

From: Gina Rau <grau@headwaters.com>
To: "ogmcoal@utah.gov" <ogmcoal@utah.gov>
CC: Kyle Edwards <kedwards@headwaters.com>, "Sandra L. O'Dell" <sodell@headw...>
Date: 2/29/2012 4:23 PM
Subject: Form Returned: 2011 Annual Report_Covol.pdf
Attachments: 2011 Annual Report_Covol.pdf; Appendix A_2011 Basin Certification_Covol.pdf; PLATE 5-1_Covol.pdf

Attached is the 2011 Annual Report for the Covol Engineered Fuels, LC facility located in Wellington, UT. In addition to the report, the annual impoundment inspection for Appendix A is attached along with the map of our facility, which belongs in Appendix D of the Annual Report.

If you have any questions or need additional information, please let me know.

Thank you,
Gina

Gina Rau
Director, Regulatory Compliance
Headwaters, Inc.
Ph: 801-984-3770
Cell: 801-703-7590

Form Returned: 2011 Annual Report_Covol.pdf

The attached file is the filled-out form. Please open it to review the data.

Print Form

Submit by Email

Reset Form

Annual Report

This Annual Report shows information the Division has for your mine. Submit the completed document and any additional information identified in the Appendices to the Division by **March 30, 2012**. During a complete inspection an inspector will check and verify the information.

GENERAL INFORMATION

Company Name	COVOL Engineered Fuels LC	Mine Name	COVOL
Permit Number	C/007/0045	Permit expiration Date	2014-09-01
Operator Name	COVOL Engineered Fuels LC	Phone Number	+1 (435) 613-1631
Mailing Address	1865 West Ridge Road	Email	kedwards@headwaters.com
City	Wellington		
State	UT	Zip Code	84542

DOGM File Location or Annual Report Location

Excess Spoil Piles	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required	
Refuse Piles	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required	
Impoundments	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	A copy of the inspection report is contained in Appendix A of this report.
Other:		

OPERATOR COMMENTS

The annual impoundment inspection and certification was performed on December 22, 2011 for the two basins at Covol's Wellington facility. The inspection report is contained in Appendix A of this report.

REVIEWER COMMENTS

Met Requirements Did Not meet Requirements

FUTURE COMMITMENTS AND CONDITIONS

The following commitments are not required for the current annual report year, but will be required by the permittee in the future as indicated by the "status" field. These commitments are included for information only, and do not currently require action. If you feel that the commitment is no longer relevant or needs to be revised, please contact the Division.

Title: BURROWING OWL PROTECTION

Objective: If future land disturbing activities are planned during Burrowing Owl Breeding season (February-August), Covol commits to conduct a survey of the area. COVOL will meet with the Division and DWR if burrowing owls are identified.

Frequency: Once prior to land disturbing activity

Status: Required prior to land disturbing activity

Reports: Immediately report to Division plans for land disturbing activity. Summary of survey in annual report.

Citation: MRP, Chapter 3, Section 3.3.3, page 3-9

Title: Raptor Protection

Objective: If future land disturbing activities are planned, Covol commits to conduct a raptor survey of the area. COVOL will meet with the Division and DWR if raptors or nests are identified.

Frequency: Once prior to land disturbing activity

Status: Required prior to land disturbing activity

Reports: Immediately report to Division plans for land disturbing activity. Summary of survey in annual report.

Citation: MRP, Chapter 3, Section 3.3.3, page 3-10

OPERATOR COMMENTS (OPTIONAL)

No additional land was disturbed during the reporting period.

REVIEWER COMMENTS

REPORTING OF OTHER TECHNICAL DATA

Please list other technical data or information that was not included in the form above, but is required under the approved plan, which must be periodically submitted to the Division.

Please list attachments:

N/A

Reviewer Comments

MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2011, are to be provided to the Division as an attachment to this report in accordance with the requirements of R645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential.

Map Name	Map Number	Included		Confidential	
		Yes	No	Yes	No
General Site Map, Wellington Dry Coal Cleaning Facility	Plate 5-1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer Comments Met Requirements Did Not Meet Requirements



EarthFax

**EarthFax
Engineering, Inc.**
Engineers/Scientists
7324 So. Union Park Ave.
Suite 100
Midvale, Utah 84047
Telephone 801-561-1555
Fax 801-561-1861
www.earthfax.com

December 22, 2011

Gina Rau
Environmental Manager
COVOL Engineering Fuels, LC
10653 South River Front Parkway
Suite 300
South Jordan, UT 84095

Subject: Wellington sedimentation pond inspections

Dear Gina:

On December 21, 2011 I conducted an inspection of the sedimentation ponds at your Wellington, Utah facility. The results of those inspections are attached.

Sediment has accumulated in the East Pond to an elevation that requires cleanout. Kyle indicated that this was planned shortly. Water was flowing into the West Pond at the time of my inspection. This water originated from dust suppression activities in the yard area.

