



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, February 16, 2017 |
| Start Date/Time: | 2/16/2017 10:00:00 AM |
| End Date/Time: | 2/16/2017 1:00:00 PM |
| Last Inspection: | Thursday, January 19, 2017 |

| Representatives Present During the Inspection: | |
|--|---------------|
| Company | Kit Pappas |
| OGM | Steve Demczak |

Inspector: Steve Demczak

Weather: Sunny, 40's snow covered

InspectionID Report Number: 5770

Accepted by: DHADDOCK
2/28/2017

Permittee: **INTERMOUNTAIN POWER AGENCY**
 Operator: **WILD WEST EQUIPMENT & HAULING, LLC**
 Site: **WILDCAT LOADOUT**
 Address: **PO BOX 1, PRICE UT 84501**
 County: **CARBON**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **INACTIVE**

Current Acreages

| | |
|--------|------------------------|
| 111.62 | Total Permitted |
| 111.62 | Total Disturbed |
| | Phase I |
| | Phase II |
| | 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:

The road conditions were extremely muddy and 4- wheel drive had to be used. All roads were not open due to snow and muddy conditions.

The permittee had two people seeding the topsoil piles as requested by Division personnel. MSHA was on site issuing a violation for these two people not having or not the ability to show surface safety training.

Stephen J. Demczak

Inspector's Signature:

Steve Demczak,
Inspector ID Number: 39

Date Tuesday, February 14, 2017



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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Noncoal Waste | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16.a Roads: Construction, Maintenance, Surfacing | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16.b Roads: Drainage Controls | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Other Transportation Facilities | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Support Facilities, Utility Installations | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. AVS Check | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Air Quality Permit | <input checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

1. Permits, Change, Transfer, Renewal, Sale

DOGMA Permit remains in effect through May 5, 2019.

The UPDES permit #UTG040007 remains in effect through August 31, 2018.

The current Air Quality Permit DAQE - AN0113007-04 dated December 3, 2004

Air Quality Permit – DAQE AN0113004

SPCC Plan – Last review on October 17, 2011, P.E Certified

There is no permitting action with the Division at this time.

2. Signs and Markers

I inspected the identification sign and it meets the requirements of the R645 Coal Rules. The sign has all the required information. See Photo

3. Topsoil

Topsoil piles were snow covered. The permittee had two people throwing seed on top of the snow at the topsoil pile. This was the recommendation from the Division staff.

4.a Hydrologic Balance: Diversions

Diversions and culverts were completely snow covered. Due to high temperatures it is likely that the diversions had water flow under the snow.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The permittee conducted a fourth quarter sediment pond inspection on December 6, 2016. No hazardous conditions were reported. Sediment ponds were not discharging. I inspected these ponds and no hazardous conditions were noticed. These ponds are incised. The sediment ponds were snow covered with small amount of water in some of them.

4.c Hydrologic Balance: Other Sediment Control Measures

Other Sediment controls were snow covered.

4.d Hydrologic Balance: Water Monitoring

Water monitoring information is taken by the permittee and is sent electronically to the Division in Salt Lake City. This information is reviewed and analyzed by the Division staff. A report is written. The permittee was in compliance with the UPDES permit for the fourth quarter.

4.e Hydrologic Balance: Effluent Limitations

No discharge had occurred for the fourth quarter.

7. Coal Mine Waste, Refuse Piles, Impoundments

I inspected the refuse pile and it appears to be stable. I did not notice any hazardous conditions to the embankments. The refuse pile was snow covered. The permittee conducted a fourth quarter refuse pile inspection on December 6, 2016. This document is P.E. certified. No hazardous conditions were reported.

8. Noncoal Waste

I did not notice any non-coal waste materials. The mine site is completely snow covered.

10. Slides and Other Damage

No slides or other damage was noticed during the inspection. The Loadout appears to be stable.

13. Revegetation

The permittee was re-seeding the topsoil pile.

15. Cessation of Operations

The loadout was idle. There is no power/electricity to the loadout.

16.a Roads: Construction, Maintenance, Surfacing

Roads were either snow covered or extremely muddy.

16.b Roads: Drainage Controls

All diversions and culverts were snow covered.

18. Support Facilities, Utility Installations

The site has not changed since the last inspection. There are no new facilities.

19. AVS Check

AVS checks are conducted in Salt Lake City.

