



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:	TECHNICAL
Inspection Date:	Tuesday, May 03, 2016
Start Date/Time:	5/3/2016 10:20:00 AM
End Date/Time:	5/3/2017 2:00:00 PM
Last Inspection:	Monday, April 03, 2017

Inspector: Priscilla Burton,

Weather: sun, 65 F

InspectionID Report Number: 5840

Accepted by: DHADDOCK

5/16/2017

Representatives Present During the Inspection:	
Company	Kyle Edwards
OGM	Priscilla Burton
OGM	Joe Helfrich
OGM	Wiser Beverly

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:

This technical site visit was a follow-up to the mid-term review (outgoing 02242017.pdf) and the subsequent conference call (April 25, 2017). In question is whether the Killpack soil (between two disturbed ditches reporting to the East pond) was previously salvaged or if it remained undisturbed and could have value for final reclamation. To determine the potential use of Killpack soil, I evaluated the surface conditions and took samples of the clay loam soil for analysis. The Permittee is in agreement that soil along the East and West permit boundary (between the disturbed ditches and the fence) was not salvaged, although some disturbance has already taken place. The undisturbed area was discussed for its potential use in final reclamation.

Bonding (Bev): We asked when the Midterm was going to be filed. We told Kyle we would like it within 2 week. The CY of top soil identified in the bondsheets match what is on site. We will wait for the survey of the stock piles so we can calculate the bonding for worse case scenario - if we are left with a full stock pile to remove.

Reference Area location, Joe: Our discussions with Mr. Edwards included the establishment of a reference area for this site. That would leave two options, a.) Establish a reference area outside the permit boundary that would require permission from an adjacent landowner, or b.) Develop standards for success that include species composition, percent cover and diversity. See also comments under Item # 22, Other.

Inspector's Signature:

Priscilla Burton, *Joe Helfrich for*
 Inspector ID Number: 37

Date Thursday, May 04, 2017



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

1. Permits, Change, Transfer, Renewal, Sale

Mr. Edwards was notified of the Divisions request to have the Midterm response submitted to the Division within two weeks, May 17, 2017.

3. Topsoil

Two topsoil piles contain 1,302 CY in total. The topsoil piles were seeded in November 2010 using a modified Table 3-1 mix (MRP, Section 2.3.1.4)m The area of SW topsoil pile was GPS'd as 0.1 acres. The area of the W topsoil pile was GPS'd as 0.3 acres. The growth of vegetation on the topsoil piiles was dependent upon aspect and water harvesting. Very lush growth of grasses was observed on the SW topsoil pile in a location that received all the snow melt from the pile. Shrubs were likewise taking advantage of water harvesting locations and were present on the East, North and West sides of the pile. The West pile is conical in shape. It's only vegetation is on the West facing slope and at its base around the pile. Seeded, desireable plants (Table 3-1) were seen growing on both stockpiles: winterfat, globe mallow, Alkali sacaton, thickspike wheatgrass, and western wheatgrass mat saltbush, shadscale and Castle Valley saltbush.

The potential Killpack topsoil area was GPS'd as 0.17 ac. This soil is located between two disturbed area ditches that report to the East sediment pond. The groundwater monitoring well is located at the north end of this wedge of soil. At a point approximately 30 feet south of the monitoring well, I dug a hole to a depth of 30 inches to evaluate the soil. The surface 5 - 7 inches was clay loam, with common roots and medium friable structure. The clay loam subsoil to 30 inches had flecks of gypsum, few roots and was blocky in structure. The full NRCS description of the Killpack soil is provided in the MRP Attachment 2-2. Shale rock would be encountered at 13 feet in this location (Monitoring Well Lithologic and Completion log, MRP App. 7-1). A gallon sample of the topsoil and subsoil were taken for analysis of texture, pH, EC, SAR, organic matter %, gypsum, available N, P, K, saturation % and CaC03%.

The soils along the East and West and South fencelines have been undisturbed, except for the placement of equipment along the West fence and the former placement of the topsoil pile along the East fenceline. Mr. Ecker will place undisturbed signs in these locations to indicate that the topsoil remains in place, including the soil beneath the equipment storage yard.

22. Other

The Midterm review noted that a reference area needed to be established for this site prior to August 1, 2017. The lower half of the East side and all of the South and West perimeter areas were walked to determine if there were ample acreage and vegetation which could be used as a reference area. As noted the majority of the perimeter areas have been disturbed to some extent at one time or another. There were also several small pockets of undisturbed vegetation. Some of the species present included grease wood, rabbit brush fourwing salt bush, broom snakeweed, erigeron spp, globemallow, phlox, indian ricegrass, salt cedar, fox tail barley and Kochia. In the event there is not ample acreage available for a reference area one could be developed that includes species composition, percent cover and diversity.

































































