



001 U. S. DEPT. OF THE INTERIOR  
**OFFICE OF SURFACE MINING**  
**Mine Site Evaluation**  
**State Program**



*Henry Austin*  
 07/00018  
 Copy PFO

1. Permittee/Person <b>WHITE OAK MINING &amp; CONSTRUCTION CO., INC</b>		9. Permit Number <b>UT-007-001</b>	10. Permit Type <b>NP</b>
2. Address <b>2525 HARRODSBURG ROAD, SUITE 235</b>		11. Field Visit Date <b>06/07/2006</b> mm - dd - yyyy	12. Purpose <b>O</b>
3. City <b>Lexington</b>	4. State <b>KY</b>	13. SRA Present <b>N</b>	14. Permit Status <b>AB</b>
5. Zip Code <b>40504</b>	6. Phone Number <b>(859) 223-7959</b>	15. Site Status <b>FR</b>	16. Facility Type <b>ABF</b>
7. Operator Name, if Different than Permittee <b>LEDCOR INDUSTRIES (USA) INC.</b>		17. OSM Office # <b>140</b>	18. CCID # <b></b>
8. Mine Name <b>WHITE OAK MINE 1 &amp; 2</b>		19. Land Code <b>SF</b>	20. M.S.H.A ID # <b>42-01279</b>
		21. State Abrev. <b>UT</b>	22. County Name <b>CARBON</b>
		23. AVS Permittee Entity ID Number <b>144419</b>	24. State Office <b></b>

25. Hours	26. Signature Block	27. Reviewing Official:
<b>0.0</b> a. Permit Review	<i>Henry Austin</i> Signature: <i>Henry Austin</i> 6/13/06	<i>J. Kuller</i> Signature: <i>J. Kuller</i>
<b>2.0</b> b. Site Visit Time	<b>HENRY AUSTIN ID # 116</b>	Review Date: <b>6/13/2006</b> mm - dd - yyyy
<b>2.0</b> c. Travel Time	Printed Name:	Is Supplemental MSE Page Used Y/N <b>Y</b>
<b>1.5</b> d. Report Writing	Date: <b>06/13/2006</b>	

**Permit Type — Item 10** IP = Interim Program, PP = Permanent Program, NP = No Permit

**Purpose Type Codes Item 12**  
 Oxx.... Oversight RFx.... Reclamation Fees CCr.... Citizen Complaint Referral (non site visit)  
 Axx.... Assistance Fxx.... Federal Actions CC.... Citizen Complaint (initial site visit)  
 CCF.... Citizen Complaint Follow-up

**Joint Inspection — Item 13** A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

**Permit Status — Item 14**  
 A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.  
 IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.  
 BR.... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)  
 AB.... Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g)  
 AB1.. Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.  
 AB2.. Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.  
 AB3.. Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.  
 NA.... Not Applicable: When site is unpermitted.

**Site Status Codes — Item 15**  
 ND... No Disturbance: No coal mining and reclamation operations have been started.  
 EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.  
 AP... Active Coal Producing: Coal surface mining activities are occurring.  
 AN... Active Non-Producing: Active non-producing facility such as tippie or preparation plant.  
 NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.  
 MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.  
 TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).  
 P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.  
 P2... Phase II Release: At least Phase II bond release for the entire permitted area.  
 P3... Phase III Release: Reclamation completed and the RA has released all bond.  
 NS... Non-Site Visit: Status of site not determined.  
 FP... Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.  
 FR... Forfeited and Reclaimed: Forfeiture reclamation completed.  
 FO... Abandoned Site: Abandoned site that is permitted but there is no bond.  
 WC... Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

**Facility Type Codes — Item 16**  
 A... Surface D... Ancillary (Haulroad, Conveyor, and/or Rails) H... Exploration Permits L... Remaining site permitted under 30 CFR 785.25  
 B... Underground E... Refuse and/or Impoundment I... Notice of Intent to Explore  
 C... Preparation Plant F... Loading Facility and/or Tippie J... Exempt 16 and 2/3  
 G... Stockpiles K... Government Financed Construction Exemption

