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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:	C0150009
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, July 20, 2016
Start Date/Time:	7/20/2016 11:00:00 AM
End Date/Time:	7/20/2016 2:00:00 PM
Last Inspection:	Tuesday, June 14, 2016

Representatives Present During the Inspection:
OGM Keenan Storrar

Inspector: Keenan Storrar,
Weather: Sunny, 85 F
InspectionID Report Number: 5584
Accepted by: JHELFRIC
7/21/2016

Permitee: **FOSSIL ROCK RESOURCES, LLC**
Operator: **FOSSIL ROCK RESOURCES, LLC**
Site: **FOSSIL ROCK MINE**
Address: **225 North 5th Street, 9th Floor, CO 81501**
County: **EMERY**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

3,564.83	**Total Permitted**
27.83	**Total Disturbed**
	Phase I
	Phase II
	Phase III

Mineral Ownership

- [x] **Federal**
- [x] **State**
- [ ] **County**
- [x] **Fee**
- [ ] **Other**

Types of Operations

- [x] **Underground**
- [ ] **Surface**
- [ ] **Loadout**
- [ ] **Processing**
- [ ] **Reprocessing**

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

I traveled to the main mine site first. The area had received a very heavy rain within the past 48 hours, so in addition to walking the site, I inspected the stream channel both up and down stream of the main bypass culvert. I then traveled to waste rock site where I spoke with Lee about the operations and followed up on items from the last inspection.

Inspector's Signature:

Keenan Storrar,
Inspector ID Number: 71

Date Thursday, July 21, 2016

Note: This inspection report does not constitute an official Division determination of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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

3. Topsoil

The operations at the waste rock site have not yet re-handled topsoil placed on the outslope of the lifts.

4.a Hydrologic Balance: Diversions

The bypass culverts at the main mine site were clear of obstructions (Photo 1). The main channel did not have water flowing above the mine site. Below the mine site, only mine water discharge from the Cottonwood mine was flowing out of the bypass culvert. It appeared a very large storm had passed over upper Cottonwood Canyon creek above the main mine site. Vegetation and organic material had been laid down and deposited within the undisturbed creek bed by runoff that was up to 10 feet wide and nearly 2 feet deep within the wetted perimeter (Photos 2 and 3). The mine site probably received rainfall from the event, however it was clear the main mine site had not received the same rainfall intensity as the upper canyon. This is because all the diversions were properly conveying runoff to the sediment pond and it was holding only a foot or two of standing water (Photo 4). The pond would have been holding much more water had the same event passed over the mine site.

At the waste rock site I spoke to Lee about Diversion Ditch DA. The plan is to leave the ditch in place as the pile is excavated in 10’ lifts. The floor of the excavated pit is sloped to drain runoff to the south and it will be tied back into Ditch DA when the pit floor is at the same elevation of the ditch (Photo 5). This will prevent the pit from impounding water and will route runoff from the surrounding hillslopes around the pit and work areas.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

As stated previously, the pond at the mine site had only a foot or so of impounded water. The waste rock pond was dry (Photo 6).

6. Disposal of Excess Spoil, Fills, Benches

Subsoil is actively being recovered from the uppermost lift at the waste rock site. The subsoil is being relocated to the northern end of the subsoil stock pile. A berm has been installed around the newly placed subsoil (Photo 7).

16.a Roads: Construction, Maintenance, Surfacing

It appeared road base had been laid down on the waste rock site road (Photo 8).

ATTACHMENT A – Photos July 20, 2016 site visit

PHOTO 1
The inlet of mine site bypass culvert appeared to be clear of debris.
July 20, 2016

PHOTO 2
The wetted perimeter above the mine site is seen where the grass is lying down.
July 20, 2016

PHOTO 3
The wetted perimeter below the mine site is seen where the grass is lying down.
July 20, 2016

PHOTO 4
The mine site pond impounding less than two feet of water.
July 20, 2016

ATTACHMENT A – Photos July 20, 2016 site visit

PHOTO 5
Ditch DA is seen on the left and the bottom of the pit is on the right. They reach the same elevation a little past the bottom left of the photo.
July 20, 2016

PHOTO 6
The waste rock site pond is dry.
July 20, 2016

PHOTO 7
The stockpiled subsoil is bermed.
July 20, 2016

PHOTO 8
Road base has been applied to the waste rock road.
July 20, 2016