



# 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:	COMPLETE
Inspection Date:	Wednesday, March 21, 2018
Start Date/Time:	3/21/2018 10:30:00 AM
End Date/Time:	3/21/2018 1:00:00 PM
Last Inspection:	Thursday, February 22, 2018

Representatives Present During the Inspection:	
OGM	Justin Eatchel
Company	Bryant Bunnell

Inspector: Justin Eatchel

Weather: Mostly cloudy, cool. 52F

InspectionID Report Number: 6100

Accepted by:

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:

Met with Bryant Bunnell at the Fossil Rock waste rock site for this complete inspection. We finished up the inspection at the main mine facilities in Cottonwood Canyon.

Inspector's Signature:

*Justin Eatchel*

Date Thursday, March 22, 2018

Justin Eatchel,

Inspector ID Number: 73

**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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **1. Permits, Change, Transfer, Renewal, Sale**

The existing permit expires on February 21, 2020. UPDES permit #UT0023728 was issued July 7, 2015. A record of quarterly inspections on the refuse disposal area and sediment ponds are current up to March 7, 2018.

## **2. Signs and Markers**

Signage was in place and in good condition. Topsoil piles are marked with topsoil signs, and disturbance limit signs are in place.

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

Diversions at the waste rock site are stable and appear to be functioning properly, although most diversions are in need of some maintenance to clear out accumulating silt. It appears a small diversion might be needed to the north of the subsoil pile to capture runoff coming off of the pile on that side and route drainage into the sediment pond.

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

Sediment pond is now at about 25% capacity. The temperatures have warmed sufficiently in recent weeks that the pond is no longer iced over.

## **8. Noncoal Waste**

Aside from some miscellaneous iron and rebar scattered throughout the waste coal piles at the waste rock site, the site appears clean.

## **10. Slides and Other Damage**

It appeared that vandals had kicked open a door in one of the abandoned office buildings at the main mine site. No other damage was apparent.

## **15. Cessation of Operations**

This permit was moved out of cessation in June of 2016 when some mining of the waste rock site occurred. Permit is currently considered active, but may be moving back into cessation in the future.

## **20. Air Quality Permit**

Air quality permit #DAQE-EN156760001-16 was issued July 14, 2016.

## **21. Bonding and Insurance**

A surety bond in the amount of \$1,154,000 is currently held with Ironshore Indemnity Inc., an A rated surety company. Insurance is provided through Great Midwest Insurance Co, and expires on February 1, 2019.

**ATTACHMENT A – Photos March 21, 2018 Complete inspection.**



**PHOTO 1 – SEDIMENT POND**  
Sediment pond at the waste rock site.  
March 21, 2018



**PHOTO 2 – SUBSOIL PILE, WRS**  
This access road on the north of the subsoil pile would benefit from a diversion to catch runoff coming off the pile.  
March 21, 2018



**PHOTO 3 – DIVERSION, WRS**  
A typical diversion in need of a cleanout.  
March 21, 2018



**PHOTO 4 – MAIN MINE SITE**  
This is the 66” intake culvert on Cottonwood Creek.  
March 21, 2018

<p><b>ATTACHMENT A – Photos March 21, 2018 Complete inspection.</b></p>		<p><b>PHOTO 5 – MAIN MINE SITE</b> This is a 48” intake culvert draining a side canyon to the west of the main mine site. March 21, 2018</p>
		<p><b>PHOTO 6 – SEDIMENT POND, MAIN MINE SITE</b> Mostly dried up at present. March 21, 2018</p>
		<p><b>PHOTO 7 – DROP DRAIN</b> Cottonwood mine water draining into 24” culvert. March 21, 2018</p>