



GARY R. HERBERT  
Governor

GREGORY S. BELL  
Lieutenant Governor

# State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

Outgoing  
C0070013

# 4090  
K

June 25, 2012

Kenneth Walker, Field Office Director  
Office of Surface Mining  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

Subject: Phase III Bond Release, Utah American Energy, Horse Canyon Mine, Ditch #31,  
C/007/0013, Task ID #4090

Dear Mr. Walker:

Enclosed is the Division's Decision Document for the Phase III bond release of the Ditch #31 Area at Utah American Energy's Horse Canyon Mine. Utah American has requested bond release and reduction. The Division finds Utah American has met the regulatory requirements for Phase III bond release and recommends approval. We request the Office of Surface Mining's concurrence with this determination. A copy of the Phase III bond release inspection report is included in this package along with the documentation of events. Please provide your determination at your earliest convenience.

If you have any questions or need further information, please feel free to call me at (801) 538-5325 or James Owen at (801) 538-5306.

Sincerely,

Daron Haddock  
Coal Program Manager

Enclosure

cc: Christine Belka, OSM Denver field office  
Jay Marshall, UEI  
Price Field Office

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Ditch #31 Area  
Phase III Bond Release  
Utah American Energy  
Horse Canyon Mine  
C/007/0013  
Carbon County, Utah.

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Technical Analysis

Affidavits of Publication

Phase III Bond Release Inspection Report

## DECISION DOCUMENT

Ditch #31 Area  
Phase III Bond Release  
Utah American Energy  
Horse Canyon Mine  
C/007/0013  
Carbon County, Utah

### ACTION

Phase III bond release is requested for the Ditch#31 Area. The Permittee has applied for bond reduction to one of its four currently posted surety bonds. The reduction would total \$8,000, which would leave \$1,799,000 posted.

### BACKGROUND

#### The Ditch #31 Area

Grading of 51.56 acres at the Horse Canyon site was completed in 1991 and required disturbance of a 6.5 acre borrow area. Phase I bond release for the 51.56 acres was granted February 5, 1997 and Phase II bond release was granted on April 11, 2002.

On November 30, 2009, the Division of Oil Gas & Mining granted Phase III bond release to Utah American Energy 74.26 acres disturbed by the Horse Canyon Mine, including the 16.18 acres that was transferred to the College of Eastern Utah Foundation for a residential/recreational land use in September 2005, and 6.5 acres of reclaimed borrow area. The Horse Canyon (Range Creek) public road was not included in the former mine permit area.

Bonding for a small remnant of the permit area was retained due to the reconstruction of 0.49 acres of Refuse Pile Channel Ditch 31 (0.49 acres). The channel work was completed on September 23, 2006 and the site was seeded on November 27, 2006.

The Division rejected an initial application for Phase III bond release due to improper publication of the notice for bond release, and for submittal of the application during a bad time of year for the Division to conduct the required field inspection of the area for release. The Division instructed the Permittee to re-submit the application after addressing the two aforementioned deficiencies. This was done on April 30, 2012.

## CHRONOLOGY FOR PHASE III BOND RELEASE

- February 13, 2012 Utah American Energy submits the Phase III bond release application for the Horse Canyon Ditch #31 Area.
- March 02, 2012 The Division returns the application denied/deficient due to lack of compliance with R645-301.880. The Division approves the newspaper notice for publication.
- March 02, 2012 Utah American Energy sends letters to local governments, planning agencies, surface owners, and subsurface owners, notifying them of the proposed bond release:  
Steve Rigby – BLM;  
Bill Krompel – Carbon County Commissioner;  
College of Eastern Utah Foundation;  
Orlando Lafontaine – East Carbon City Mayor;  
Jeff Horrocks – Emery County Commissioner;  
John Blake – SITLA;  
Doug Parsons – Sunnyside City Mayor.
- March 20 and 27, 2012  
April 3 and 10, 2012 Phase III Bond Release Published in the Sun Advocate and Emery County Progress
- April 30, 2012 Utah American Energy re-submits the Phase III bond release application for the Horse Canyon Ditch #31 Area, the application includes the Affidavit of Publication and copies of the letters sent to stake-holders.
- May 16, 2012 The Division sends letters of invitation for the bond release inspection to be held June 12, 2012 to:  
Steve Rigby – BLM;  
Bill Krompel – Carbon County Commissioner;  
College of Eastern Utah Foundation;  
Orlando Lafontaine – East Carbon City Mayor;  
Jeff Horrocks – Emery County Commissioner;  
John Blake – SITLA;  
Doug Parsons – Sunnyside City Mayor;  
Ken Walker and Christine Belka – OSM.
- May 30, 2012 Public comment period closes: The Division receives no comments
- June 12, 2012 Phase III bond release inspection. In attendance:  
JD Leonard – Utah America Energy  
Daron Haddock, James Owen, Joe Helfrich, Priscilla Burton,