**Small Business Regulatory Enforcement Fairness Act (SBREFA)**  
**Your Comments Are Important**

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

# U. S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

## Mine Site Evaluation

State Program

Permittee/  
Person WHITE OAK MINING &

Permit  
Number UT-007-001

Field Visit  
Date 06/07/2006

Continuation Page

### 28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited

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| <p><b>A. Administrative</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Mining within Valid Permit</li> <li>2. <input type="checkbox"/> Mining within Bonded Area</li> <li>3. <input type="checkbox"/> Terms &amp; Conditions of Permit</li> <li>4. <input type="checkbox"/> Liability Insurance</li> <li>5. <input type="checkbox"/> Ownership and Control</li> <li>6. <input type="checkbox"/> Temporary Cessation</li> <li>7. <input type="checkbox"/> AML Rec. Fees -- Non-Respondent</li> <li>8. <input type="checkbox"/> AML Rec. Fees -- Failure to Pay</li> </ol> <p><b>B. Hydrologic Balance</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Drainage Control</li> <li>2. <input type="checkbox"/> Inspections &amp; Certifications</li> <li>3. <input type="checkbox"/> Siltation Structures</li> <li>4. <input type="checkbox"/> Discharge Structures</li> <li>5. <input type="checkbox"/> Diversions</li> <li>6. <input type="checkbox"/> Effluent Limits</li> <li>7. <input type="checkbox"/> Ground Water Monitoring</li> <li>8. <input type="checkbox"/> Surface Water Monitoring</li> <li>9. <input type="checkbox"/> Drainage -- Acid-Toxic Materials</li> <li>10. <input type="checkbox"/> Impoundments</li> <li>11. <input type="checkbox"/> Stream Buffer Zones</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Removal</li> <li>2. <input type="checkbox"/> Substitute Materials</li> <li>3. <input type="checkbox"/> Storage and Protection</li> <li>4. <input type="checkbox"/> Redistribution</li> </ol> | <p><b>D. Backfilling &amp; Grading</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Exposed Openings</li> <li>2. <input type="checkbox"/> Contemporaneous Reclamation</li> <li>3. <input type="checkbox"/> Approximate Original Contour</li> <li>4. <u>1</u> Highwall Elimination</li> <li>5. <input type="checkbox"/> Steep Slopes (includes downslope)</li> <li>6. <input type="checkbox"/> Handling of Acid &amp; Toxic Materials</li> <li>7. <input type="checkbox"/> Stabilization (rills and gullies)</li> </ol> <p><b>E. Excess Spoil Disposal</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Placement</li> <li>2. <u>3</u> Drainage Control</li> <li>3. <u>3</u> Surface Stabilization</li> <li>4. <u>3</u> Inspections &amp; Certifications</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Drainage Control</li> <li>2. <u>3</u> Surface Stabilization</li> <li>3. <u>3</u> Placement</li> <li>4. <u>3</u> Inspections and Certifications</li> <li>5. <u>3</u> Impounding Structures</li> </ol> <p><b>G. Use Of Explosives</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Blaster Certification</li> <li>2. <u>3</u> Distance Prohibitions</li> <li>3. <u>3</u> Blast Survey/Schedule</li> <li>4. <u>3</u> Warnings &amp; Records</li> <li>5. <u>3</u> Control of Adverse Effects</li> </ol> | <p><b>H. 3 Subsidence Control Plan</b></p> <p><b>I. Roads</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Road Construction</li> <li>2. <input type="checkbox"/> Certification</li> <li>3. <input type="checkbox"/> Drainage</li> <li>4. <input type="checkbox"/> Surfacing and Maintenance</li> <li>5. <input type="checkbox"/> Reclamation</li> </ol> <p><b>J. Signs &amp; Markers</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Signs</li> <li>2. <u>3</u> Markers</li> </ol> <p><b>K. 3 Distance Prohibitions</b></p> <p><b>L. Revegetation</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Vegetative Cover</li> <li>2. <input type="checkbox"/> Timing</li> </ol> <p><b>M. Postmining Land Use</b></p> <p><b>N. Other</b></p> <p style="margin-left: 20px;">General</p> <p style="margin-left: 20px;">Performance</p> <p style="margin-left: 20px;">Category</p> <p style="margin-left: 20px;"><u>D</u> <u>1</u> 1) bond forfeiture site</p> <p style="margin-left: 20px;">_____ 2) _____</p> <p style="margin-left: 20px;">_____ 3) _____</p> |
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### Performance Standard Categories 30 CFR Counterpart

