

0001

Canyon Fuel Company, LLC  
Dugout Canyon Mine  
P.O. Box 1029  
Wellington, Utah 84542

**COPY**



March 24, 2010

Utah Coal Regulatory Program  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

RE: 2009 Annual Report for Soldier Canyon Mine, C/007/018

To Whom It May Concern:

Enclosed please find two copies of the Annual Report for 2009 for the Soldier Canyon Mine. Upon review of the "commitment and conditions" section of the 2009 Annual Report Form, we have determined that there is not a commitment within the approved M&RP to include the requested information in the annual report.

Should you have any questions concerning this submittal, please contact me at (435) 636-2869.

Sincerely yours,

Vicky S. Miller

enclosures

cc: Chris Hansen (letter only)  
Dave Spillman (enclosures)

File in:  
 Confidential  
 Shelf  
 Expandable  
Refer to Record No. 0006 Date 0324/2010  
In C 0070018 2010 Incoming  
For additional information

**RECEIVED**

**MAR 29 2010**

**DIV. OF OIL, GAS & MINING**

SUFCO Mine

□

Skyline Mines

□

Dugout / Soldier Canyon Mines

**2009 ANNUAL REPORT  
TO THE  
UTAH DIVISION OF OIL, GAS AND MINING**

**SOLDIER CANYON MINE  
C/007/018**

Canyon Fuel Company, LLC  
P.O. Box 1029  
Wellington, UT 84542

This Annual Report shows information the Division has for your mine. Please review the information to see if it is current. If the information needs to be updated please do so in this document. At the end of each section the operator is asked to verify if the information is correct. Please answer these questions and make all comments on this document. Submit the completed document and any additional information identified in the Appendices to the Division by April 30, 2010. During a complete inspection an inspector will check and verify the information. To enter text, click in the cell and type your response. You can use the tab key to move from one field to the next. To enter an X in a box, click next to the box, right click, and select properties, then the checked circle, then hit enter, or hit the unchecked circle if the X is to be removed.

**GENERAL INFORMATION**

Permitte Name	Canyon Fuel Company, LLC
Mine Name	Soldier Canyon Mine
Operator Name (If other then permittee)	
Permit Expiration Date	February 3, 2012
Permit Number	C/007/0018
Authorized Representative Title	Erwin Sass
Phone Number	(435) 637-2860
Fax Number	(435) 636-2897
E-mail Address	esass@archcoal.com
Mailing Address	PO Box 1029, Wellington, UT 84542
Designated Representative Resident Agent	C.T. Corporation Systems
Resident Agent Mailing Address	50 West Broadway, Salt Lake City, UT 84104
Number of Binders Submitted	2

**IDENTIFICATION OF OTHER PERMITS**

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-00077		N/A
MSHA Impoundment(s)	N/A		N/A
NPDES/UPDES Permit(s)	UT0023680	UPDES Discharge Permit	March 31, 2011
PSD Permit(s) (Air)	DAQE-334-94	Air Quality Permit	N/A
<b>Other</b>			
Storm Water Permit	UTR000574	Storm Water Discharge Permit	December 31, 2011

## CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included Included	or	DOGM file location Vol, Chapter, Page
	Yes	No			
Excess Spoil Piles	<input type="checkbox"/>	X	<input type="checkbox"/>		
Refuse Piles	<input type="checkbox"/>	X	<input type="checkbox"/>		
Impoundments	X	<input type="checkbox"/>	X		
<b>Other</b>					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**

## COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If the particular section is blank, no commitment has been identified and no response is required for this report. If additional written response is required, it should be filed under Appendix B to this report.

Admin R645-301-100

Soils R645-301-200

**Title:** TOPSOIL STOCKPILES

**Objective:** To ensure that an adequate stand of vegetation cover is maintained.

**Frequency:** Completion of annual interim reclamation measures as necessary.

**Status:** ongoing

**Reports:** Annual reporting.

**Citation:** Vol. 1, Section 2.31.4, pg.2-26, bullet 3.

**Operator:** Has this commitment been acted on this year?

Yes  No  Not required this year.  If yes, comment;

**Operator Comments:**

Reporting in annual report not required by regulation or permit commitment.

**Inspector:**Has the operator complied with this commitment? Yes  No **Inspector Comments:**

Biology R645-301-300

Landuse, Cultural Resources, Air Quality R645-301- 400

Engineering R645-301-500

Geology R645-301-600

Hydrology R645-301-700

Bonding &amp; Insurance R645-301-800

**Other Commitments**

\*Reminder: If equipment has been abandoned during 2009, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

**REPORTING OF OTHER TECHNICAL DATA**

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

**Operator Comments:****Inspector:**Has the operator complied with this section? Yes  No **Inspector Comments:****LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION**

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently file with the Division or included as Appendix C to the report.