Amanda Daniels – UDOGM  
Sue Wiler – BLM  
Brad King – Utah State University Eastern

### **SUMMARY OF FINDINGS**

The Phase III bond release was advertised for four consecutive weeks. No comments were received during the public comment period. A bond release inspection was conducted on May 17, 2011. No problems were identified. The technical analysis for Phase III bond release for Ditch #31 is attached.

### **PHASE III BOND RELEASE RECOMMENDATION**

The Permittee has demonstrated the establishment of vegetation at the Ditch #31 Area. The recommendation is that the Division approve Phase III bond release for the area. The Permittee has applied for a bond reduction in the amount of \$8000 for the disturbance in the Ditch #31 area, so the posted bond for the permit will become \$1,799,000.

# State of Utah



## Coal Regulatory Program

Horse Canyon Mine  
Utah American Energy  
Technical Analysis  
Phase III Bond Release, Ditch #31 Area, Task ID #4090  
June 25, 2012

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## RECLAMATION PLAN

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# RECLAMATION PLAN

Utah American Energy, The Permittee, has met the minimum requirements of the Utah Coal Mining Rules for Phase III bond release. The Division should approve a Phase III bond release for the portion of the bond as requested by the Permittee.

## GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

### Analysis:

The Division can approve Phase III bond release after the Permittee successfully completes all surface coal mining and reclamation operations and after expiration of the period specified in R645-301.357, which is ten years for the Ditch #31 area.

UDOGM Bond Release Directive Tech-006 and Utah Rules R645-301-880.100-800 provided guidance for the bond release review.

### Findings:

The information provided is adequate to meet the minimum regulatory requirements for this section.

## PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES

Regulatory Reference: 30 CFR Sec. 817.97; R645-301-333, -301-342, -301-358.

### Analysis:

The .49 acres of ditch 31 have been reclaimed and have now gone through the liability period. With the area being stabilized and the vegetation established, the post-mining land use of wildlife habitat has been achieved at this site. This was evidenced during the bond release inspection when a 3 foot long rattle snake was encountered.

## RECLAMATION PLAN

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### Findings:

The information meets the requirements for bond release on 0.49 acres on the Ditch #31 area.

### TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-240.

### Analysis:

The mine facilities area of 16.18 acres were deeded to the College of Eastern Utah in September 2005 (App. III-1-1). Structures remaining after reclamation to support the recreational/residential post mining land use are listed in Exhibit E of the Asset Assignment Agreement included as App. III-I-I of this application.

Grading of 51.56 acres at the Horse Canyon site was completed in 1991 and required disturbance of a 6.5 acre borrow area. Phase I bond release for the 51.56 acres was granted February 5, 1997 and Phase II bond release was granted on April 11, 2002. Neither Phase I, nor Phase II bond release was ever granted for the borrow area. On November 30, 2009, Phase III bond release was granted for all areas with the exception of 0.49 acres of reconstructed Ditch 31.

As Built information for these areas is found in Chap. 2 and 3 of Vol. 1. and Plates III-2A through G. A description of the grading work completed on the channel is found in Inspection Report 1124, November 2, 2006. The channel work was completed on September 23, 2006 and the site was seeded on November 27, 2006.

### Findings:

The information meets the requirements of bond release for 0.49 acres on the Refuse Pile that is Ditch 31.

### HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

### Analysis:

## RECLAMATION PLAN

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The inspection of Ditch 31 found no evidence of erosion or stream bank degradation. The surface water monitoring for site B-1, located along the ditch, has been consistently monitored each quarter since 1989, with only one major flow event occurring in October 2004.

### **Findings:**

The information meets the requirements of bond release for 0.49 acres on the Refuse Pile that is Ditch 31.

