



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



<p>1. Permittee/Person <b>COAL ENERGY GROUP 2, LLC</b></p> <p>2. Address <b>6602 ILEX CIRCLE</b></p> <p>3. City <b>NAPLES</b></p> <p>4. State <b>FL</b></p> <p>5. Zip Code <b>34109</b></p> <p>6. Phone Number <b>(329) 825-2332</b></p> <p>7. Operator Name, if Different than Permittee</p> <p>8. Mine Name <b>WILDCAT LOADOUT</b></p>	<p>9. Permit Number <b>C/007/0033</b></p> <p>10. Permit Type <b>PP</b></p> <p>11. Field Visit Date <b>10/30/2019</b> <small>mm - dd - yyyy</small></p> <p>12. Purpose <b>OC</b></p> <p>13. SRA Present <b>Y</b></p> <p>14. Permit Status <b>A</b></p> <p>15. Site Status <b>TC</b></p> <p>16. Facility Type <b>F</b></p> <p>17. OSM Office # <b>140</b></p> <p>18. CCID #</p> <p>19. Land Code <b>F</b></p> <p>20. M.S.H.A. ID # <b>42-01864</b></p> <p>21. State Abbrev. <b>UT</b></p> <p>22. County/Burrough <b>CARBON</b></p> <p>23. AVS Permittee Entity ID Number <b>119705</b></p> <p>24. State Office</p>
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<p><b>25. Hours</b></p> <p><b>3.0</b> a. Permit Review</p> <p><b>4.0</b> b. Site Visit Time</p> <p><b>15.0</b> c. Travel Time</p> <p><b>6.0</b> d. Report Writing</p>	<p><b>26. Signature Block</b></p> <p><b>THOMAS MEDLIN</b> <small>Digitally signed by THOMAS MEDLIN Date: 2019.11.07 13:15:23 -07'00'</small></p> <p align="center">Signature:</p> <p align="center"><b>Thomas Medlin, ID#562</b></p> <p align="center">Inspector's Name:</p> <p>Date: <b>11/7/2019</b></p>	<p><b>27. Reviewing Official:</b></p> <p><b>HOWARD STRAND</b> <small>Digitally signed by HOWARD STRAND Date: 2019.11.07 13:35:09 -07'00'</small></p> <p align="center">Signature:</p> <p align="center"><b>Howard Strand</b></p> <p align="center">Reviewer's Name:</p> <p>Date: <b>11/7/2019</b></p>
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**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...**Assistance

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

**Permit Status - Item 14**

<p><b>A</b> Active: Coal mining activities occurring or permitted but not yet disturbed.</p> <p><b>IN</b> Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated.</p> <p><b>BR</b> Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release).</p>	<p><b>AB</b> 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).</p> <p><b>AB1</b> Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced.</p> <p><b>AB2</b> Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.</p> <p><b>AB3</b> Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.</p> <p><b>NA</b> Not Applicable: When site is unpermitted.</p>
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<p><b>Site Status - Item 15</b></p> <p><b>ND</b> No Disturbance: No coal mining and reclamation operations have been started.</p> <p><b>EX</b> Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.</p> <p><b>AP</b> Active Coal Producing: Coal surface mining activities are occurring.</p> <p><b>AN</b> Active Non-Producing: Active non-producing facility such as tippie or preparation plant.</p> <p><b>NM</b> No Mining: The Permit Status is active, site is in Temporary Cessation, no surface coal mining activity, and site not regraded.</p>	<p><b>MC</b> Mining Complete: No mining activity on site, site regraded and awaiting bond release.</p> <p><b>TC</b> Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817:13(b).</p> <p><b>P1</b> Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.</p> <p><b>P2</b> Phase II Release: At least Phase II bond release for the entire permitted area.</p> <p><b>P3</b> Phase III Release: Reclamation completed and the RA has released all bond.</p>	<p><b>NS</b> Non-Site Visit: Status of site not determined.</p> <p><b>FP</b> 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.</p> <p><b>FR</b> Forfeited and Reclaimed: Forfeiture reclamation completed.</p> <p><b>FO</b> Abandoned Site: Abandoned site that is permitted but there is no bond.</p> <p><b>WC</b> Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.</p>
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<p><b>Facility Type Codes - Item 16</b></p> <p><b>A....</b>Surface</p> <p><b>B....</b>Underground</p> <p><b>C....</b>Preparation Plant</p>	<p><b>D....</b>Ancillary (Haulroad, Conveyor, and/or Rails)</p> <p><b>E....</b>Refuse and/or Impoundment</p> <p><b>F....</b>Loading Facility and/or Tlpple</p> <p><b>G....</b>Stockpiles</p>	<p><b>H....</b>Exploration Permits</p> <p><b>I....</b>Notice of Intent to Explore</p> <p><b>J....</b>Exempt 16 and 2/3</p>	<p><b>K....</b>Government Financed Construction Exemption</p> <p><b>L....</b>Remining site permitted under 30 CFR 785.25</p>
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**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

