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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

John

Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

Partial:___ Complete: XXX Exploration:___
Inspection Date & Time: 5/5/99 / 9:30a.m.-3:00p.m.
Date of Last Inspection: 4/12/99

Mine Name: Banning Siding Loadout County: Carbon Permit Number: ACT/007/034
Permittee and/or Operator's Name: Canyon Fuel Company
Business Address: P.O. Box 1029, Wellington, Utah 84542
Type of Mining Activity: Underground___ Surface___ Prep. Plant XXX Other___
Company Official(s): Dave Spillman, Ken Payne
State Officials(s): Steve Demczak Federal Official(s): None
Weather Conditions: Clear, 50's
Existing Acreage: Permitted- 36 Disturbed- 21.6 Regraded- 0 Seeded- 0 Bonded- 21.6
Increased/Decreased: Permitted-___ Disturbed-___ Regraded-___ Seeded-___ Bonded-___
Status: Exploration/XXX 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

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 N/A.
 - b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing 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, 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input 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 VALUES	<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 type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input 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 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 (4th Quarter-April, May, June)_____ (date)	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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(Continuation sheet)

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PERMIT NUMBER: ACT/007/034

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(Comments are Numbered to Correspond with Topics Listed Above)

NOTE: Coal is occasionally being loaded out by rail at the Banning site. Banning may be receiving additional coal in the near future.

1. PERMIT-

There will be a minor amendment submitted to the Division for an equipment storage area at the Banning site. The equipment may come from several of Canyon Fuel's mines.

The Mining and Reclamation Plan has been renewed as of October 24, 1998. This document has been signed by both parties. The permit will expire on October 24, 2003. The mid-term will be reviewed 2.5 years from the new five year renewal date. The Reclamation Agreement between the Division and the permittee is currently being updated.

2. SIGNS AND MARKERS -

Identification signs meet the requirement of the R645 Coal Rules. The perimeter markers were spot-checked and are located around the perimeter of the disturbed area.

4A. DIVERSIONS -

The diversions were spot-checked for performance standards. It was determined that these diversions comply with the requirements of the Mining and Reclamation Plan and the R645 Coal Rules. No water was flowing within the diversions during the inspection.

4B. SEDIMENT PONDS -

The sediment pond was not discharging during the inspection. It is highly unlikely that a discharge of water will occur in the near future. This sediment pond did contain a small amount of water. The Banning sediment pond has never discharged.

There were no signs of any hazardous conditions occurring to the sediment ponds during the inspection. This is an incised pond. The sediment ponds were inspected for first quarter on March 8, 1999. There were no reports of hazardous conditions.

4C. OTHER SEDIMENT CONTROL MEASURES -

The Banning Loadout facility uses silt fences and straw bales on Figure 7-1 and 7-2 as its alternate sediment control measures as approved by the Division. These areas were spot-inspected and complied with the R645 Coal Rules.

4D. WATER MONITORING -

Water monitoring is taken one time per year at the Banning sump. This was taken on October 29, 1998. All required parameters were taken.

4E. EFFLUENT LIMITATIONS -

No UPDES samples were taken for first quarter. There was no discharge from the ground water pump 001A and sediment pond 002A. The UPDES permit was renewed on June 1, 1998 and will expire on April 30, 2003. There were no changes to the permit.

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5. EXPLOSIVES -

No explosives boxes are on the property.

7. REFUSE PILES -

There will be no refuse at Banning Loadout.

8. NON-COAL WASTE -

The area was clear of non-coal waste material. The SPCC Plan was P.E. certified on April 6, 1998.

13. REVEGETATION -

The permittee has done a vegetation survey of the test plot for 1998. The survey was done by Pat Johnston.

18. SUPPORT FACILITIES -

No new surface facilities were installed.

19. AVS -

There were no new changes to the AVS as stated in the annual report.

20. AIR QUALITY -

The air quality permit is being complied with.

21. BONDING AND INSURANCE -

The bonding is set at \$350,000 and comes up for review in 2000. This surety bond was issued by Liberty Mutual Ins. The insurance acord form meets the requirement of the R645 Coal Rules. This policy will expire on July 31, 1999. This policy does include coverage for explosives.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

Mailed to: Dave Spillman (Soldier Canyon) Henry Austin (OSM)
Given to: Joe Helfrich (DOGM) Filed to: Price Field Office
Date: May 13, 1999

Inspector's Signature:  #39
Stephen J. Demczak