## REVEGETATION

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

### **Analysis:**

The ditch #31 area was granted phase II bond release on April 11, 2002 along with the rest of the Horse Canyon mine site. Vegetation surveys for the Horse Canyon mine area were completed in 2003 and 2004 by Dr. Mike King. Results of the surveys showed that the vegetation in the area was adequate to grant phase III bond release. In 2009 phase III bond release was granted on 91.97 acres leaving only .49 acres remaining, which was the ditch #31 area. This area had received repair work (from high intensity storm events) and needed additional time to achieve stability, and the vegetation was not at issue. In a letter signed by Pam Grubaugh-Littig dated August 23, 2006, the Division clarifies that the liability period for the establishment of vegetation in the channel would be ten years and would extend to 2012 even though supplemental seeding occurred in 2006. The vegetation in the ditch #31 area is comparable to that in the surrounding area and meets the success standards for vegetation.

### **Findings:**

The vegetation meets the requirements for bond release on the .49 acres on the Ditch #31 area.

## STABILIZATION OF SURFACE AREAS

Regulatory Reference: 30 CFR Sec. 817.95; R645-301-244.

### **Analysis:**

The roadside waste rock site was constructed within the Geneva Mine permit boundary at the junction of Utah Route 124 and the Horse Canyon road, Utah Route 125, and lies adjacent to

## RECLAMATION PLAN

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Horse Canyon Creek. All material was generated by running ROM product through a Bradford breaker to reduce chunk size (a dry process) prior to rail loading for shipment to the U.S. Steel coal wash plant in Wellington, Utah. The Mine used continuous mining processes in room and pillar techniques to extract pillars (secondary extraction). All mining at the time of temporary cessation was occurring on the south side of Horse Canyon Creek on the third level. The elevation of the waste rock disposal area is well below the elevation of the outcrop where men and supplies entered the Mine. There are no mine workings beneath the waste rock disposal area.

There have not been any slides of material at the waste rock site since it received initial reclamation. A re-work of Ditch 31, and the construction of machinery access across the pad is included as part of the 0.49 acres being proposed for this Phase III bond release application.

### Findings:

There are no Mine workings beneath the waste rock disposal area; there are no indications that gravitational material movement has occurred at this disposal area. There are no projected subsidence impacts; no material damage is anticipated from secondary coal extraction in the area of the waste rock disposal pile.

## BONDING AND INSURANCE

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

### Analysis:

#### General

The Division currently holds four surety bonds totaling \$ 1, 807,000 to ensure the reclamation of the 43.09 acres of disturbance associated with the Lila Canyon Mine. The Ditch 31 acreage (0.49 acres) and bond amount (\$8,000) were transferred to the Permit Area "B" application (Lila Canyon) when the remainder of the Geneva Mine disturbance (74.26 acres / \$ 1,061,328) received Phase III release on December 7, 2009.

#### Form of Bond

The Division currently holds four **surety** bonds totaling \$ 1, 807,000 to ensure the reclamation of the 43.09 acres of disturbance associated with the Lila Canyon Mine. The bond amounts are as such;

- 1) \$ 1,556,000 posted by the XL Specialty Insurance Company (SB9905586);
- 2) \$130,000 posted by the Rockwood Casualty Insurance Company (IMS-2217);
- 3) \$ 8,000 posted by the Rockwood Casualty Insurance Company (ISM-2667);
- 4) \$ 113,000 posted by the Rockwood Casualty Insurance Company (ISM-2804).

## RECLAMATION PLAN

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Both sureties have an A.M. Best rating of "A".

### **Determination of Bond Amount**

The Permittee was required to do repair work of the area where the 100 year 6 hour ditch draining the refuse facility (Ditch 31) reported to the main channel of Horse Canyon Creek. Machinery access was developed from the Route 124 intersection. The amount of bond which the Division required to ensure that additional repairs were financially covered for the 0.49 acres is \$ 8,000.

The \$ 8,000 reclamation bond held by the Division for the Ditch 31 area should be released based on the findings of no issues observed on June 12, 2012, and the fact that the Permittee has addressed all of the requirements mandated under R645-301-880.100.

The total amount of reclamation bond held by the Division to ensure the reclamation of the Lila Canyon Mine (42.6 acres) and the 0.49 acres being proposed for release is \$ 1, 807,000. Upon approval of Task ID # 4090, the remaining bond will be \$ 1,799,000.

### **Terms and Conditions for Liability Insurance**

The Permittee renewed the general liability insurance coverage for the C/007/013 Lila Canyon Mine prior to June 1, 2012; coverage is renewed annually through the Federal Insurance Company.

Each occurrence and general aggregate categories have \$ 1,000,000 and \$ 2,000,000 each of coverage.

Coverage incurred from the use of explosives is provided.

