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State of Utah

INSPECTION REPORT

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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertter
Governor
Dee C. Hansen
Executive Director
Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

Partial: Complete: X Exploration:
Inspection Date & Time: 12/22/92 / 11:00-2:00
Date of Last Inspection: 11/11/92

Mine Name: Banning Siding Loadout County: Carbon Permit Number: ACT/007/034
Permittee and/or Operator's Name: Soldier Creek Coal Company/Savage Brothers
Business Address: P.O. Box I, Price, Utah 84501
Type of Mining Activity: Underground Surface Prep. Plant Other X
State Officials(s): Rick Summers
Company Official(s): Tom Paluso, Dave Spillman
Federal Official(s): None
Weather Conditions: Clear, Site was partially covered with snow
Existing Acreage: Permitted- 36 Disturbed- 26.1 Regraded- Seeded- Bonded- 21.4
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
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 type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. 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 type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June)_____ (date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/034

DATE OF INSPECTION: December 22, 1992

(Comments are Numbered to Correspond with Topics Listed Above)

1. Permits:

The State permit was issued on October 24, 1988 and expires October 25, 1993. The Division subsequently issued approval to permit stipulations on December 5, 1991. Approval was given on September 12, 1989 for an 0.83 acre incidental boundary change to the permit area. Conditional approval for a power substation was granted on October 3, 1989. The approval required as-built designs of the substation to be submitted. As-built drawing (dated 3/15/90) of the area certified by J.T. Paluso (Exhibit 5.2.1) was approved by the Division on July 5, 1990. The current coal stockpile at the site is approximately 200,000 tons.

Site as-builts for the entire permit area are certified and dated 2/27/89. Road certifications are contained in the MRP and are dated 2/28/89. The sediment pond certification as per UMC 817.49 (h) and as-builts are in order (dated 2/28/89, Exhibit 5.2-2). A right of way for the access road was granted to Soldier Creek Coal Company from the B.L.M. on February 13, 1984. A stipulation of that right of way is that the operator carry insurance for \$300,000 injury, \$1,000,000/one occurrence, and \$100,000 property. These limits are exceeded with the operator's current policy. The current bond is in order for the amount of \$211,000 (surety bond).

The Air Quality Order for the site was approved on 7/16/80 with no expiration date and no renewal required. That order required that an annual emissions inventory be conducted at the site. That order was subsequently amended to conduct the inventory every other year (letter F. Burnell Cordner, Dept. Health to John Taiton, Coal Service Company, March 29, 1988). The approved MRP states that the emissions inventories will be submitted with the annual report. The Department of State Health conducts the inventories.

The previous NPDES permit (UT-0023817-1) expired on 6/30/90. A new permit was approved on May 5, 1990, effective July 1, 1990. The permit expires on 4/30/93. The permit was issued with a new permit identification number, UT-6040011. A water right exists for the loadout for 0.03 cfs. Water right application #54809 (91-4226) was approved on March 26, 1981.

4b. Hydrologic Balance: Sediment Ponds and Impoundments:

The sediment pond was inspected and observed to be in good repair. Erosion on the inslopes noted in the last inspection appear to be stable. Spillway dimensions were verified and found to be consistent with the approved designs in the permit (30 inch riser and 18 inch barrel). Pond inspections have been conducted quarterly. There are no other impoundments at the facility.

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(Continuation sheet)

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PERMIT NUMBER: ACT/007/034

DATE OF INSPECTION: December 22, 1992

4c. Hydrologic Balance: Other Sediment Control Measures:

Silt fences and straw bales at the site are in good condition and have been installed as per the approved MRP (Section 5.2.1). The installations include metal posts with mesh wire. An area identified as the incidental boundary change on Map 5.2-1 and 2.1-2 was approved as an amendment to the permit as the result of TDN No. 89-02-107-4 issued in 6/89. That area (0.83 acres) was added to the permit due to the accumulation of air borne coal fine along the fence and permit boundary. At the time of the approval, no alternative sediment control measures were proposed. Division Order ACT/007/034-92A was issued on September 3, 1992 to correct this permit defect. The Division Order required submittal of a complete plan for sediment control in this area by October 2, 1992. The submittal was received on October 1, 1992. That submittal essentially did not address the requirements of Part 1 of the Division Order. The operator had obtained a right of way from the BLM to conduct activities in the described area, but did not present a narrative, designs, and revised maps as delineated in the Division Order. Therefore, NOV N92-15-1-1 was issued from the Division offices on 11/5/92 for failure to comply with the terms of the permit. The abatement date for the Notice was set at November 16, 1992. That submittal date was subsequently extended to December 18, 1992. The operator stated that he mailed the response to the Salt Lake Offices last week. The submittal is currently under review for adequacy and N92-15-1-1 is not terminated at this time. That submittal proposes to install sediment fences in the aforementioned area to treat the drainage.

16. Roads:

The road designs were reviewed in the offices. The MRP states that the road was constructed in accordance with BLM standards and the MRP contains a certification statement that certifies that the road was constructed to those standards. Specific designs for the road were not included in the MRP. Therefore, Division Order #ACT/007/034-92A, part 2, was issued on September 3, 1992 to correct this permit deficiency. The submittal is under current review by the Division. The first response to the Division Order was incomplete in that designs for the road diversion were not addressed. The December 18, 1992 submittal contains designs and calculations for the road diversion. Those designs are currently under review.

Copy of this Report:

Mailed to: Bernie Freeman (OSM)

Given to: Joe Helfrich (DOGM)

Inspector's Signature: _____



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Date: 1/6/93