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State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Inspection Report

Representatives Present During the Inspection:	
OSM	Henry Austin
OGM	Pete Hess Environmental Scientist III
Company	David Shaver Manager

Permit Number:	C0070041
Inspection Type:	COMPLETE OVERSITE
Inspection Date:	Tuesday, May 20, 2008
Start Date/Time:	5/20/2008 8:45:00 AM
End Date/Time:	5/20/2008 3:45:00 PM
Last Inspection:	Friday, April 25, 2008

Inspector: Pete Hess, Environmental Scientist III

Weather: Sunny and hot; 80's to 90's F.

InspectionID Report Number: 1648

Accepted by: jhelfric
6/2/2008

Permitee: **WEST RIDGE RESOURCES**
Operator: **WEST RIDGE RESOURCES**
Site: **WEST RIDGE MINE**
Address: **PO BOX 1077, PRICE UT 84501**
County: **CARBON**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

6,114.89	**Total Permitted**
29.06	**Total Disturbed**
	Phase I
	Phase II
	Phase III

Mineral Ownership

- [x] **Federal**
- [x] **State**
- [ ] **County**
- [ ] **Fee**
- [ ] **Other**

Types of Operations

- [x] **Underground**
- [ ] **Surface**
- [ ] **Loadout**
- [ ] **Processing**
- [ ] **Reprocessing**

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

Fourth quarter 2007 surface and ground water monitoring information for the West ridge Mine permit area has been inserted and uploaded into the Division's electronic water monitoring data base. The Permittee continues to meet this Special Requirement of the state permit issued by the DOGM. The analysis of this information by a Division assigned hydrologist is pending.
The West Ridge DOGM permit was approved on September 23, 2005 and same remains in effect through April 1, 2009. A midterm review of that permit is currently being conducted by the Division; the Permittee responded to five deficiencies aired by the Division in February 2008 on April 22, 2008.
Mr. Henry Austin, OSMRE / WR, accompanied the Division during today's complete inspection.

Inspector's Signature: Pete Hess **Date** Thursday, May 22, 2008

Pete Hess, Environmental Scientist III
Inspector ID Number: 46

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

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 performace 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	☑	☐	☑	☐
2. Signs and Markers	☑	☐	☐	☐
3. Topsoil	☑	☐	☑	☐
4.a Hydrologic Balance: Diversions	☑	☐	☑	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☑	☐	☑	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☑	☐	☑	☐
4.d Hydrologic Balance: Water Monitoring	☑	☐	☑	☐
4.e Hydrologic Balance: Effluent Limitations	☑	☐	☑	☐
5. Explosives	☑	☐	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☐	☑	☐	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☐	☑	☐	☐
8. Noncoal Waste	☑	☐	☑	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☑	☐	☐	☐
10. Slides and Other Damage	☐	☑	☐	☐
11. Contemporaneous Reclamation	☐	☑	☐	☐
12. Backfilling And Grading	☐	☑	☐	☐
13. Revegetation	☐	☑	☐	☐
14. Subsidence Control	☑	☐	☑	☐
15. Cessation of Operations	☐	☑	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☑	☐	☐	☐
16.b Roads: Drainage Controls	☑	☐	☐	☐
17. Other Transportation Facilities	☑	☐	☐	☐
18. Support Facilities, Utility Installations	☑	☐	☑	☐
19. AVS Check	☑	☐	☑	☐
20. Air Quality Permit	☑	☐	☐	☐
21. Bonding and Insurance	☑	☐	☑	☐
22. Other	☑	☐	☑	☐

1. Permits, Change, Transfer, Renewal, Sale

The current mining permit issued by DOGM remains in effect through April 1, 2009. The current UPDES permit issued by the Utah Division of Water Quality remains in effect until April 30, 2011.

3. Topsoil

The single topsoil pile located in the top of the right fork is well vegetated with thick grasses. No erosion was evident. A retention basin on the up gradient side of the pile prevents any runoff from reporting to the undisturbed "C" Canyon channel. During the inspection of the left fork coal storage area, it was observed that coal had reached an elevation which encroached into the vegetation in some areas. The areas are within the disturbed area perimeter, as noted by the painted "T" post markers. Shallow topsoil volumes and vegetation have been covered with coal. The Permittee must remove the coal and uncover the soils and vegetation, or receive a violation for failing to reccover these resources in that area, (R645-301-232.100, 232.600). The experimental practice in-situ topsoil sotrage test plots were reclaimed in September 2005. Inspection report #1468, dated November 20, 2007 and authored by Ms. Priscilla Burton states that the annual evaluation for the vegetation on the test plots has not been conducted. Mr. Shaver committed to conducting this annual evaluation in June of 2008. This requirement will receive enhanced monitoring to ensure its completion.

