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DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

June 29, 2015

Kyle Edwards, Resident Agent
BRC Wellington, LLC
P.O. Box 401
Wellington, UT 84542

Subject: 2014 Annual Report Review Completion, Wellington Dry-Coal Cleaning Facility, C/007/0045, Task ID #4764

Dear Mr. Edwards:

The Division staff has completed the review of the 2014 Annual Report. Enclosed is a copy of the review with each reviewer's comments completed on June 25, 2015.

Thank you for your diligence in completing the Annual Report. If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/sqs
Enclosure
O:\AnnualReport\2014 Annual Reports\ReviewCompletionLetter.doc



Print Form

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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 the date specified in the cover letter. During a complete inspection an inspector will check and verify the information.

GENERAL INFORMATION

| | | | |
|-----------------|------------------------------|------------------------|---------------------------------------|
| Company Name | BRC Wellington, LLC | Mine Name | Wellington Dry-Coal Cleaning Facility |
| Permit Number | C/007/0045 | Permit expiration Date | August 31, 2019 |
| Operator Name | Kyle Edwards, Resident Agent | Phone Number | +1 (435) 613-1631 |
| Mailing Address | 1865 West Ridge Road | Email | kedwards@bowierefinedcoal.com |
| City | Wellington | | |
| State | UT | Zip Code | 84654 |

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 | Contained in the submitted 2014 Annual Report as Appendix "A". |
| Other: | | |

OPERATOR COMMENTS

The annual impoundment inspection and certification was performed on November 25, 2014 for the two basins at BRC Wellington's Dry Coal Cleaning Facility. The inspection report is contained in Appendix A of this report.

REVIEWER COMMENTS

Met Requirements Did Not meet Requirements

Mr. Richard B. White, Utah registered professional engineer, performed the annual impoundment inspections for the East and West incised sediment containment basins on November 25, 2014. There were no indications observed that either the East or West ponds contained signs of instability, structural weakness, or other hazardous conditions. The existing sediment level in the East pond is 5497 feet, which is three-tenths of a foot lower than the 60 % cleanout elevation of 5497.3 feet. The sediment level in the West pond was reported as being at the 5500 foot elevation, which is 3.4 feet lower than the 60 % cleanout elevation of 5503.4 feet. Minor rills were reported as existing on the inslopes of both ponds, however, Mr. White states that these are not substantial. Mr. White completed the P. E. certification process of the East and West pond inspection reports by signing and dating his stamp on December 8, 2014. Both certified pond inspection reports are included as Appendix "A" of the submitted 2014 Annual Report for the BRC Wellington site. (PHH,

12/29/2014)

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), Wellington Dry-Coal Cleaning Facility commits to conduct a survey of the area. Wellington Dry-Coal Cleaning Facility 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, Wellington Dry-Coal Cleaning Facility commits to conduct a raptor survey of the area. Wellington Dry-Coal Cleaning Facility 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

As no additional land was disturbed during 2014, the above listed commitments are not applicable. (Steve Christensen- 6/25/2015)

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, 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

Plate 5-1, General Site Map, Wellington Dry Coal Cleaning Facility, as submitted with the 2014 Annual Report provides an accurate plan view depiction of the Bowie Refined Coal dry coal cleaning facility. The Plate meets the requirements of 30 CFR 75.1200 as required by MSHA. Although the submitted plate contains a P.E. stamp issued by the State of Utah to Mr. Richard B. White, P.E., of EarthFax Engineering, that stamp was not signed or dated. Certification of the map is required by 30 CFR 75.1201, but the requirement is not listed within the requirements of 30 CFR 75.1200, as is noted above. (PHH, 12/29/2014)