Permittee/ Person	COAL ENERGY GROUP 2, LLC	Permit Number	C/007/0033	Field Visit Date	10/30/2019	<b>State Program Continuation Page</b>
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## 28. Performance Standard Categories

Codes:1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

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

<p><b>A. Administrative</b> .....  1. Valid Permit ..... 773.11  2. Mining within Bonded Area ..... 773.11  3. Terms &amp; Conditions of Permit ..... 773.17  4. Liability Insurance ..... 800.60  5. Ownership and Control ..... 778.13  6. Temporary Cessation ..... §42.11(e) &amp; §16/817.131  7. AML Rec. Fees - Non-Respondent ..... §70.15(b)  8. AML Rec. Fees - Failure to Pay ..... §70.15(a)</p> <p><b>B. Hydrologic Balance</b> ..... (816/817.41-57)  1. Drainage Control ..... 45  2. Inspections &amp; Certifications ..... 49(a)(10)  3. Siltation Structures ..... 46  4. Discharge Structures ..... 47  5. Diversions ..... 43  6. Effluent Limits ..... 42  7. Ground Water Monitoring ..... 41(c)  8. Surface Water Monitoring ..... 41(e)  9. Drainage--Acid - Toxic Materials ..... 41(f)  10. Impoundments ..... 49  11. Stream Buffer Zones ..... 57</p> <p><b>C. Topsoil &amp; Subsoil</b> ..... (816/817.22)  1. Removal ..... 22(a)  2. Substitute Materials ..... 22(c)  3. Storage and Protection ..... 22(c)  4. Redistribution ..... 22(d)</p> <p><b>D. Backfilling &amp; Grading</b> ..... 816/817.95-107  1. Exposed Openings ..... §16/817.13, 14, 15, &amp; §23.11 &amp; 21  2. Contemporaneous Reclamation ..... 100  3. Approximate Original Contour ..... 102(a)(1)  4. Highwall Elimination ..... 102(a)(2)  5. Steep Slopes (includes downslope) ..... 107  6. Handling of Acid &amp; Toxic Materials ..... 102(c)  7. Stabilization (rills and gullies) ..... 95(b)</p>	<p><b>E. Excess Spoil Disposal</b> ..... (816/817.71-74)  1. Placement ..... 71(e)  2. Drainage Control ..... 71(f)  3. Surface Stabilization ..... 71(g)  4. Inspections &amp; Certifications ..... 71(h)</p> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b> ..... 816/817.81-84  1. Drainage Control ..... 83(a)  2. Surface Stabilization ..... 83(b)  3. Placement ..... 83(c)  4. Inspections and Certifications ..... 83(d)  5. Impounding Structures ..... 84</p> <p><b>G. Use of Explosives</b> ..... (816/817.61-68)  1. Blaster Certification ..... 61(c)  2. Distance Prohibitions ..... 61(d)  3. Blast Survey/Schedule ..... 62-64  4. Warnings &amp; Records ..... 66 &amp; 68  5. Control of Adverse Effects ..... 67</p> <p><b>H. Subsidence Control Plan</b> ..... (817.121-122)</p> <p><b>I. Roads</b> ..... (816/817.150-151)  1. Road Construction ..... 150(c)  2. Certification ..... 151(a)  3. Drainage ..... 150(b)-151(d)  4. Surfacing and Maintenance ..... 150(e)-151(d)  5. Reclamation ..... 150(f)</p> <p><b>J. Signs &amp; Markers</b> ..... 816/817.111  1. Signs ..... 11(a),(b),&amp;(c)  2. Markers ..... 11(a),(b),(d),(e),&amp;(f)</p> <p><b>K. Distance Prohibitions</b> ..... (761.11)</p> <p><b>L. Revegetation</b> ..... (816/817.111-116)  1. Vegetative Cover ..... 111 &amp; 116  2. Timing ..... 113</p> <p><b>M. Postmining Land Use</b> ..... (816/817.133)</p>
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**Denver Field Branch  
Mine Site Evaluation Narrative**

Permittee: Coal Energy Group 2, LLC  
Operator: Coal Energy Group 2, LLC  
Site: Wildcat Loadout  
Permit No: C/007/0033  
Date of Inspection: October 30, 2019  
Inspection Type: Oversight comprehensive  
Weather: Cold and sunny with dry ground conditions  
Operator Representative(s): Larry Johnson and Lee Tweddell  
State Official(s): Steve Demczak, Division of Oil, Gas and Mining  
OSMRE Official(s): Tom Medlin #562

**Background**

This was an oversight comprehensive inspection at the Wildcat Loadout in Carbon County, Utah. The permit area is 111.62 acres. The Wildcat Loadout is currently in Temporary Cessation status. The operator representative indicated plans are in place to resuscitate the loadout and begin coal handling in the near future.

