the site has received some rain, none of the excelsior log booms installed as sediment control measures have been affected. The soil at this site is very dry, and all precipitation has been absorbed.

4.d Hydrologic Balance: Water Monitoring

The site received some rain over May 1,2,3. No water reported to either pond. There was no visible flow in any of the undisturbed channels this day.

4.e Hydrologic Balance: Effluent Limitations

No mine water has been intercepted to date. Ponds #1 and #2 are both dry.

5. Explosives

Rock tunnel development continues. The face in #1 entry was being loaded during today's inspection. #0 entry has been developed 229 feet; #1 is in 229 feet. #2 entry has been developed 212 feet. The Permittee anticipates that two more rounds will develop the #0 entry to a depth sufficient to be able to turn the crosscut toward #1 entry.

7. Coal Mine Waste, Refuse Piles, Impoundments

As noted elsewhere, rock tunnel development continues. Roof bolts with mats are being installed on five foot centers. The ribs in each of the tunnels have the appearance of having been shotcreted, (i.e., at this time, no additional support for them appears to be necessary).

9. Protection of Fish, Wildlife and Related Environmental Issues

There were no birds (raptors) or big horn sheep observed during today's inspection.

12. Backfilling And Grading

The Phase I construction work is nearing completion; Scamp Excavation will grade the muck piles on the coal storage pad before completing Phase I. The contractor has been removing equipment from the site over the past several weeks.

16.a Roads: Construction, Maintenance, Surfacing

The Permittee has applied for CIB funds through Emery County to help with the funding of the County road to the permit area "B" Mine site.

16.b Roads: Drainage Controls

New lengths of 24 inch CMP were observed adjacent to the permit boundary / mine office access road interface. These will be used for the inlet culvert from the road to pond #2, as well as the spillway from pond #2.