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Outgoing
C0070013
#3408
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From: Priscilla Burton
To: Jay Marshall; OGMCOAL
CC: Haddock, Daron; Helfrich, Joe; Steab, Suzanne
Date: 11/2/2009 2:13 PM
Subject: Insp. Rpt #2152 and NOV 10045 modification
Place: OGMCOAL
Attachments: Insp Rpt 2152_20091102104243.pdf; NOV10045 modify_20091102141602.pdf

Hello Jay,

I have attached a copy of the report from the September 30, 2009 inspection which was just recently accepted by management. During the September inspection, we discussed a modification of the NOV 10045 to remove the requirement for providing a buffer zone between undisturbed islands and operations. Attached is a copy of the modification.

I understand from Pete that you have installed a ditch along the toe of the outslope of the shope warehouse pad as part of the abatement of N 10045 (Insp. Rpt. #2172).

Thanks,

Priscilla Burton, CPSSc
Division Oil Gas & Mining
319 Carbonville Rd., Ste. C
Price UT 84501
(435) 613-3733



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
Company	Tom Paluso

Inspection Report

Permit Number:	C0070013
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, September 30, 2009
Start Date/Time:	9/30/2009 10:00:00 AM
End Date/Time:	9/30/2009 12:00:00 PM
Last Inspection:	Wednesday, September 09, 2009

Inspector: Priscilla Burton, Environmental Scientist III

Weather: windy 60

InspectionID Report Number: 2152

Accepted by: jhelfric
10/29/2009

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
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:

Discussed issues identified in NOV 10045. Current activity at the site: salvage of topsoil and subsoil from undisturbed slope below mine portal access road. Approximately 18 (30 yd) truck loads of topsoil have been taken to the topsoil stockpile. Subsoil is being taken to the outslope of materials pad. Mine tunnel is approximately 700 ft. in. Mine waste being placed on materials pad with 30 yd trucks.

Inspector's Signature

Date 11.1.2009

Priscilla Burton, Environmental Scientist III

Inspector ID Number: 37

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

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

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 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 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 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 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

Discussed issues identified in NOV 10045 and waste handling described in the approved MRP and that described in the pending application received in July 2009.

3. Topsoil

Approximately 18 (30 yd) truck loads of topsoil have been taken to the topsoil stockpile from the slope below the mine haul road in the vicinity of Sta. 22+00 shown on Plate 5-2). Subsoil from this same location is being cut and taken to the toeslope of the warehouse pad to create cover for the mine waste on the pad. See photos.

7. Coal Mine Waste, Refuse Piles, Impoundments

Mine tunnel is approximately 700 ft. in. Mine waste being placed on materials pad with 30 yd trucks. Jay Marshall took a composite sample of the material which he identified as the tunnel floor.

18. Support Facilities, Utility Installations

Buried power line has recently been placed from the existing power poles to the site along the county road.



**Action Taken on Existing Citation
Utah Coal Regulatory Program**

1594 West North Temple, Salt Lake City, UT 84114
Phone: (801) 538 - 5285 Fax: (801) 359-3940

Action on Citation#: **10045**

Permit Number: **C0070013**

Date Cit. Issued: **09/23/2009**

MODIFICATION of TERMINATION of VACATION of

NOTICE OF VIOLATION CESSATION ORDER (CO) FAILURE TO ABATE CO

Permittee Name: UtahAmerican Energy Inc. Inspector Number and ID: **37** **PBURTON**

Mine Name: Horse Canyon Mine Date and Time of Action: **11/02/2009**

Certified Return Receipt Number: **emailed** Date and Time of Service: **11/02/2009**

*In accordance with the provisions of the Utah Coal Mining and Reclamation Act,
Utah Code Ann. § 40-10-1 et. seq. (Act), the above referenced Citation is:*

Modified as follows:
All abatement actions remain as previously written, with the exception of the protection of the the undisturbed islands by a 20 ft. buffer zone, rather, the Permittee will change the narrative of Section 234.220 to remove the description of the 20 ft. buf

Reason for modification:

The buffer zone commitment listed in Section 234.220 is impractical and would limit salvage of topsoil and subsoil from the undisturbed ground.

Date for abatement is altered to allow time for analysis of geotechnical information.

Terminated because:

Vacated because:

JAY MARSHALL

(Print) Permittee Representative

PRISCILLA BURTON

(Print) DOGM Representative

Priscilla Burton 11.2.09

Permittee Representative's Signature - Date

DOGM Representative's Signature - Date

Refer to the "Citation For Non-Compliance" for additional information