<b>Legal / Financial Update</b>	<b>Required</b>	<b>Included</b>	<b>or</b>	<b>DOGM File location</b>
	Yes No	Included		Vol, Chapter, Page

Department of Commerce, Annual Report Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> General Chapter 1, stand alone 1" binder
Other			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2009, are to be provided to the Division as Appendix D to this report in accordance with the requirements of R 645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential. (Please provide a CD.)

Confidential information is limited to:

R645-300-124.310. Information that pertains only to the analysis of the chemical and physical properties of the coal to be mined, except information on components of such coal which are potentially toxic in the environment.

R645-300-124.330. Information on the nature and location of archeological resources on public land and Indian land as required under the Archeological Resources Protection Act of 1979 (P. L. 96-95, 93 Stat. 721, 16 U.S.C. 470).

R645-301-322, Fish and Wildlife Information; R645-301-322.100, the scope and level of detail for such information will be determined by the Division in consultation with state and federal agencies with responsibilities for fish and wildlife and will be sufficient to design the protection and enhancement plan required under R645-301-333 and R645-301-322.230, other species or habitats identified through agency consultation as requiring special protection under state or federal law; R645-301-333.300, Include protective measures that will be used during the active mining phase of operation.

The Division will provide procedures, including notice and opportunity to be heard for persons both seeking and opposing disclosure.

Map Number(s)	Map Title/ Description		
Annual subsidence map	No mining for the past 10 years.	Not Required	
Mine map	No mining for the past 10 years.	Not Required	
Other maps		<b>Confidential</b>	
		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**

**OTHER INFORMATION**

Please provide any comments of further information to be included as part of the Annual Report. Any other attachments are to be provided as Appendix E to this report. If information is submitted as a group rather than by individual mine, please identify each of the mine's data in the list below.

**Additional attachment to this report?**

Yes

No

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**Operator Comments:**

**Inspector:**

Has the operator complied with this section? Yes  No

**Inspector Comments:**

**APPENDIX A**

**Certified Reports**

Excess Spoil Piles  
Refuse Piles  
Impoundments

As required under R645-301-514

**CONTENTS**

Pond Inspections

**SEWAGE LAGOON INSPECTION AND CERTIFIED REPORT**

<b>Permit Number</b>	C/007/039	<b>Report Date</b>	11/16/09
<b>Mine Name</b>	Soldier Canyon Mine, Canyon Fuel Company, LLC		
	Surface Facility Wastewater Disposal System (Sewage Lagoon)		
<b>Inspection Date</b>	11/12/09	<b>Inspected By:</b> Vicky Miller	
<b>Reason for Inspection</b> (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Routine Inspection		

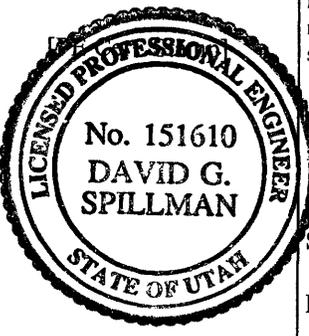
**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

*There were no signs of instability, structural weakness or other hazardous conditions observed during this inspection.*

**2. Field Information and Evaluation**

*Soldier Canyon mine is in cessation and therefore there was no waste in the cells of the sewage lagoon. There was no evidence to suggest that any effluent was improperly flowing to the surface at the distribution line clean-out or outside of the sewage lagoon cells. The sewage lagoon was snow covered at the time of the inspection. Vegetation has invaded the cells and will be reevaluated in the Spring 2010 to determine if actions need to be taken to remove the larger species. The fence around the lagoon was intact and the gate was padlocked.*

<b>Qualification Statement</b>	<p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.</p> <p>Signature: <u>Vicky S Miller</u> Date: <u>11/16/09</u></p>
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	<p><b>Certification Statement:</b></p> <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p> <p>By: <u>David G. Spillman, Technical Service Manager</u> (Full Name and Title)</p> <p>Signature: <u>David G. Spillman</u> Date: <u>2/10/10</u></p> <p>P.E. Number &amp; State: _____</p>
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<b>IMPOUNDMENT INSPECTION AND CERTIFIED REPORT</b>		<b>Page 1 of 2</b>
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Permit Number	ACT/007/018	Report Date	1/4/10
Mine Name	Soldier Canyon Mine		
Company Name	Canyon Fuel Company, LLC		
Impoundment Identification	Impoundment Name	Surface Facility Sedimentation Pond	
	Impoundment Number	None	
	UPDES Permit Number	UT0023680	
	MSHA ID Number	Impoundment -None (Mine - 42-00077)	