21. Bonding and Insurance

The Permittee, Intermountain Power Agency, has met the Division's requirements for self-insurance, R645-301-890.400. Wild West Equipment and Hauling also holds general liability insurance coverage for this site which remains in effect through June 10, 2017. Coverage amounts for the each occurrence and general aggregate categories are adequate.

The Wildcat loadout is bonded for \$1,481,000

Granite Seed - Lehi **seeded**
 1697 W 2100 N **02/16/2017**
 Lehi, UT 84043 **on all**
 Mix Name **UDOMG**
 Mix # **175001** **Wildcat topsoil** 1-43058
 UDOMG

| % Pure | Common Name | Variety | G + O or H | Origin |
|---------------------|----------------------|---------------|----------------|--------|
| 84.92 | WILDRYE, GREAT BASIN | Trailhead | 97-TZ | MT |
| 33.33 | WINTERFALL | VNS | 90-TZ | NM |
| 16.75 | KOCHIA, FORAGE | VNS | 78-TZ | NV |
| 0.10 | Other Crop | Date Tested | 18-Aug-16 | |
| 1.49 | Inert Matter | Harm Seed | 0.00 | |
| 0.09 | Weed Seed | Noxious Weed | NONE FOUND | |
| Net Weight | | 19.21 Lbs PLS | 75.60 Lbs Bulk | |
| Coverage: 24,895 Lb | | | | |

NOTICE TO BUYER LIMITATIONS OF WARRANTIES AND REMEDIES
 Crop yield and quality are dependent upon many factors beyond the control of the labeled seller and NO WARRANTY is made for crop yield and quality. The labeled seller warrants that all seeds sold has been labeled as required under state and federal seed law and that the seed conforms to the label description, within reasonable limits. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THIS WARRANTY DOES NOT EXTEND TO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE LABEL.

No claim shall be asserted against the labeled seller unless Buyer reports to the labeled seller within a reasonable period after discovery (not to exceed thirty days), any condition that might lead to a complaint. BUYER'S EXCLUSIVE REMEDY FOR ANY CLAIM OR LOSS RESULTING FROM BREACH OF WARRANTY, BREACH OF CONTRACT OR NEGLIGENCE (INCLUDING BUT NOT LIMITED TO INCIDENTAL OR CONSEQUENTIAL DAMAGES) SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE.

By acceptance of the seed, Buyer agrees the terms and conditions stated above are a benefit to the bargain and constitute the entire agreement between Buyer and the labeled seller. Buyer shall return the original unopened seed package to the labeled seller within twenty days of receipt for a refund of the purchase price if not accepted under these terms.

NOTICE REQUIRED ARBITRATION / CONCILIATION / MEDIATION
 The seed laws of several states including Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Minnesota, Mississippi, Montana, North Dakota, South Carolina (Section 45-21-260), South Dakota, Texas and Washington require arbitration, conciliation or mediation of disputes involving alleged defective seed before certain legal actions may be maintained against a seller. North Carolina offers an alternative to court action that allows claims to be investigated and heard before the Special Seed Board. A complaint (sworn for AR, CO, FL, IL, IN, MN, MS, MT, NC, SC, TX, VA, signed only, CA, GA, ID, ND, SD) must be filed with the Department of Agriculture or Seed Commissioner (IN) or State Plant Board (AR) or Commissioner of Agriculture (NC) within such time to permit an inspection of seed, crops or plants (by an Arbitration Committee - AR, ID, MS, SC) in NC failure to follow this procedure will limit the amount of damages recoverable. Certified copy of complaint must be sent by registered mail to the labeled seller as provided in individual state law. Information about these requirements may be obtained from the state Department of Agriculture.

Wildcat Loadout
 Kit Paynes
 4855 N Spring Glen Rd
 Heiner UT 84526

**topsoil was covered
 with 4-6" snow.
 see images**

SPEED
LIMIT
5

WILDCAT LOAD OUT

OWNER: INTERMOUNTAIN POWER AGENCY
P.O. BOX 51111 - ROOM 1263
LOS ANGELES, CALIFORNIA 90051
PHONE: 213-367-0289
UDOGM PERMIT NO. C/007/033

OPERATOR:
WILD WEST EQUIPMENT & HAULING, LLC
P.O. BOX 1
PRICE, UTAH 84501
PHONE: 435-472-3988
MSHA ID NO. 42-01864

ATTENTION
SIGN IN AT
SCALE HOUSE
PRIOR TO
PROCEEDING
ONTO PROPERTY











SPEED
LIMIT
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