<p><b>A. Administrative</b>.....</p> <ol style="list-style-type: none"> <li>1. Valid Permit.....773.11</li> <li>2. Mining within Bonded Area.....773.11</li> <li>3. Terms &amp; Conditions of Permit.....773.17</li> <li>4. Liability Insurance.....800.60</li> <li>5. Ownership and Control.....778.13</li> <li>6. Temporary Cessation.....842.11(e) &amp; 816/817.131</li> <li>7. AML Rec. Fees -- Non-Respondant.....870.15(b)</li> <li>8. AML Rec. Fees -- Failure to Pay.....870.15(a)</li> </ol> <p><b>B. Hydrologic Balance</b>.....(816/817.41-57)</p> <ol style="list-style-type: none"> <li>1. Drainage Control.....45</li> <li>2. Inspections &amp; Certifications.....49(a)(10)</li> <li>3. Siltation Structures.....46</li> <li>4. Discharge Structures.....47</li> <li>5. Diversions.....43</li> <li>6. Effluent Limits.....42</li> <li>7. Ground Water Monitoring.....41(c)</li> <li>8. Surface Water Monitoring.....41(e)</li> <li>9. Drainage--Acid - Toxic Materials.....41(f)</li> <li>10. Impoundments.....49</li> <li>11. Stream Buffer Zones.....57</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b>.....(816/817.22)</p> <ol style="list-style-type: none"> <li>1. Removal.....22(a)</li> <li>2. Substitute Materials.....22(c)</li> <li>3. Storage and Protection.....22(c)</li> <li>4. Redistribution.....22(d)</li> </ol> <p><b>D. Backfilling &amp; Grading</b>.....(816/817.95-107)</p> <ol style="list-style-type: none"> <li>1. Exposed Openings.....816/817.13, 14, 15, &amp; 823.11 &amp; 21</li> <li>2. Contemporaneous Reclamation.....100</li> <li>3. Approximate Original Contour.....102(a)(1)</li> <li>4. Highwall Elimination.....102(a)(2)</li> <li>5. Steep Slopes (includes downslope).....107</li> <li>6. Handling of Acid &amp; Toxic Materials.....102(c)</li> <li>7. Stabilization (rills and gullies).....95(b)</li> </ol>	<p><b>E. Excess Spoil Disposal</b>.....(816/817.71-74)</p> <ol style="list-style-type: none"> <li>1. Placement.....71(e)</li> <li>2. Drainage Control.....71(f)</li> <li>3. Surface Stabilization.....71(g)</li> <li>4. Inspections &amp; Certifications.....71(h)</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b> .....(816/817.81-84)</p> <ol style="list-style-type: none"> <li>1. Drainage Control.....83(a)</li> <li>2. Surface Stabilization.....83(b)</li> <li>3. Placement.....83(c)</li> <li>4. Inspections and Certifications.....83(d)</li> <li>5. Impounding Structures.....84</li> </ol> <p><b>G. Use of Explosives</b>.....(816/817.61-68)</p> <ol style="list-style-type: none"> <li>1. Blaster Certification.....61(c)</li> <li>2. Distance Prohibitions.....61(d)</li> <li>3. Blast Survey/Schedule.....62-64</li> <li>4. Warnings &amp; Records.....66 &amp; 68</li> <li>5. Control of Adverse Effects.....67</li> </ol> <p><b>H. Subsidence Control Plan</b>.....(817.121-122)</p> <p><b>I. Roads</b>.....(816/817.150-151)</p> <ol style="list-style-type: none"> <li>1. Road Construction.....150(c)</li> <li>2. Certification.....151(a)</li> <li>3. Drainage.....150(b)-151(d)</li> <li>4. Surfacing and Maintenance.....150(e)-151(d)</li> <li>5. Reclamation.....150(f)</li> </ol> <p><b>J. Signs &amp; Markers</b> .....(816/817.11)</p> <ol style="list-style-type: none"> <li>1. Signs.....11(a),(b),&amp;(c)</li> <li>2. Markers.....11(a),(b),(d),(e),&amp;(f)</li> </ol> <p><b>K. Distance Prohibitions</b>.....(761.11)</p> <p><b>L. Revegetation</b>.....(816/817.111-116)</p> <ol style="list-style-type: none"> <li>1. Vegetative Cover.....111 &amp; 116</li> <li>2. Timing.....113</li> </ol> <p><b>M. Postmining Land Use</b>.....(816/817.133)</p>
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June 8, 2006