**IMPOUNDMENT INSPECTION**

Inspection Date	11/16/09		
Inspected By	Vicky Miller		
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Routine Quarterly Inspection and Monthly Inspection		

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

*There were no signs of instability, structural weakness or other hazardous conditions observed at the sedimentation pond during the inspection.*

<b>Required for an impoundment which functions as a SEDIMENTATION POND.</b>	<p><b>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</b></p> <p><i>Sediment Storage Capacity (as designed) - 100% = 1.47 acre-feet @ an elevation of 6,649.5 feet</i>  <i>- 60% = 0.88 acre-feet @ an elevation of 6,647.5 feet</i></p> <p><i>The sediment storage capacity available should be greater the 75percent.</i></p> <p><b>3. Principle and emergency spillway elevations.</b></p> <p><i>Principal Spillway Elevation - 6,654.5 feet</i>  <i>Emergency Spillway Elevation - 6,654.5 feet</i></p>
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**4. Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

*There was no water in the pond and the embankments were observed to be stable. Inlet culverts were inspected and appeared to be working. To date in 2009, there has been no discharge from the pond. The late summer and fall rains were minimal. Small amount of new snow in the bottom of the pond, likely from the storm the previous weekend.*

3. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

See comments under number 4.

**Qualification Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: Urchy S. Miller Date: 1-4-10

**CERTIFIED REPORT**

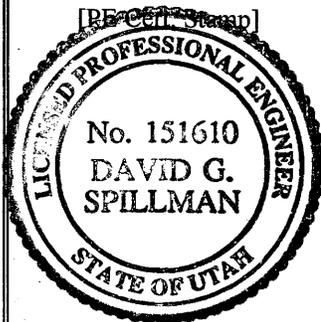
**IMPOUNDMENT EVALUATION (If NO, explain under Comments)**

	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

**COMMENTS AND OTHER INFORMATION**

**Certification Statement:**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: David G. Spillman, Technical Service Manager  
(Full Name and Title)

Signature: David G. Spillman Date: 2/10/10

P.E. Number & State: \_\_\_\_\_

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Page 1 of 2	
Permit Number	ACT/007/018	Report Date	11/10/09
Mine Name	Soldier Canyon Mine		
Company Name	Canyon Fuel Company, LLC		
Impoundment Identification	Impoundment Name	Surface Facility Sedimentation Pond	
	Impoundment Number	None	
	UPDES Permit Number	UT0023680	
	MSHA ID Number	Impoundment -None (Mine - 42-00077)	
<b>IMPOUNDMENT INSPECTION</b>			
Inspection Date	8/17/09 and 9/25/09		
Inspected By	Vicky Miller		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Routine Quarterly Inspection and Monthly Inspection		
<p><b>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</b></p> <p><i>There were no signs of instability, structural weakness or other hazardous conditions observed at the sedimentation pond during the inspection.</i></p>			
<b>Required for an impoundment which functions as a SEDIMENTATION POND.</b>	<p><b>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</b></p> <p><i>Sediment Storage Capacity (as designed) - 100% = 1.47 acre-feet @ an elevation of 6,649.5 feet</i>  <i>- 60% = 0.88 acre-feet @ an elevation of 6,647.5 feet</i></p> <p><i>The sediment storage capacity available should be greater the 75percent.</i></p>		
	<p><b>3. Principle and emergency spillway elevations.</b></p> <p><i>Principal Spillway Elevation - 6,654.5 feet</i>  <i>Emergency Spillway Elevation - 6,654.5 feet</i></p>		
<p><b>4. Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p><i>There was no water in the pond and the embankments were observed to be stable. Inlet culverts were inspected and appeared to be working. To date, there has been no discharge from the pond. Some evidence of cattle in the area of the pond. No evidence of water having collected in the pond.</i></p>			

**5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

See comments under number 4.

