



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: | PARTIAL |
| Inspection Date: | Wednesday, March 6, 2019 |
| Start Date/Time: | 3/6/2019 11:00:00 AM |
| End Date/Time: | 3/6/2019 12:00:00 PM |
| Last Inspection: | Tuesday, February 12, 2019 |

| |
|---|
| Representatives Present During the Inspection: |
| Steve Demczak |

Inspector: Steve Demczak
 Weather: Snowing, 30's
 InspectionID Report Number: 6371
 Accepted by: SCHRISTE
 3/22/2019

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 | | Mineral Ownership | Types of Operations |
|------------------|------------------------|----------------------------------|--|
| 30.00 | Total Permitted | <input type="checkbox"/> Federal | <input type="checkbox"/> Underground |
| 30.00 | Total Disturbed | <input type="checkbox"/> State | <input type="checkbox"/> Surface |
| | Phase I | <input type="checkbox"/> County | <input type="checkbox"/> Loadout |
| | Phase II | <input type="checkbox"/> Fee | <input type="checkbox"/> Processing |
| | Phase III | <input type="checkbox"/> Other | <input checked="" type="checkbox"/> Reprocessing |

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The loadout is abandon since the second quarter of 2018. The Division has not taken any major action at this time, but, has plans for bond forfeitures. I am under the impression the Division is waiting on lawyers to have enough time to do the work.

There are several violations and Failure to Abate Orders written to BRC Wellington, LLC.

The property is fenced and gate is lock.

Inspector's Signature: Stephen J. Demczak **Date** Monday, March 11, 2019

Steve Demczak,
 Inspector ID Number: 39



Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining. telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

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 checked="" 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 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 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16.b Roads: Drainage Controls | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Other | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

1. Permits, Change, Transfer, Renewal, Sale

The loadout is abandon. Violation has been written regarding updating Chapter 1.

2. Signs and Markers

A picture is taken of the identification sign. The Division has sent letters with this address and has been return back to the Division. I can assume this address is no longer valid. A violation can be written, but, the Division does not have valid mailing address for Wellington BRC.

3. Topsoil

Topsoil piles were snow covered and protected by a berm.

4.a Hydrologic Balance: Diversions

A violation and Failure to Abate Order has been written for failure to maintain diversions.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

No quarterly inspections have been submitted to the Division. The sediment ponds most likely are not being inspected. These ponds are incised.

8. Noncoal Waste

The facility has some non-coal waste material on the ground. Mostly pastic material.

16.a Roads: Construction, Maintenance, Surfacing

Roads were snow covered.

16.b Roads: Drainage Controls

I can not see road diversions from the fence line.



MSHA ID# 42-02398
DOGM ID# C-087-045

1801 West Flagg Road
PO Box 401
Wallingford, VT 05493
435-633-5833



SPEED
LIMIT
10

NO
LEFT TURN
ON RED LIGHT



SPEED
LIMIT
10