



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:	C0070045
Inspection Type:	COMPLETE
Inspection Date:	Monday, November 25, 2013
Start Date/Time:	11/25/2013 10:35:00 AM
End Date/Time:	11/25/2013 1:06:00 PM
Last Inspection:	Wednesday, October 16, 2013

Representatives Present During the Inspection:
OGM Pete Hess

Inspector: Pete Hess

Weather: Sunny, clear, cold, 33 degrees F

InspectionID Report Number: 3680

Accepted by: jhelfric
12/2/2013

Permitee: **BRC WELLINGTON, LLC**
 Operator: **BOWIE REFINED COAL, LLC**
 Site: **WELLINGTON DRY-COAL CLEANING FACILITY**
 Address: **1865 WEST RIDGE ROAD, WELLINGTON UT 84654**
 County: **CARBON**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **ACTIVE**

Current Acreages

30.00	Total Permitted
30.00	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:

The Division has reviewed the permit transfer application submitted by Bowie Resources, LLC and accepted it. Bowie must submit clean copies to the Division and post the required bond amount before the permit transfer can be completed. The site received snow over the weekend and the ground was muddy. One NOV was issued as a result of today's inspection.
 Bowie Resources, LLC is the site operator. Headwaters remains as the Permittee.
 Mr. Kyle Edwards, Superintendent represented the Permittee during today's inspection.

Pete Hess

Inspector's Signature:

Pete Hess,
Inspector ID Number: 46

Date Tuesday, November 25, 2013



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 type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

A permit transfer to Bowie Resources, LLC is pending, awaiting posting of the required bond amount and clean copies prepared for incorporation into the MRP.

4.a Hydrologic Balance: Diversions

Some diversions had silted in from the latest precipitation event (snow and rain from previous 48 hour event).

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Both sediment ponds contained water, although neither was close to the discharge elevation. The 3rd Quarter impoundment inspection report for both the East and West ponds was completed on September 9, 2013 by Kyle Edwards. No signs of instability or erosive action were noted for either pond (both are incised). Both spillways are capable of functioning as designed. Mr. Edwards estimated that the West pond contained about 5 % of its designed sediment storage capacity. Mr. Edwards stated this day that Mr. Rich White, P.E., with EarthFax Engineering had conducted the Annual impoundment inspection for the East and West ponds during November. Those reports and their accompanying P.E. certifications are pending.

4.d Hydrologic Balance: Water Monitoring

No water monitoring will be required until the site enters the reclamation phase.

4.e Hydrologic Balance: Effluent Limitations

Neither sediment pond has ever discharged. A UPDES general permit is in place at the site.

9. Protection of Fish, Wildlife and Related Environmental Issues

No wildlife was observed during the inspection.

19. AVS Check

The Division has reviewed the Applicant Violator System for Bowie Resources LLC and determined that there are no outstanding violations for the owners and controllers of the prospective permittee.

21. Bonding and Insurance

A review of the general liability insurance Acord form revealed that the coverage had expired on October 1, 2013. The Permittee could not obtain a renewal form from the Headwaters, Inc., main office. The Division assumed that the liability coverage had expired, as no renewal form could be provided. A Notice of Violation was issued to Headwaters for failure to maintain liability insurance coverage during the full life of the current State issued permit, C/007/045. A renewal was received at the Price Field Office, DOGM at 2:25 PM. Termination of NOV 10131 is pending.