**Qualification Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: Ucky S. Miller Date: 11/10/09

**CERTIFIED REPORT**

**IMPOUNDMENT EVALUATION (If NO, explain under Comments)**

	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

**COMMENTS AND OTHER INFORMATION**

**Certification Statement:**

[PE Cert. Stamp]

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: \_\_\_\_\_  
(Full Name and Title)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

P.E. Number & State: \_\_\_\_\_

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Page 1 of 2	
Permit Number	ACT/007/018	Report Date	8/6/09
Mine Name	Soldier Canyon Mine		
Company Name	Canyon Fuel Company, LLC		
Impoundment Identification	Impoundment Name	Surface Facility Sedimentation Pond	
	Impoundment Number	None	
	UPDES Permit Number	UT0023680	
	MSHA ID Number	Impoundment -None (Mine - 42-00077)	
IMPOUNDMENT INSPECTION			
Inspection Date	5/8/09 and 5/10/09		
Inspected By	Vicky Miller		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Routine Quarterly Inspection and Monthly Inspection		
<p><b>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</b></p> <p><i>There were no signs of instability, structural weakness or other hazardous conditions observed at the sedimentation pond during the inspection.</i></p>			
<b>Required for an impoundment which functions as a SEDIMENTATION POND.</b>	<p><b>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</b></p> <p><i>Sediment Storage Capacity (as designed) - 100% = 1.47 acre-feet @ an elevation of 6,649.5 feet</i>  <i>- 60% = 0.88 acre-feet @ an elevation of 6,647.5 feet</i></p> <p><i>The sediment storage capacity available should be greater the 75percent.</i></p>		
	<p><b>3. Principle and emergency spillway elevations.</b></p> <p><i>Principal Spillway Elevation - 6,654.5 feet</i>  <i>Emergency Spillway Elevation - 6,654.5 feet</i></p>		
<p><b>4. Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p><i>There was no water in the pond and the embankments were observed to be stable. Inlet culverts were inspected and appeared to be working. To date, there has been no discharge from the pond. No sign of impact from precipitation events.</i></p>			

**5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

See comments under number 4.

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Signature: Unchay S Muller Date: 8/6/09

**CERTIFIED REPORT**

IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

**COMMENTS AND OTHER INFORMATION**

**Certification Statement:**

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By: \_\_\_\_\_  
(Full Name and Title)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

P.E. Number & State: \_\_\_\_\_

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Page 1 of 2	
Permit Number	ACT/007/018	Report Date	3/3/09
Mine Name	Soldier Canyon Mine		
Company Name	Canyon Fuel Company, LLC		
Impoundment Identification	Impoundment Name	Surface Facility Sedimentation Pond	
	Impoundment Number	None	
	UPDES Permit Number	UT0023680	
	MSHA ID Number	Impoundment -None (Mine - 42-00077)	
IMPOUNDMENT INSPECTION			
Inspection Date	2/23/09		
Inspected By	Vicky Miller		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Routine Quarterly Inspection		
<p><b>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</b></p> <p><i>There were no signs of instability, structural weakness or other hazardous conditions observed at the sedimentation pond during the inspection.</i></p>			
<p><b>Required for an impoundment which functions as a SEDIMENTATION POND.</b></p>	<p><b>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</b></p> <p><i>Sediment Storage Capacity (as designed) - 100% = 1.47 acre-feet @ an elevation of 6,649.5 feet</i>  <i>- 60% = 0.88 acre-feet @ an elevation of 6,647.5 feet</i></p> <p><i>The sediment storage capacity available should be greater the 75percent.</i></p>		
	<p><b>3. Principle and emergency spillway elevations.</b></p> <p><i>Principal Spillway Elevation - 6,654.5 feet</i>  <i>Emergency Spillway Elevation - 6,654.5 feet</i></p>		
<p><b>4. Field Information.</b> Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.</p> <p><i>There was no water in the pond and the embankments were observed to be stable. Inlet culverts were inspected and appeared to be working. To date, there has been no discharge from the pond. There was little sign of water collecting in the pond, small patch of snow on the bottom of the pond.</i></p>			

**5. Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

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Signature: Urbely A Miller Date: 3/3/09

**CERTIFIED REPORT**

**IMPOUNDMENT EVALUATION (If NO, explain under Comments)**

	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	X	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	X	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	X	

**COMMENTS AND OTHER INFORMATION**

**Certification Statement:**

[PE Cert. Stamp]

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: \_\_\_\_\_  
(Full Name and Title)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

P.E. Number & State: \_\_\_\_\_

**APPENDIX B**

**Reporting of Technical Data**

Including monitoring data, reports, maps, and other information  
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

**CONTENTS**

Not Applicable

**APPENDIX C**

**Legal Financial, Compliance and Related Information**

Annual Report of Officers  
As submitted to the Utah Department of Commerce

Other change in ownership and control information  
As required under R645-301-110

**CONTENTS**

Not Applicable

**APPENDIX D**

**Mine Maps**

As required under R645-302-525-270

**CONTENTS**

Not Applicable

**APPENDIX E**

**Other Information**

In accordance with the requirements of R645-301 and R645-302

**CONTENTS**

Not Applicable