The embankments and appurtenances associated with the ponds all appear to be in excellent condition. I did not observe any structural weaknesses or other hazardous conditions associated with the ponds. It is my opinion that the ponds adequately serve their intended purpose and may continue to be used for that purpose.

Please contact me if you have any questions.

Sincerely,

Richard B. White, P.E.
President

Enclosure



*To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.*

GENERAL INFORMATION

Report Date	22 Dec 2011
Permit Number	C/007/0045
Mine Name	Wellington Dry-Coal Cleaning Facility
Company Name	Covol Engineered Fuels, LC

IMPOUNDMENT IDENTIFICATION

Impoundment Name	East Pond
Impoundment Number	N/A
UPDES Permit Number	UTR 000685
MSHA ID Number	42-02398

IMPOUNDMENT INSPECTION

Inspection Date	21 Dec 2011
Inspected by	Richard B. White
Reason for Inspection	Annual Inspection

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

- 1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

Other than a small amount of erosion existing in the form of rills on the interior slopes of the pond, no signs of instability, structural weakness, or other hazardous conditions were observed.

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

- a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Maximum capacity 56,820 cf. 60% sediment capacity 56,620 cf. 100% sediment capacity 56,487 cf. Approximate sediment elevation at 70 % capacity at time of inspection. The site manager indicated that they would be cleaning the sediment from the pond within the next few days.

- b. Principle and emergency spillway elevations.

Inlet/outlet elevation 5,507 feet.

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

No water was standing in the pond at the time of the inspection. As stated previously, a small amount of rill erosion exists on the interior slopes of the pond. This is not substantial. The resulting sediment is captured by the pond. The pond is scheduled for cleanout within the next few days.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

The pond adequately serves its intended purpose, as evidenced by the sediment that has accumulated therein. The pond can remain in operation as currently constructed but should be cleaned out soon.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard D. W. [Signature] Date: 22 Dec 2011

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

COMMENTS/ OTHER INFORMATION

The pond adequately serves its intended purpose.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

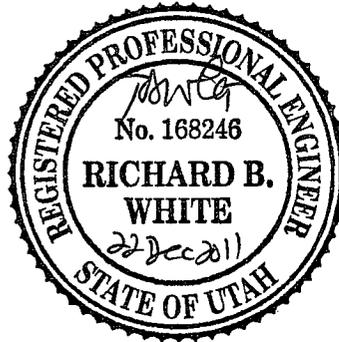
By: Richard B. White

Full Name and Title

Signature: Richard B. White Date 22 Dec 2011

P.E. Number & State 168246

[P.E. Cert. Stamp]



To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an **x**.

GENERAL INFORMATION

Report Date	22 Dec 2011
Permit Number	C/007/0045
Mine Name	Wellington Dry-Coal Cleaning Facility
Company Name	Covol Engineered Fuels, LC

IMPOUNDMENT IDENTIFICATION

Impoundment Name	West Pond
Impoundment Number	N/A
UPDES Permit Number	UTR 000685
MSHA ID Number	42-02398

IMPOUNDMENT INSPECTION

Inspection Date	21 Dec 2010
Inspected by	Richard B. White
Reason for Inspection	Annual Inspection

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

- 1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

Other than a small amount of erosion exists in the form of rills on the interior slopes of the pond, no signs of instability, structural weakness, or any other hazardous condition was observed.

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

- a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Maximum capacity 36,045 cf. 60 % sediment capacity 35,965 cf. 100% sediment capacity 35,911 cf. Approximate sediment elevation at 45 % capacity.

- b. Principle and emergency spillway elevations.

Outlet elevation = 5,510 feet.

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

A small amount of water and ice was present in the pond at the time of the inspection. Water was flowing into the pond at a rate of about 60 gallons per minute. This water was originating from dust suppression activities at the site. The water was adequately being contained. As stated previously, a small amount of rill erosion exists on the interior slopes of the pond. This is not substantial. The resulting sediment is captured by the pond.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

The pond adequately serves its intended purpose and can remain in use as currently constructed.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard B. White Date: 22 Dec 2011

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

COMMENTS/ OTHER INFORMATION

The pond adequately serves its intended purpose.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Richard B. White