**Topsoil Storage R645-301-234**

Topsoil stockpiles E, B, and F were inspected for protection against resource loss. The stockpiles were stable, well-vegetated, and bermed. No issues were noted. See Figure 1.

**Mine and Permit Identification Signs R645-301-521.240**

A mine and permit identification sign containing the required information was stationed at the loadout entrance on Trestle Road. No issues were noted. See Figure 2.

**Perimeter Markers R645-301-521.250**

Green and white t-posts delineated the disturbed area perimeter. No issues were noted.

**Topsoil Markers R645-301-521.270**

All topsoil stockpiles were marked as required. See Figure 1.

**Excess Spoil R645-301-528.310**

The Refuse Disposal Area was inspected for signs of instability; none were observed. The pile was well vegetated as it had not received any new material in some time. The operator representative indicated the outdated MSHA identification sign will be replaced. See Figure 3.

**Noncoal Mine Waste R645-301-528.331**

The mine site was tidy and free of uncontrolled noncoal mine waste. This site is prone to windblown tumbleweeds. Mr. Tweddell clears accumulated tumbleweeds regularly to maintain site accessibility and the functionality of surface hydrologic controls. See Figure 4.

**Roads R645-301-534.200**

The haul road and access roads throughout the site were compacted, stable, and graded. No

issues were noted. See Figure 4.

### **Sedimentation Ponds R645-301-742.220**

Ponds A, B, C, D, E, F, Depressed Area Impoundment, and Permanent Impoundment were inspected for stability, sediment storage capacity, and upkeep / maintenance. The following observations were recorded:

Pond A: dry, no issues.

Pond B: dry, no issues.

Pond C: retaining a moderate amount of water. The inlet was recently modified from a half-culvert to rip-rap channel design to reduce undercutting. A permit revision incorporating this change has been filed with the Division. The operator representative agreed to seed the small area surrounding the inlet which was disturbed by heavy equipment during rip-rapping. See Figures 5 and 6.

Pond D: retaining a small amount of water. No issues observed.

Pond E: dry. Inlet was recently modified from a half-culvert to rip-rap channel design. The operator will submit a permit revision to reflect on-the-ground conditions and seed the inlet area, as with Pond C. See Figure 7.

Pond F: dry, no issues.

Depressed Area Impoundment: dry, tumbleweed accumulating but culverts open.

Permanent Impoundment: dry, tumbleweed accumulating but culverts open.

### **Drainage Control R645-301-742.423**

Disturbed area drainage ditches and culverts throughout the property were inspected for any maintenance or design issues which would impact their functionality during precipitation events. No issues were noted. See Figure 8.

### **Availability of Records R645-400-142.100**

The DOGM permit on file was current with an expiration date of January May 5, 2024.

The current bonding document was on file. RLI Insurance Company, #ROG001354 in the amount of \$1,192,000.

Liability insurance provided by Arthur J. Gallagher Risk Management Services, Inc, #857058957, is valid through August 31, 2020.

Quarterly pond inspections were conducted September 23, 2019 by a Utah registered professional engineer.

The Refuse Disposal Area, MSHA ID 1211-UT-09-018664-01, was quarterly inspected September 23, 2019 by a Utah registered professional engineer.

Utah Pollutant Discharge Elimination System (UPDES) permit #UTG040007 dated April 15, 2019 was on file.

Discharge Monitoring Reports for the month of September, 2019 were on file and indicate no discharge / no exceedances.

Air quality permit # DAQE-GN101130011-19 dated January 16, 2019 was on file.

A Spill Prevention, Control, and Countermeasure (SPCC) plan dated October 10, 2016 was on file.

A Stormwater Pollution Prevention Plan (SWPPP) was not initially available. The operator representative provided one dated October 30, 2019 the day after this inspection.

Recent DOGM inspection reports were available for inspection.

### **Enforcement Actions**

No enforcement actions were taken as a result of this inspection, nor are any pending.

### **Photos**



Figure 1. Topsoil stockpile E.



Figure 2. Mine and permit identification sign.



Figure 3. Refuse Disposal Area.



Figure 4. Site overview and access road.



Figure 5. Pond C.



Figure 6. Recently reconstructed inlet at Pond C.



Figure 7. Recently reconstructed inlet at Pond E. Operator will seed this disturbed area, as well as at Pond C.



Figure 8. Typical unobstructed drainage culvert along western access road.