The cancellation of coverage notification requirement adequately addresses the requirements of R645-301-890.

### **Findings:**

The Division conducted a field inspection of the 0.49 acres associated with the Ditch 31 disturbance on June 12, 2012. No issues were identified by the Division technical staff. The \$ 8,000 bond (ISM-2667, Rockwood Casualty Insurance Company) should be released. All disturbance within the Permit Area "A" permit will be released at that point.

The remaining bond for the Permit Area "B" disturbed area will be \$ 1,799,000.

**AFFIDAVIT OF PUBLICATION**

STATE OF UTAH)

ss.

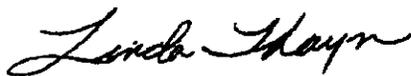
County of Carbon.)

I, Richard Shaw, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State of Utah a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and on the Utah legals.com website, the first publication was on the 20th day of March, 2012, and that the last publication of such notice was in the issue of such newspaper dated the 10th day of April 2012.



Richard Shaw - Publisher

Subscribed and sworn to before me this 10th day of April, 2012.



Notary Public My commission expires January 10, 2015 Residing at Price, Utah

Publication fee, \$ 604.80



**PUBLIC NOTICE  
APPLICATION FOR PHASE III BOND RELEASE  
HORSE CANYON MINE  
UTAHAMERICAN ENERGY, INC.  
PERMIT C/007/013, RENEWED 4/18/2011  
EMERY COUNTY, UTAH**

Notice is hereby given that UtahAmerican Energy, Inc. 153 Highway 7 South, Pookutan Point, Ohio 43942, with R. Jay Marshall as Resident Agent, PO Box 810, East Carbon, Utah 84520, has filed an application with the Utah Department of Natural Resources, Division of Oil, Gas and Mining for a Phase III bond release on disturbed lands currently in Permit C/007/013 Part 'K' pursuant to RB45-301-880 and RB45-301-400 of the Utah Coal Program Regulations. The permit area is shown on the Cedar and Life Point U.S. Geological Survey 7.5-minute Quadrangle maps. The permit area affected is located in Emery County and Carbon County, Utah as follows:

Township 18 South, Range 14 East, Salt Lake Base & Meridian

Section 9  
NW4NW4.



The Phase III bond release application is for Surety #16M-2667 for \$8,000 for drainage ditch #31 and covers a total of 49 acres. With the Phase III bond release of the 49 acres, all bonds within Part 'K' of the Horse Canyon Permit will have been released. All areas within the Horse Canyon Permit Part 'K' meet the requirements of the regulations for post mine land use of Wildlife Habitat, or Residential/Recreational, including stabilization of lands, restoration of drainages, and vegetation establishment.

Reclamation of 51.58 acres was completed in 1991 and were included in Phase I and Phase II bond release. In 2008 Phase II bond release was obtained on 91.97 acres leaving only the 49 acres now applied for.

Written comments, objections and requests for an informal conference on this proposal may be addressed to

Utah Coal Program  
Utah Division of Oil, Gas and Mining  
1984 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801

Closing date for submission of such comments, objections and requests for an informal conference on this proposal must be submitted within 30 days of the last publication.

Published in the Sun Advocate March 20, 27, April 3 and 10, 2012.

**AFFIDAVIT OF PUBLICATION**

STATE OF UTAH)

ss.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State of Utah and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and on the Utah legals.com website; the first publication was on the 20th day of March, 2012, and that the last publication of such notice was in the issue of such newspaper dated the 10th day of April, 2012.



Richard Shaw - Publisher

Subscribed and sworn to before me this 10th day of April 2012.



Notary Public My commission expires January 10, 2015 Residing at Price, Utah

Publication fee, \$ 432.00



**PUBLIC NOTICE  
APPLICATION FOR PHASE III BOND RELEASE  
HORSE CANYON MINE  
UTAHAMERICAN ENERGY, INC.  
PERMIT C/007/013, RENEWED 4/19/2011  
EMERY COUNTY, UTAH**

Notice is hereby given that UtahAmerican Energy, Inc. 153 Highway 7 South, Powhatan Point Ohio 43942, with R. Jay Marshall as Resident Agent PO Box 910 East Carbon Utah 84520 has filed an application with the Utah Department of Natural Resources, Division of Oil, Gas and Mining for a Phase III bond release on disturbed lands currently in Permit C 007/013 Part "A" pursuant to R845-301-880 and R845-301-400 of the Utah Coal Program Regulations. The permit area is shown on the Cedar and Lila Point U.S. Geological Survey 7.5-minute Quadrangle maps. The permit area affected is located in Emery County and Carbon County Utah as follows:

Township 16 South, Range 14 East Salt Lake Base & Meridian

Section 9  
NW4NW4



The Phase III bond release application is for Surety #1584-2007 for \$8,000 for drainage ditch #31 and covers a total of 49 acres. With the Phase III bond release of the 49 acres, all bonds within Part "A" of the Horse Canyon Permit will have been released. All areas within the Horse Canyon Permit Part "A" meet the requirements of the regulations for post mine land use of Wildlife Habitat, or Residential/Recreational including stabilization of lands, restoration of drainages and vegetation establishment.

Reclamation of 51.58 acres was completed in 1991 and were included in Phase I and Phase II bond release. In 2009 Phase III bond release was obtained on 91.97 acres leaving only the 49 acres now applied for.

Written comments, objections, and requests for an informal conference on this proposal may be addressed to:

Utah Coal Program  
Utah Division of Oil, Gas and Mining  
1504 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801

Closing date for submission of such comments, objections and requests for an informal conference on this proposal must be submitted within 30 days of the last publication.

Published in the Emery County Progress: March 20, 27, April 3 and 10, 2012.



**GARY R. HERBERT**  
Governor

**GREG BELL**  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

**MICHAEL R. STYLER**  
Executive Director

### Division of Oil, Gas and Mining

**JOHN R. BAZA**  
Division Director

## Inspection Report

Permit Number: **C0070013**  
 Inspection Type: **BOND RELEASE**  
 Inspection Date: **Tuesday, June 12, 2012**  
 Start Date/Time: **6/12/2012 10:00:00 AM**  
 End Date/Time: **6/12/2012 12:00:00 PM**  
 Last Inspection: **Thursday, May 10, 2012**

Inspector: James Owen

Weather: Sunny, clear, warm

InspectionID Report Number: 3139

Accepted by:

**Representatives Present During the Inspection:**

OGM James Owen  
 OGM Daron Haddock  
 OGM Priscilla Burton  
 OGM Amanda Daniels  
 OGM Joe Helfrich

Permittee: **UTAHAMERICAN ENERGY INC**  
 Operator: **UTAHAMERICAN ENERGY INC**  
 Site: **HORSE CANYON MINE**  
 Address: **PO BOX 910, EAST CARBON UT 84520-0910**  
 County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**  
 Permit Status: **ACTIVE**

**Current Acreages**

5,992.07	<b>Total Permitted</b>
42.60	<b>Total Disturbed</b>
51.56	<b>Phase I</b>
51.56	<b>Phase II</b>
74.26	<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:**

The Permittee submitted a Phase III bond release application for 0.49 acres of disturbance associated with the access and reconstruction of Ditch 31 on the roadside waste rock pile on February 2, 2012. The waste rock disposal area was constructed from the development of the former Geneva Mine, (Permit Area "A"), operated by U.S. Steel Corporation. The Phase III Bond Release Inspection for the disturbed areas related to ditch #31 was conducted on June 12, 2012. OGM is currently in the process of finalizing its review and approval of bond release for the areas outlined in the bond release application. Other representatives included Sue Wiler for BLM, JD Leonard for UEI and Brad King for Utah State University Eastern.

**Inspector's Signature:**

James Owen,  
 Inspector ID Number: 62

**Date** Wednesday, June 13, 2012



Permit Number: C0070013  
 Inspection Type: BOND RELEASE  
 Inspection Date: Tuesday, June 12, 2012

**Inspection Continuation Sheet**

**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, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**4.a Hydrologic Balance: Diversions**

The inspection of Ditch 31 found no evidence of erosion or stream bank degradation.

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

The surface water monitoring for site B-1, located along the ditch, has been consistently monitored each quarter since 1989, with only one major flow event occurring in October 2004.

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

There have not been any slides of material at the waste rock site since it received initial reclamation. A re-work of Ditch 31, and the construction of machinery access across the pad is included as part of the 0.49 acres being proposed for this Phase III bond release application

**12. Backfilling And Grading**

The site is considered back to AOC. There are no mine workings beneath the waste rock disposal area; there are no indications that gravitational material movement has occurred at this disposal area

**13. Revegetation**

Revegetation efforts appear to have been a success.

**21. Bonding and Insurance**

The Division should approve the bond reduction by granting a Phase III release for the 0.49 acres of disturbance.