

0007

Outgoing  
C0070039

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**From:** Steve Demczak  
**To:** Suzanne Steab; Vicky Miller  
**Date:** 3/23/2010 7:34 AM  
**Subject:** Insp  
**Attachments:** 20100323065011.pdf; 20100323065030.pdf



The State of Utah

Department of  
Natural Resources

Division of  
Oil, Gas & Mining

ROBERT L. MORGAN  
*Executive Director*

LOWELL P. BRAXTON  
*Division Director*

OLENE S. WALKER  
*Governor*

GAYLE F. McKEACHNIE  
*Lieutenant Governor*

# Inspection Report

Permit Number:	C0070039
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, February 23, 2010
Start Date/Time:	2/23/2010 10:00:00 AM
End Date/Time:	2/23/2010 4:00:00 PM
Last Inspection:	Tuesday, January 19, 2010

Inspector: Steve Demczak, Environmental Scientist III

Weather: Snow Covered, Temp. 30's

Inspection ID Report Number: 2284

Accepted by: jhelfric

3/22/2010

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

9,751.00	<b>Total Permitted</b>
104.70	<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:**

There are no pending compliance actions for the Dugout Canyon Mine permit area.  
The Permittee is current relative to the required electronic quarterly water monitoring submittals for 2009.

Inspector's Signature: \_\_\_\_\_

*Steve Demczak*  
Steve Demczak, Environmental Scientist III

Inspector ID Number: 39

Date Thursday, February 25, 2010

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

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801  
telephone (801) 538-5340 facsimile (801) 359-3940 TTY (801) 538-7223 [www.ogm.utah.gov](http://www.ogm.utah.gov)

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**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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: 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 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 Issues	<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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" 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 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

DOGMA Permit will expire on March 17, 2013. Air Quality permit number is DAQUE-AN0116340009-07. UPDES permit number is UT0025593 and expire on Nov. 30, 2014. The SPCC Plan was reviewed on March 14, 2008.

**2. Signs and Markers**

The permit sign is located at the gate to the property. Information meets the minimum requirements of the R645 Coal Rules.

**3. Topsoil**

Topsoil pile was snow covered.

**4.a Hydrologic Balance: Diversions**

Most of the diversions were snow covered.

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

I inspected the sediment pond; and it did contain water but was not discharging during the inspection. The pond was cleaned out a few of months ago. No hazardous conditions were noticed during the inspection. The sediment pond was inspected on 11/12/2009 by the permittee.

**4.d Hydrologic Balance: Water Monitoring**

The permittee has sent the third quarter water data to the Division.

**4.e Hydrologic Balance: Effluent Limitations**

The permittee was in compliance for January and December.

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

The waste rock site was inspected with no hazardous conditions noticed during the inspection. The permittee inspected the refuse pile on December 16, 2009. This was conducted by a P.E.. No hazardous conditions were reported.

**8. Noncoal Waste**

The mine site was clear of non-coal waste materials.

**14. Subsidence Control**

This information is in the annual report.

**18. Support Facilities, Utility Installations**

No new facilities constructed since the last inspection.

Permit Number: C0070039  
Inspection Type: COMPLETE  
Inspection Date: Tuesday, February 23, 2010

**20. Air Quality Permit**

Air Quality Permit is DAQE-AN0116340009-07

**21. Bonding and Insurance**

The insurance policy will expire on July 31, 2010. The accord form was reviewed and meets the requirements of the R645 Coal Rules. The bonding amount is \$3,550,000. The Reclamation Agreement was inspected and is signed by the Division. The total disturb area is 104.70 acres.



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# Inspection Report

Permit Number:	C0070039
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, January 19, 2010
Start Date/Time:	1/19/2010 10:00:00 AM
End Date/Time:	1/19/2010 2:00:00 PM
Last Inspection:	Tuesday, December 15, 2009

Inspector: Steve Demczak, Environmental Scientist III

Weather: Thick Fog, Snow Cover 16 inches.

InspectionID Report Number: 2249

Accepted by: jhefric

1/25/2010

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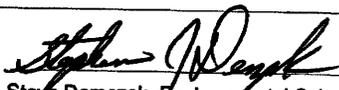
- Underground
- Surface
- Loadout
- Processing
- Reprocessing

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

There are no pending compliance actions for the Dugout Canyon Mine permit area.  
 The Permittee is current relative to the required electronic quarterly water monitoring submittals for 2009.

I could not make it to Pace Canyon due to snow cover.

Inspector's Signature: \_\_\_\_\_

  
 Steve Demczak, Environmental Scientist III  
 Inspector ID Number: 39

Date Monday, January 25, 2010

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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22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

There is no amendment or other permitting action with the Division.

**2. Signs and Markers**

The permit sign is located at the gate to the property. Information meets the minimum requirements of the R645 Coal Rules.

**4.a Hydrologic Balance: Diversions**

The diversions were spot inspected and were functioning as designed and were snow covered.

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

I inspected the sediment pond; and it did contain water but was not discharging during the inspection. The pond was cleaned out a few of months ago. No hazardous conditions were noticed during the inspection.

**4.c Hydrologic Balance: Other Sediment Control Measures**

The permittee were in the processs of trucking snow to the refuse site. This action was approved by the Division.

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

I inspected the refuse pile and no hazardous conditions could be seen.

**8. Noncoal Waste**

No non-coal waste could be seen.

**14. Subsidence Control**

This information is in the annual report.