

0037

Outgoing

0070013

OK

From: Priscilla Burton
To: OGMCOAL
CC: Helfrich, Joe; Steab, Suzanne
Date: 9/23/2009 2:46 PM
Subject: Horse Cyn Mine 007/013 Insp. Rpt. 2130
Place: OGMCOAL
Attachments: INSP RPT 2130_20090923143749.pdf

I sent Inspection Report #2130 via fax to Jay Marshall on 09/23/2009 and via certified mail with Citation 10045. This electronic copy is being sent to file.

Priscilla Burton, CPSSc
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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

Representatives Present During the Inspection:

OGM Priscilla Burton Environmental Scientist III

Inspection Report

Permit Number:	C0070013
Inspection Type:	TECHNICAL
Inspection Date:	Wednesday, September 09, 2009
Start Date/Time:	9/9/2009 10:00:00 AM
End Date/Time:	9/9/2009 12:00:00 PM
Last Inspection:	Thursday, September 03, 2009

Inspector: Priscilla Burton, Environmental Scientist III

Weather: sun 65

InspectionID Report Number: 2130

Accepted by: jhelfric

9/14/2009

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	Total Permitted
116.86	Total Disturbed
51.56	Phase I
51.56	Phase II
91.48	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:

Field check existing facilities and undisturbed areas compared with proposed construction and undisturbed areas shown Plate 5-2, dated July 15, 2009 (provided to the Division with the design change application, review Task 3351). Many photographs were taken from a location above the mine site. After the site visit, I met with Jay Marshall at the Price Field Office to discuss Plate 2-3, Plate 2-4, Plate 5-2 and the analysis of the rock slope/waste rock.

Inspector's Signature:

Priscilla Burton, Environmental Scientist III

Inspector ID Number: 37

Date Thursday, September 10, 2009

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>

1. Permits, Change, Transfer, Renewal, Sale

The construction is occurring in stages and will continue on through 2010. Plate 5-2 Surface Area, Official Disturbed Boundary Map, shows the proposed layout, but does not reflect existing, interim site conditions. For instance, the land in the proposed locations of the substation, the truck loadout, the drain field, and the slopes between the ROM coal stockpile and storage yard have not yet been stripped of topsoil. The coal pad, materials pad and topsoil stockpile are each approximately 1/3 their final size.

3. Topsoil

Topsoil pile occupies approximately 1/3 of the final site. The north face of the topsoil pile is in its final configuration. Cryptogams salvaged in December 2007 have been stored in open buckets in a cool, dark location, for use on the topsoil stockpiles. These cryptogams should be dispersed on the finished (north) side of the topsoil pile during the fall 2009 as described in the MRP Section 234.230. This operation must be completed before freezing temperatures limit the use of hydrospray. The effect of long term storage on the viability of the cryptogams is unknown, so additional buckets should be collected from currently undisturbed areas prior to future soil salvage for the remainder of the topsoil stockpile as described in the MRP Section 232.100. At present, there are many acres of land that remain that will require topsoil salvage prior to disturbance. For the purpose of monitoring topsoil salvage, the number of acres that have been disturbed and the number remaining to be disturbed should be tallied.

After this site visit, Mr. Marshall was again reminded of the commitments in the plan pertaining to site construction. In particular that the location of subsoil with suitable reclamation characteristics would be mapped for ease of recovery and replacement during reclamation (Section 232.500, Section 241, Section 242.100). Mr. Marshall indicated that an as-built report for the first phase of topsoil recovery would be forthcoming.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Crew was working on the sediment pond outlet.

7. Coal Mine Waste, Refuse Piles, Impoundments

Fill on the warehouse/materials storage pad is being removed from underground development tunnels and therefore meets the definition of coal mine waste. Mr. Marshall stated that the material is mudstone. The material was sampled and analyzed. The analysis was received during the 8/20/3009 inspection. This material has an extreme SAR value of 25 and unsuitable selenium values. This material is not being buried in pits as described in the approved Appendix 5-7, but is being layered in 24 inch lifts on the warehouse/materials storage pad. See photos.

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Inspection Continuation Sheet

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9. Protection of Fish, Wildlife and Related Environmental Issues

Two samples have been analyzed by the BYU laboratory. The first sample of sandstone was analyzed in May 2009. The second sample was analyzed in July 2009. Both samples indicate that the material must be buried under four feet of cover during final reclamation and that the material must be kept out of contact with surface drainage. The mudstone has a high SAR value. Both mudstone and sandstone have unsuitable selenium levels.