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# 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: | C0070033 |
|---|---|
| Inspection Type: | COMPLETE |
| Inspection Date: | Thursday, September 13, 2012 |
| Start Date/Time: | 9/13/2012 10:00:00 AM |
| End Date/Time: | 9/13/2012 1:00:00 PM |
| Last Inspection: | Tuesday, August 14, 2012 |

| Representatives Present During the Inspection: |
|---|
| OGM Amanda Daniels |
| OGM Priscilla Burton |

Inspector: ,
Weather: Clear, +75F
InspectionID Report Number: 3253
Accepted by:jhelfric
10/2/2012

Permitee: **INTERMOUNTAIN POWER AGENCY**
Operator: **AMERICA WEST RESOURCES, INC.**
Site: **WILDCAT LOADOUT**
Address: **3266 SOUTH 125 WEST, PRICE UT 84501**
County: **CARBON**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

**Current Acreages**

| | |
|---|---|
| 100.00 | **Total Permitted** |
| 78.45 | **Total Disturbed** |
| | **Phase I** |
| | **Phase II** |
| | **Phase III** |

**Mineral Ownership**

- [x] **Federal**
- [ ] **State**
- [ ] **County**
- [ ] **Fee**
- [ ] **Other**

**Types of Operations**

- [ ] **Underground**
- [ ] **Surface**
- [x] **Loadout**
- [x] **Processing**
- [ ] **Reprocessing**

**Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:**

The permit has two ongoing permit conditions listed in Attachment A of the Permit. The Permittee is required to submit quarterly water monitoring data to the DOGM database, and the Permittee must monitor the accumulation of coal fines East of the main stockpile areas quarterly. The coal fine monitoring is reported in the Annual Report. We met with the loadout opperator, Scott Dimick, onsite and then proceeded on with the inspection. Priscilla Burton was present to inspect the vegetation on the area reseeded in October 2010 and the condition of the topsoil stockpiles.

Amanda Daniels

**Inspector's Signature:** , Inspector ID Number:

**Date** Monday, October 01, 2012

**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 performace 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 | ☑ | ☐ | ☑ | ☐ |
| 2. Signs and Markers | ☑ | ☐ | ☑ | ☐ |
| 3. Topsoil | ☑ | ☐ | ☑ | ☐ |
| 4.a Hydrologic Balance: Diversions | ☑ | ☐ | ☐ | ☐ |
| 4.b Hydrologic Balance: Sediment Ponds and Impoundments | ☑ | ☐ | ☑ | ☐ |
| 4.c Hydrologic Balance: Other Sediment Control Measures | ☑ | ☐ | ☑ | ☐ |
| 4.d Hydrologic Balance: Water Monitoring | ☑ | ☐ | ☑ | ☐ |
| 4.e Hydrologic Balance: Effluent Limitations | ☑ | ☐ | ☑ | ☐ |
| 5. Explosives | ☐ | ☑ | ☐ | ☐ |
| 6. Disposal of Excess Spoil, Fills, Benches | ☐ | ☑ | ☐ | ☐ |
| 7. Coal Mine Waste, Refuse Piles, Impoundments | ☑ | ☐ | ☑ | ☐ |
| 8. Noncoal Waste | ☑ | ☐ | ☐ | ☐ |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | ☑ | ☐ | ☐ | ☐ |
| 10. Slides and Other Damage | ☐ | ☑ | ☐ | ☐ |
| 11. Contemporaneous Reclamation | ☑ | ☐ | ☑ | ☐ |
| 12. Backfilling And Grading | ☐ | ☑ | ☐ | ☐ |
| 13. Revegetation | ☑ | ☐ | ☐ | ☐ |
| 14. Subsidence Control | ☐ | ☑ | ☐ | ☐ |
| 15. Cessation of Operations | ☐ | ☑ | ☐ | ☐ |
| 16.a Roads: Construction, Maintenance, Surfacing | ☑ | ☐ | ☐ | ☐ |
| 16.b Roads: Drainage Controls | ☑ | ☐ | ☐ | ☐ |
| 17. Other Transportation Facilities | ☑ | ☐ | ☐ | ☐ |
| 18. Support Facilities, Utility Installations | ☑ | ☐ | ☐ | ☐ |
| 19. AVS Check | ☑ | ☐ | ☐ | ☐ |
| 20. Air Quality Permit | ☑ | ☐ | ☑ | ☐ |
| 21. Bonding and Insurance | ☑ | ☐ | ☑ | ☐ |
| 22. Other | ☐ | ☐ | ☐ | ☐ |