Lodestar Energy, Inc., Bankruptcy Estate  
Mr. William D. Bishop, Trustee  
2525 Harrodsburg Road, Suite 235  
Lexington, KY 40504

White Oak Mine Complex, Utah Permit UT-007-001 (bond forfeiture & permit revocation site)  
Whiskey Creek surface mine and coal loadout facility  
Complete inspection, June 7, 2006

I conducted a complete inspection at this site on June 7, 2006. This was my first inspection of this site since reclamation was completed during November 2005. I discussed the site reclamation with Steve Demczak and Karl Housekeeper of the Utah Division of Oil, Gas, and Mining (OGM) at the mine entrance gate on the haulroad prior to my inspection. OGM staff was on the site today as part of a training exercise. Weather conditions were warm and cloudy and ground conditions were dry with the exception of the Whiskey Creek channel which was flowing. This mine was selected for a complete, oversight inspection during 2006 by the OGM / OSM Evaluation Team.

Reclamation completed here included backfilling, grading and highwall elimination at the Whiskey Creek Mine and the associated coal loadout facility just east of Eccles Creek and across the highway from the Clear Creek / Alpine School District Outdoor Education Lab. A small 5 foot escarpment remains at the top of the southern most highwall. Imminent harm dangers to the health and safety of the public existing on this site associated with the highwalls have been eliminated by the completed backfilling and grading. This was previously noted through photos of the completed reclamation provided to OSM by OGM, and resulted in the February 2006 termination of an outstanding OSM Cessation Order at this site.

Overall topography and reclaimed slopes here appear stable, and slopes were well blended into the surrounding undisturbed topography under the circumstances. There are some long slopes down to the reconstructed Whiskey Creek drainage, but the surface has been heavily imprinted. This surface imprinting appears successful for the majority of the site. There are a few erosion gullies that have formed recently after snow melt runoff this year that reach the Whiskey Creek channel. Some of the gouging (land imprinting of the soil replacement material on the final reclamation surface) north and adjacent to Whiskey Creek was still filled with water.

It was difficult to document obvious offsite impacts (sediment deltas, riparian vegetation damaged from sediment, channel degradation from sediment deposition, etc.) other than to note some sediment from the reclaimed areas has obviously left the former permit area. I think this is minor as the erosion gullies noted above are minimal compared to the total reclaimed area. I did not walk all the way to Eccles Creek.

This is the beginning of the first growing season after the initial fall 2005 seeding here, so of course signs of vegetation establishment were minimal.

Mr. Demczak discussed a sink hole the OGM staff observed today while they were on site possibly associated with a buried culvert. This sink hole will be repaired according to Mr. Demczak.

White Oak Mine; pg.2

I also inspected the reclaimed coal loadout area and it has been backfilled and graded to eliminate all depressions and fall hazards; and the Utah No. 2 mine portal has been sealed and backfilled. Imminent harm dangers to the health and safety of the public existing on the loadout have been eliminated by the completed backfilling and grading. Land imprinting here appears successful, and erosion throughout the reclaimed area and out slopes is minimal. Slopes are also well blended into surrounding undisturbed areas. Silt fencing here at the bottoms (west facing) of the reclaimed out slopes appears to have been effective over the winter, but is completely full in a few areas. This concluded the inspection.

Please address any questions regarding this inspection to Henry Austin, Senior Reclamation Specialist, at [haustin@osmre.gov](mailto:haustin@osmre.gov) or to (303) 844-1400 x1466.