



# 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:   | C0070034                     |
| Inspection Type: | PARTIAL                      |
| Inspection Date: | Thursday, March 31, 2016     |
| Start Date/Time: | 3/31/2016 8:30:00 AM         |
| End Date/Time:   | 3/31/2016 9:45:00 AM         |
| Last Inspection: | Wednesday, February 10, 2016 |

Inspector: Priscilla Burton,

Weather: partly cloudy 45F

InspectionID Report Number: 5480

Accepted by: JHELFRIC

4/7/2016

| Representatives Present During the Inspection: |                  |
|--|------------------|
| OGM  | Priscilla Burton |
| Company  | David Spillman   |
| Company  | Bill King        |

Permitee: **BANNING**  
 Operator: **CANYON FUEL COMPANY**  
 Site: **BANNING SIDING LOADOUT**  
 Address: **PO BOX 1029, WELLINGTON UT 84542**  
 County: **CARBON**  
 Permit Type: **PERMANENT COAL PROGRAM**  
 Permit Status: **INACTIVE**

#### Current Acreages

|       |                        |
|-------|------------------------|
| 36.42 | <b>Total Permitted</b> |
| 21.60 | <b>Total Disturbed</b> |
|       | <b>Phase I</b>         |
|       | <b>Phase II</b>        |
|       | <b>Phase III</b>       |

#### Mineral Ownership

- Federal
- State
- County
- Fee
- Other

#### Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

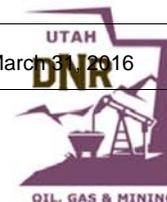
#### Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

This inspection was conducted in conjunction with the mid-term review task 5078. The area was walked and final reclamation was discussed. Exhibit 5-2R Banning Loadout Facilities and Ex. 3-1 Vegetation, Soils & Wildlife are referenced in this inspection report.

Inspector's Signature:

Priscilla Burton,  
Inspector ID Number: 37

Date Thursday, March 31, 2016



**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 type="checkbox"/>            | <input type="checkbox"/> | <input 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 type="checkbox"/>            | <input type="checkbox"/> | <input 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 4.d Hydrologic Balance: Water Monitoring                         | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 4.e Hydrologic Balance: Effluent Limitations                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5. Explosives  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. Disposal of Excess Spoil, Fills, Benches                      | <input 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Slides and Other Damage                                      | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 11. Contemporaneous Reclamation                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Backfilling And Grading                                      | <input type="checkbox"/>            | <input 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 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 17. Other Transportation Facilities                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 20. Air Quality Permit   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 21. Bonding and Insurance  | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 22. Other  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

Mr. Spillman stated that the BLM lease agreement had just been renegotiated. Several lease documents in the MRP Appendix 1-5 have expired, including the BLM and State ROW documents. Mr. Spillman stated that the Denver Rio Grande Rail Road Agreement (dated 1978) was still in force.

**3. Topsoil**

There are no topsoil stockpiles at the site. Exhibit 3-1 shows the locations of former test pits.

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

Tamarisk growing along pond bottom were treated with chemical last year by Dave Bassinger.

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

Most of the coal has been scraped off the site. A single berm about 3 ft high were scraped from the area where pond sediments were placed and vegetated (shown on Exhibit 5-2R).

**9. Protection of Fish, Wildlife and Related Environmental Issues**

There were lots of rabbits.

**11. Contemporaneous Reclamation**

Former test plots were observed to be growing salt bush and rabbitbrush. The area is labeled on Ex 5-2R as the Dugout Canyon Mine Sediment Storage Area As-Built.

**13. Revegetation**

ASCA area #1, immediately south of the pond, was revegetated decades ago after pond construction. The fenced area was observed to be growing bunch grasses that were well grazed (probably by rabbits). The seed mix in the plan was specified in the expired BLM Lease U-49763, page 5. This lease also specified drill seeding of all areas disturbed by construction.

**15. Cessation of Operations**

The site has been in temporary cessation since ???.

**16.a Roads: Construction, Maintenance, Surfacing**

The access road to the site is paved. Rabbitbrush line the borrow ditches.

**17. Other Transportation Facilities**

The truck loadout is in place. The reclaim tunnel is in place. The remains of the cement abutments for the train loadout are in place. The RR spur is being used by Bowie to store train cars.

**18. Support Facilities, Utility Installations**

Ownership of the substation was transferred to East Carbonics (now Ferris) in 2003.

**22. Other**

The main control building (shown on Ex. 5-2R) was recently demolished leaving a cement foundation. The foundation of the diesel storage tank remains. The Sediment pond has a cement access. The reclaim tunnel is in place. The water storage tank is in place. The concrete drive through are in place. The truck dump and water sump is in place. However Ex. 5-2R does not portray the access to the water sump correctly.