**1. Permits, Change, Transfer, Renewal, Sale**

The permit was reviewed and is effective from June 27, 2011 to May 5, 2014.

**2. Signs and Markers**

Topsoil piles and stormwater ponds were designated as required. The company and DOGM information was clearly posted at the entrance to the facility.

**3. Topsoil**

Refer to Plate 1 for topsoil stockpile locations. Topsoil stockpile B vegetation was extremely dry. Even Halogeton and forage Kochia (a seeded species) were dessicated. Grasses were growing only in the shade of the thistle and in the shade of the gouged depressions. (The history of topsoil pile B is found in the MRP Section R645-301-212, pp 2-3 and 2-4.) Topsoil stockpile E had better vegetation than stockpile B; I saw sagebrush, winterfat, opuntia, wheat grasses and Indian ricegrass on stockpile E. But even on stockpile E, the Indian ricegrass clumps were dried out. Topsoil pile F appeared windblown, with only a few grasses and rabbitbrush growing on its surface. These stockpiles have been in existence for over 20 years, but the growth is very poor, reflecting not only the most recent dry summer, but also the difficulty of establishing vegetation on an elevated mound of soil. (Topsoil pile A was not observed on this visit.) By comparison, the surrounding, undisturbed area is vegetated with rabbitbrush, sagebrush, rice grass, and globemallow; and where water is plentiful (I.e. the sediment pond) vegetation is squirreltail, rabbitbrush, and poplar trees. Appendix D provides the soil survey of the mine site and analysis of the topsoil in the stockpiles. The mine site was constructed on Hernandez soil. There are no limiting factors to this soil (other than water availability).

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Sediment ponds were last inspected by Mr. Tom Paluso on June 8, 2012. The ponds were clear of debris and ranged from dry to a small amount of water during the inspection.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Along the low points on the East side of the loadout there are numerous excelsior logs providing sediment control. These appear to be working well to keep coal fines from traveling off site, but should be evaluated and potentially replaced to continue providing sufficient sediment control. The coal fines adjacent to these areas appeared to be at least 6 inches deep.

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

Water monitoring data has been submitted to the DOGM database as required in the Permit. Currently data has been submitted through August, 2012.

**4.e Hydrologic Balance: Effluent Limitations**

The sediment six ponds each have a corresponding UPDES discharge point. These ponds have not discharged since 2007. The current UPDES permit expires April 20, 1013.

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

The refuse piles were inspected June 8, 2012 by Mr. Tom Paluso.

**11. Contemporaneous Reclamation**

The undisturbed area which was cleared of coal fines and reseeded in 2010 was observed. There are many globemallow plants growing. These were seen pre-existing in photos from 9/2010. Also noted were Indian ricegrass, wheat grasses and Triticale stalks. Excelsior logs placed in the reseeded area in 2010 have trapped greater than six inches of coal fines.

**20. Air Quality Permit**

The current air quality permit has approved a throughput of 5.5 million tons per year.

**21. Bonding and Insurance**

The current bond posted for the site is $1,148,000. Intermountain Power has self insured and has provided justification to the Division. IPA has posted $3M in general liability.

Inspection Report #3253
Attachment

Topsoil Pile B

Topsoil Pile E

Topsoil Pile F

Area reseeded in 2010

Desert globemallow (*Sphaeralcea ambigua*) was seeded in 2010