4.a Hydrologic Balance: Diversions

All diversions which contained flow were functioning as designed. Mine water from the main dips (underground development) is pumped to the surface adjacent to the fan portal, where it is routed to the upper cell of the sediment pond via several disturbed area ditches for treatment. This water is heavily laden with coal fines and other sediment particles. Mine water which is treated underground via sumps and gob areas is pumped to the surface through UPDES outfall 002 where it is dischraged into the undisturbed bypass culvert. This water is also treated with flocs in-Mine to keep total iron levels below the approved 1.3 mg/l daily maximum limit. Diversions which were dry were clear and appeared capable of functioning as designed.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Mr. Dave Shaver conducted the second quarter of 2008 impoundment inspection for the dual cell sediment pond on April 5, 2008. There were no indications of erosion, or structural instability either on April 5, or as observed during today's inspection. All inlet ditches are well armored. Water was reporting into the upper cell of the sediment pond through culvert DC-13. The lower cell also contained water, with the surface elevation of that volume being well below the discharge elevations of both vertical stand pipes. The armored open channel spillway connecting the upper cell with the lower cell is believed to have never seen connecting flow.

4.c Hydrologic Balance: Other Sediment Control Measures

The straw bale dikes and silt fences located in ditch UD-15 appeared capable of functioning as designed; there was no flow observed in this ditch during the inspection. One silt fence located just below the office pad concrete retaining wall has the potential to bypass on one end, rather than provide treatment of runoff reporting to it. Mr. Shaver noted this in order to have repair made.

4.d Hydrologic Balance: Water Monitoring

There was no flow observed in the left or right forks of the "C" Canyon drainage above the Mine site. All flow below the Mine is through UPDEs outfall 002A.

4.e Hydrologic Balance: Effluent Limitations

The exceedance of the total iron parameter at UPDES 002A mine water discharge occurred in February, 2008 (.16 mg/l > 1.3), and once again in April 2008. The daily maximum established within the permit is 1.3 mg/l. The Permittee, in conjunction with consultation through the Utah Division of Water Quality, has implemented a flocculation system underground to provide additional treatment for the mine water and in order to bring it into compliance. It appears that this system may be experiencing some problems. No other parameter exceedances have been noted. This Permittee also participates in the Colorado River Salinity Offset Program.

8. Noncoal Waste

A small amount of stained blast furnace slag was observed adjacent to the UPDES sample point 002 vertical pipe. The stain appeared to have been a diesel fuel spill. The Permittee was asked to clean up the contaminated slag and dispose of it properly.

14. Subsidence Control

The annual subsidence monitoring aerial survey was conducted during the fall of 2007. The submittal of the received information and its analyses will be submitted with the 2007 Annual Report, which is due June 30, 2008.

18. Support Facilities, Utility Installations

The Permittee has constructed a chain link fenced area on the crusher pad for storage of electrical cable. This needs to be shown on the surface facilities map, Map 5-5. The map will require re-certification by a Utah P.E. The Permittee is storing longwall shields from the Aberdeen Mine inside the truck loading loop. Map 5-5 (Surface Facilities Map) should be revised to reflect the inside loop area as an equipment storage area.

19. AVS Check

The Division approved a revision to the ownership and control information for this site on August 27, 2007. However, a deficiency aired by the midterm permit review for the WestRidge Mine permit contained an ownership and control deficiency relative to R 645-301-112. This deficiency was addressed in the Permittee's April 22, 2008 response to the midterm permit review.

21. Bonding and Insurance

The Permittee has responded to the deficiency aired relative to the reclamation bond (#5, Midterm permit review) with the April 22, 2008 response. The adequacy of that response is still under review. The general liability insurance for the site will expire on June 1, 2008. All other R645 requirements relative to general liability insurance are being met.

22. Other

The permit requirement to conduct appropriate surveys for Mexican spotted owls on lease tract areas with 40 % or greater slopes, cliff habitat areas, riparian habitats, and mixed conifer forest habitats prior to future surface disturbance or mining activity with the potential to interrupt spring flows was discussed with Mr. Shaver, who indicated that it was his recollection that the issue had been put to rest. The Division has requested (post-May 20, 2008) that more clarification on this permit requirement be provided. As of May 28, 2008, the Permittee's representative has not been able to respond to the Division's request.