



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	Dan Guy	

Inspection Report

Permit Number:	C0070016
Inspection Type:	COMPLETE
Inspection Date:	Thursday, July 31, 2008
Start Date/Time:	7/31/2008 8:00:00 AM
End Date/Time:	7/31/2008 1:00:00 PM
Last Inspection:	Wednesday, May 14, 2008

Inspector: Priscilla Burton, Environmental Scientist III

Weather: sun, 85

InspectionID Report Number: 1720

JK Accepted by: jhelfric
8/18/2008

Permitee: **MOUNTAIN COAL CO**
Operator: **MOUNTAIN COAL CO**
Site: **GORDON CREEK 2, 7 & 8 MINES**
Address: **HC 35 BOX 380, HELPER UT 84526**
County: **CARBON**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **RECLAIMED**

Current Acreages

179.27	Total Permitted
34.15	Total Disturbed
34.15	Phase I
	Phase II
0.73	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:

Reclaimed site is stable. Water in Jacobs pond is about 12 inches below spillway. Spring at No. 8 mine (upper end of Bryner canyon) and spring near Jacobs pond both flowing. Restored Bryner Canyon stream channel (ephemeral) is well vegetated at the upper end. Newly restored Bryner Creek drainage is silting over. Silt fence at lower end of reclaimed channel has 6 inches free board and will need to be cleaned out this season. Predominant plant in reclaimed pond area is sunflower. Refer to Plate 3-7 for site layout.

Inspector's Signature:

Priscilla Burton

Priscilla Burton, Environmental Scientist III

Inspector ID Number: 37

Date

Monday, August 04, 2008

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

Permit dated 8/27/2004 will expire 8/27/2009.

2. Signs and Markers

The reclaimed area perimeter fence is still up. It runs the length of the south side of Bryner Creek and on both sides of the Right Fork of Bryner Creek (see Plate 3-7).

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Last pond certification on 5-14-08 indicated water in Jacobs pond was 6 inches from the spillway. On July 31, 2008, water in Jacobs pond was approximately 12 inches below the spillway.

Sweets pond is full of clear water which is drawn from Sweets Canyon Creek. The pumphouse has been vandalized and is open.

4.d Hydrologic Balance: Water Monitoring

Water sampling was conducted at 12 Stations during operations. Reclamation water monitoring sites were last sampled in November 2007, according to the <http://linux1.ogm.utah.gov/cgi-bin/appx-ogm.cgi> web site. There has been no additional data uploaded to the database since then.

4.e Hydrologic Balance: Effluent Limitations

A letter dated November 21, 2007 from Arch Coal to the DEQ stated that the sediment ponds had been reclaimed and UPDES UTGO40004 was no longer a sample point. The sediment pond discharge was also monitoring point 2-1-W. Monitoring locations are shown on Plate 7-2.

9. Protection of Fish, Wildlife and Related Environmental Issues

Alfalfa was up to my knee. There was evidence that elk, bear, and sheep use the site. Pine martins nest in the rocky slopes. Water is available at Jacobs pond and the nearby spring. A second spring at the upper end of the reclaimed site (No. 8 mine cutslope) was estimated to be flowing at about 1 gal/ 8 minutes. This spring has eroded a channel in the slope that is about 2 ft. deep by 2 ft. wide and appears to have carried some debris from above.

The fencing along the restored Right Fork has been cut, allowing passage of animals.

12. Backfilling And Grading

Lower ponds were reclaimed in 2007. The newly reclaimed stream channel is loaded with sediment at its head. The silt fence at the lower end of the reclaimed channel has approximately six inches remaining free board. This silt fence will need to be cleaned out this field season. Sediment appears to be coming from above, not from the well-gouged reclaimed former pond site. Vegetation on the former pond site is pre-dominantly sunflower.

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21. Bonding and Insurance

Liability insurance coverage expires today.
Bond of \$641,443.

22. Other

Mr. Guy reported that a month ago, a contractor had sprayed thistle at the site. I saw that thistle along the south side of the road had been sprayed, but not the north side. I also observed that all the thistle on the reclaimed site were robust and obviously had not been sprayed.