



The State of Utah

Department of
Natural ResourcesDivision of
Oil, Gas & MiningROBERT L. MORGAN
*Executive Director*LOWELL P. BRAXTON
*Division Director*OLENE S. WALKER
*Governor*GAYLE F. McKEACHNIE
Lieutenant Governor

Representatives Present During the Inspection:

Company Vicky S. Miller Environmental Specialist

Inspection Report

Permit Number:	C0070039
Inspection Type:	TECHNICAL
Inspection Date:	Friday, August 20, 2004
Start Date/Time:	8/20/2004 11:00:00 AM
End Date/Time:	8/20/2004 2:00:00 PM
Last Inspection:	

Inspector: Priscilla Burton, Environmental Scientist IIIWeather: sun, 80 FInspectionID Report Number: 376Accepted by: whedberg
9/22/2004

Permitee: **CANYON FUEL COMPANY LLC**
 Operator: **CANYON FUEL COMPANY LLC**
 Site: **DUGOUT CANYON MINE**
 Address: **PO BOX 1029, WELLINGTON UT 84542**
 County: **CARBON**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **ACTIVE**

Current Acreages

7,083.71	Total Permitted
51.11	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:

Observed the topsoil and subsoil stockpiles at the Refuse Area (RA) developed in 2003. Observed the Dugout Mine topsoil and subsoil stockpiles at the Soldier Canyon Topsoil stockpile site, developed 1998 to 2002. Photos are in the mine images folder dated 08/20/2004. The RA volume of the MRP indicates on page 2-10 that the As-Built information will be used to indicate actual quantities of stockpiled topsoil and subsoil. An As-Built was incorporated into the RA MRP on October 16, 2003. The recently submitted As-Built topography map should now be used to provide an accurate quantity of stockpiled topsoil and subsoil. As-Built volumes of the two larger topsoil stockpiles at the Dugout/Soldier Canyon Topsoil Storage site are also requested.

Inspector's Signature

Date

Monday, August 23, 2004

Priscilla Burton, Environmental Scientist III

Inspector ID Number: 37

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

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Inspection Continuation Sheet

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, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Topsoil

REFUSE SITE

An As-Built of the Dugout Mine Refuse Area (RA) was incorporated into the plan on October 16, 2003. The As-Built Map is found in the RA volume of the Mining and Reclamation Plan (MRP) and is labeled "Facilities Base." This map indicates the topsoil and subsoil locations, but does not provide the volumes of topsoil and subsoil stockpiled at the site.

The stockpiled soil volumes for the refuse are estimated from approximate contours on RA Plate 2-2 (RA MRP, p. 2-10). The approximate information suggests that a total of 44,317 cubic yards was salvaged and stockpiled (RA Table 2-2) into a topsoil pile with 13,775 cu yds and a subsoil pile with 30,542 cu yds (RA Plate 2-2). The RA MRP indicates on page 2-10 that the As-Built information will be used to indicate actual quantities of stockpiled topsoil and subsoil.

The RA MRP indicates that the Interim Mix for the refuse site provided in Chap 3, Sec 341.200 was seeded on the stockpiles. This mix includes Indian ricegrass, blue grama, sheep fescue and western wheatgrass. A record of the seeding is found in the 2003 Incoming Folder for the mine, in a FAX dated September 9, 2003. This FAX indicates that the seed was mixed with 500 lbs of Ecofiber mulch and water purchased from Wellington and sprayed onto the surface of the soil on September 1, 2003. An additional 1500 lbs of mulch mixed with tackifier was applied on top. There was 20 lbs of tackifier per 1,500 lbs/mulch. Rain occurred on the day of and the day following the seeding.

No seeded species were noted growing on either stockpile at the refuse site. The only species growing on the topsoil stockpile were halogeton, kochia and yellow sweetclover, all non-seeded species. The subsoil pile had kochia and halogeton, but no yellow sweet clover. A couple of shadscale plants had gotten a start on the subsoil, but no other desirable or seeded species were noted.

TOPSOIL STORAGE SITE

The Dugout topsoil storage site (Soldier Canyon location) was also visited. There are two large stockpiles and two small stockpiles shown on Plate 2-3 of the MRP. The vegetation on the stockpiles had been grazed in the early spring and was resprouting, but the sprouts looked scorched from drought. The stockpiles were very dry. Vegetation on the two large stockpiles was mostly alfalfa. The large stockpile to the north holds 27,220 cu yd (MRP, Appendix 2-6). The large, southern stockpile is sized for a maximum of 32,350 cu yd (page 12, Exhibit A, Appendix 2-7, MRP), although the total yardage in the stockpile could not be found in the MRP.

The Gilson well riparian soil stockpile contains 200 cu yd (Table 2-2, MRP). The Gilson stockpile is marked "Riparian" and is growing woods rose and Cleome (bee plant). A second small stockpile of soil from the substation construction one year ago contains 30 cu yds of soil (Table 2-2, MRP) and has sagebrush, aster, rabbitbrush, yellow sweet clover, alfalfa, and Cleome (in the moist low spots).

The stockpiled soil will be used to reclaim 14.7 acres in the Dugout disturbed area (Appendix 2-6). As-Built volumes of the two larger piles are requested, so that replacement depths can be verified.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Photo taken of the full Refuse Area sediment pond shows that the site has received several rainfall events lately.

7. Coal Mine Waste, Refuse Piles, Impoundments

The Permittee will have an estimate of the Tons of waste stored at the Refuse Area in the next week.

9. Protection of Fish, Wildlife and Related Environmental Issues

The fence surrounding the Refuse Area was built to BLM specifications for wildlife protection with the top wire being not barbed. Still, the Permittee informed me that one deer had gotten tangled in the fence and died this past year. The full sediment pond is an enticement to them.