Full Name and Title

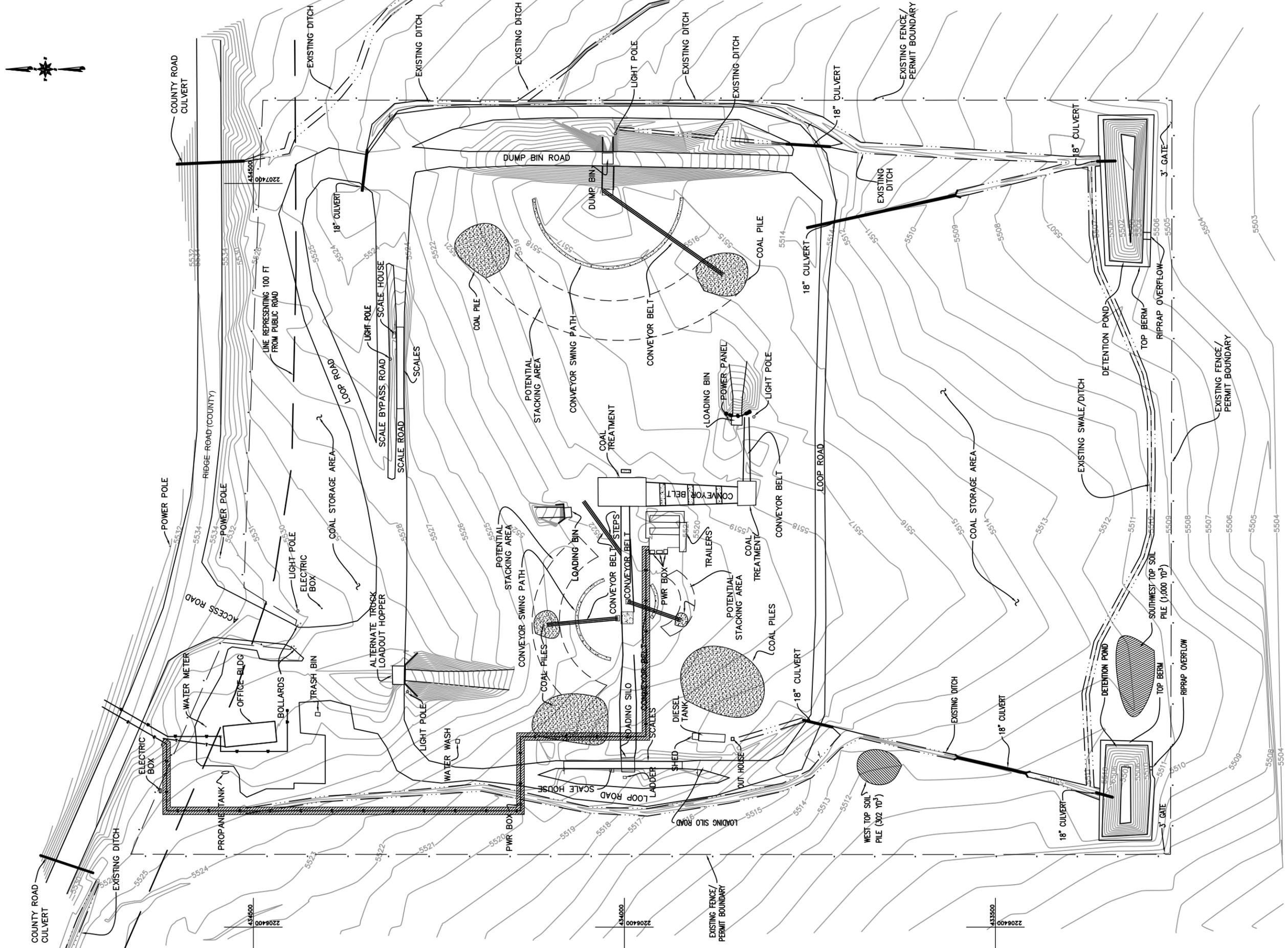
Signature: Richard B. White

Date 22 Dec 2011

P.E. Number & State 168246

[P.E. Cert. Stamp]





LEGEND

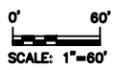
- MUNICIPAL WATER SUPPLY LINE
- TELEPHONE LINE
- ELECTRIC POWER LINE WITH UTILITY RIGHT OF WAY

NOTES:

1. THE SIZE AND LOCATION OF COAL STOCKPILES SHOWN ON THIS MAP ARE CORRECT AS OF THE SEPTEMBER 2008 SURVEY. HOWEVER, THESE STOCKPILES ARE DYNAMIC AND MAY CHANGE IN SIZE WITH TIME. NONETHELESS, PILE LOCATIONS WILL REMAIN GENERALLY AS INDICATED.
2. THE ENTIRE FENCED/PERMIT AREA WAS DEVELOPED PRIOR TO INITIAL PERMIT APPLICATION SUBMITTAL ON JANUARY 15, 2008
3. TYPICAL QUANTITY OF COAL ON SITE = 1500 TONS. QUANTITY MAY VARY SIGNIFICANTLY, DEPENDING ON CONTRACT REQUIREMENTS.



EarthFax Engineering, Inc.
Engineers/Scientists



BASE MAP: SURVEY PERFORMED BY H&H ENGINEERING AND SURVEYING, SEPTEMBER 8, 2008. COORDINATES SHOWN ARE STATE PLANE NAD 27.

REVISION	DATE	BY	DESCRIPTION	DRAWN BY	CHECKED BY	DATE
1	03/29/11	RBW	PROJECT TOP SOIL PERMITS	KHB	RBW	01/2008

APPROVED BY: RBW
DWG DATA: UC1091\02\PERMIT APPLICATION\DWG\MINEANDMILLS\PLATES-1.DWG

COVOL ENGINEERED FUELS
1865 WEST RIDGE ROAD
WELLINGTON, UTAH 841654

PLATE 5-1
GENERAL SITE MAP
WELLINGTON DRY COAL CLEANING FACILITY