



**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:	<b>C0150009</b>
Inspection Type:	COMPLETE
Inspection Date:	Wednesday, December 21, 2016
Start Date/Time:	12/21/2016 12:45:00 PM
End Date/Time:	12/21/2016 2:00:00 PM
Last Inspection:	

Representatives Present During the Inspection:	
OGM	Keenan Storrar
Company	Bryant Bunnell

Inspector: Keenan Storrar  
 Weather: Overcast, 20 F  
 InspectionID Report Number: 5782

Accepted by: DHADDOCK  
 2/28/2017

Permittee: **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	<b>Total Permitted</b>
27.83	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**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:**

Bryant Bunnell was the company representative present during the inspection. The inspection commenced at the waste rock site and ended at the main mine site. Active remining was taking place at the waste rock site.

**Inspector's Signature:**

Keenan Storrar,  
 Inspector ID Number: 71

**Date** Monday, February 27, 2017



**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 type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **3. Topsoil**

A pile what appeared to be topsoil and/or subsoil mixed with rocks and lump coal was placed at the southern extent of the top lift. It was unclear if this pile was salvaged from the west face of reclaimed top lift overlooking the sediment pond (Photos 1 - 3). If this is the salvaged topsoil and/or subsoil from the reclaimed face of the lift additional care must be taken to prevent the subsoil and topsoil from mixing with coal fines and lump coal. This pile must also be moved to a permitted location and stabilized.

#### **4.a Hydrologic Balance: Diversions**

The southwestern pit has mined into the berm running along the east side of Ditch DA (Photos 4 – 5). The berm along this section appears to no longer be sized to handle runoff from a design storm. This issue was discussed and Mr. Bunnell agreed to fix it as soon as possible.

The waste rock site subsoil stock pile appears to need additional stabilization measures. There is a gully developing on the southern end of the pile running down its center (Photo 9).

The inlet of the bypass culvert at the main mine site was clear of debris (Photo 7).

#### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The sediment ponds contained a couple feet of frozen water (Photos 6 & 8).

### **21. Bonding and Insurance**

The mine holds adequate liability insurance with an effective policy period starting on 02/01/2017 and expiring on 02/01/2018.

ATTACHMENT A – Photos December 21, 2016 site visit	
 <p><b>PHOTO 1</b> Salvaged topsoil from south face of top lift. December 21, 2016</p>	 <p><b>PHOTO 2</b> Location the southern extent of pit disturbed western side of the reclaimed lift face. December 21, 2016</p>
 <p><b>PHOTO 3</b> East side of the top lifts reclaimed face. December 21, 2016</p>	 <p><b>PHOTO 4</b> Ditch DA missing berm running along the east side. December 21, 2016</p>

**ATTACHMENT A – Photos December 21, 2016 site visit**



**PHOTO 5**  
Ditch DA missing berm running along the east side.  
December 21, 2016



**PHOTO 6**  
Mine site pond with about 2 feet of water.  
December 21, 2016



**PHOTO 7**  
Upper inlet of bypass culvert.  
December 21, 2016



**PHOTO 8**  
Waste rock site sediment pond.  
December 21, 2016

**ATTACHMENT A – Photos December 21, 2016 site visit**



**PHOTO 9**

Gully needing stabilization is seen in upper right of photo  
December 21, 2016