



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 OVERSITE |
| Inspection Date: | Thursday, April 11, 2019 |
| Start Date/Time: | 4/11/2019 2:00:00 PM |
| End Date/Time: | 4/11/2019 5:00:00 PM |
| Last Inspection: | Wednesday, March 6, 2019 |

| Representatives Present During the Inspection: | |
|--|---------------|
| OSM | Tom Medlin |
| OGM | Steve Demczak |

Inspector: Steve Demczak
 Weather: Temp. 50's, Windy, Cloudy
 InspectionID Report Number: 6400
 Accepted by: SCHRISTE
 5/6/2019

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:

No paper work could be seen because the facility has been abandon. No company representative has been on site the first quarter of 2018. The gates are lock. We walk the fence line around the site.

Stephen J. Demczak

Inspector's Signature:

Steve Demczak,
 Inspector ID Number: 39

Date: Monday, April 22, 2019



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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 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 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 Division is requesting bond forfeiture against the permittee. The Division of Oil, Gas, and Mining Board will make this decision. Currently the lawyers for the Division are handling this matter.

2. Signs and Markers

The identification sign was inspected and it does not meet the requirement of the R645 Coal Rules. Several violations have been written to this address and have been return to the Division.

3. Topsoil

I inspected the topsoil piles from behind the fence line and I did not see any signs of wind or water erosion. The topsoil piles appear to be stable and protected by a berm. See Photo

4.a Hydrologic Balance: Diversions

Notice of Violation and Failure to Abate Cessation Order has been written for diversions not functioning as design. Sediment has filled many of the divisions. No actions have been taken by the permittee. There are no signs of water leaving the site.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The two sediment ponds were inspected. They contain a little water. These sediment ponds are incised. No hazardous conditions were notice during the inspection. The inspection was taken behind the fence line.

7. Coal Mine Waste, Refuse Piles, Impoundments

The facility contains several piles of coal waste material.

8. Noncoal Waste

There is a small amount of non-coal waste material mostly plastic water bottle.



MSHA ID# 42-02398
DOGM ID# C-007-045

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