C/007/045 Incoming

EarthFax Engineering Group, LLC
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EarthFax

December 8, 2014

Kyle Edwards
BRC Wellington, LLC
1865 West Ridge Road
Wellington, UT 84654

RECEIVED
DEC 18 2014
DIV. OF OIL, GAS & MINING

Subject: Annual sedimentation pond inspections

Dear Kyle:

On November 25, 2014 I conducted an inspection of the sedimentation ponds at your Wellington, Utah facility. The results of those inspections are attached.

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

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
8 Dec 2014
STATE OF UTAH

*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	8 Dec 2014
Permit Number	C/007/0045
Mine Name	Welington Dry-Coal Cleaning Facility
Company Name	BRC Wellington, LLC

IMPOUNDMENT IDENTIFICATION

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

IMPOUNDMENT INSPECTION

Inspection Date	25 Nov 2014
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. This erosion is not considered problematic.

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.

60 % sediment capacity 35,965 cf (at elev. 5503.4 ft). 100% sediment capacity 35,911 cf (at elev. 5505.4 ft). Approximate sediment elevation at the time of the inspection was 5500 ft, which is more than 3 ft lower than the 60% cleanout elevation.

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 ice was present in the pond at the time of the inspection. 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 Bowla Date: 8 Dec 2014

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?	☒	☐
2.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

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 8 Dec 2014

P.E. Number & State 168246

[P.E. Cert. Stamp]

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
8 Dec 2014
STATE OF UTAH

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GENERAL INFORMATION

Report Date	8 Dec 2014
Permit Number	C/007/0045
Mine Name	Wellington Dry-Coal Cleaning Facility
Company Name	BRC Wellington, LLC

IMPOUNDMENT IDENTIFICATION

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

IMPOUNDMENT INSPECTION

Inspection Date	25 Nov 2014
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. This erosion is not considered problematic.

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.

60% sediment capacity 56,620 cf (at elev. 5497.3 ft). 100% sediment capacity 56,487 cf (at elev. 5498.6 ft). Approximate sediment elevation at the time of the inspection was 5497 ft, which is lower than the 60% cleanout elevation.

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.

A small amount of water and ice was 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.

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. The pond can remain in operation as 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 Bolla Date: 8 Dec 2014

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?	☒	☐
.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

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 8 Dec 2014

P.E. Number & State 168246

[P.E. Cert. Stamp]

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