



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:	Thursday, September 27, 2018
Start Date/Time:	9/27/2018 10:00:00 AM
End Date/Time:	9/27/2018 1:00:00 PM
Last Inspection:	Wednesday, August 29, 2018

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

Inspector: Justin Eatchel
 Weather: Sunny and Clear, 68F
 InspectionID Report Number: 6251
 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

43.82	Total Permitted
27.83	Total Disturbed
	Phase I
	Phase II
	Phase III

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:

The purpose of this site visit was to conduct a complete inspection of the Fossil Rock Mine. The main mine site in Cottonwood Canyon was inspected, as well as the waste rock site located just below the reclaimed Cottonwood Mine. The Fossil Rock Mine stopped mining coal in 2001, and has been idle ever since. The permit area was physically inspected together with mine representative Bryant Bunnell.

Inspector's Signature:

Justin Eatchel

Date: Monday, October 1, 2018

Justin Eatchel,
 Inspector ID Number: 73



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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 is current and will expire on February 21, 2020. UPDES permit #UT0023728 is currently in the process of being renewed. A record of quarterly inspections of impoundments and refuse disposal areas are current.

2. Signs and Markers

Signs designating topsoil, subsoil, and disturbance limits are in place and in good condition. A sign indicating the name, permit number, and other contact information is posted in plain view at the main mine site as well as the waste rock site.

3. Topsoil

Topsoil piles #1, #2, and #3 at the waste rock site were inspected and found in stable condition. There is a thick layer of native vegetation over piles #2 and #3, and a sparse layer over #1. The topsoil pile at the main mine site was also found to be stable and vegetated, although the Excelsior logs have been overrun with silt and are currently almost buried entirely. No noxious weeds were present at either location.

4.a Hydrologic Balance: Diversions

Diversions at both the main site as well as the waste rock site appear to be stable and functioning properly. The summer has been very dry, and consequently all the diversion ditches and sediment ponds have received very little moisture and very little sediment. Recently the vegetation was trimmed back at the intake of the 66" culvert running beneath the main mine site.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Sediment ponds at both the main mine site as well as the waste rock site are completely dry.

4.c Hydrologic Balance: Other Sediment Control Measures

The silt fences on the south side of topsoil pile #1 at the waste rock site are slightly damaged, and plans are underway to repair them soon.

14. Subsidence Control

The date of last mining was March 15, 2001, therefore all subsidence and subsidence monitoring has ceased.

15. Cessation of Operations

The 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 plans are to move site back into cessation in the future.

20. Air Quality Permit

Air quality permit #DAQE-EN156760001-16 was issued September 7, 2016

21. Bonding and Insurance

Division records indicate that a surety bond in the amount of \$1,154,000 is currently held with Ironshore Indemnity Inc., an A rated surety company. During the latest midterm inspection, it was determined that the bond was deficient and would need to be increased by \$14,000 to \$1,169,000 to cover the additional cost of soil testing at the waste rock site and additional fertilizer for both sites. Permittee is currently in the process of increasing the reclamation bond by \$14,000 to address this deficiency.

Insurance is provided through Great Midwest Insurance Co, and expires on February 1, 2019.

ATTACHMENT A – September 27, 2018 Complete inspection



PHOTO 1 – POSTED PERMIT, MAIN SITE

The south end of the permit area.



PHOTO 2 – INTAKE CULVERT, MAIN SITE

Looking due east. Encroaching vegetation on the left has been cut back.



PHOTO 3 – INTAKE CULVERT, MAIN SITE

Looking southeast.



PHOTO 4 – DIVERSION, MAIN SITE

The inlet of the 48” CMP culvert that diverts runoff underneath the topsoil stockpile west of the buildings.



ATTACHMENT A – September 27, 2018 Complete inspection



PHOTO 5 – SEDIMENT POND, MAIN SITE

Sediment pond is and has been almost completely dry for several months.



PHOTO 6 – 24” CMP DROP DRAIN

Drop drain which runs under the county road and hooks into buried 66” Cottonwood culvert. Culvert inlet was clear and free of debris.



PHOTO 7 – 24” CMP DROP DRAIN

Drop drain which runs under the county road and hooks into buried 66” Cottonwood culvert. Culvert inlet was clear and free of debris.



PHOTO 8 – TOPSOIL STOCKPILE, MAIN SITE

Excelsior logs peeking through thickly vegetated native grasses and forbes.

ATTACHMENT A – September 27, 2018 Complete inspection



PHOTO 9 – 66” CULVERT OUTLET, MAIN SITE
 The water flowing from the culvert is Cottonwood mine water discharge. The flow dries up a mile down canyon from this point.

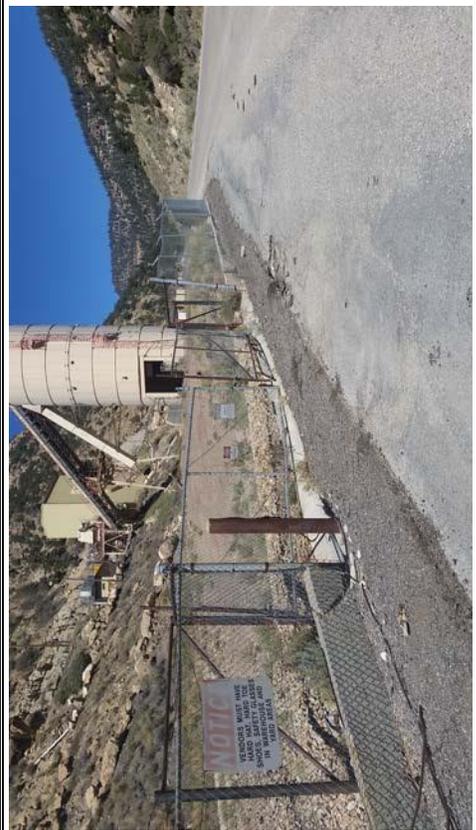


PHOTO 10 – FENCING AND SIGNS
 View looking northwest across main mine site from Emery County road.



PHOTO 11 – PERMIT SIGN, WASTE ROCK SITE
 Topsoil pile #3 just behind this sign.

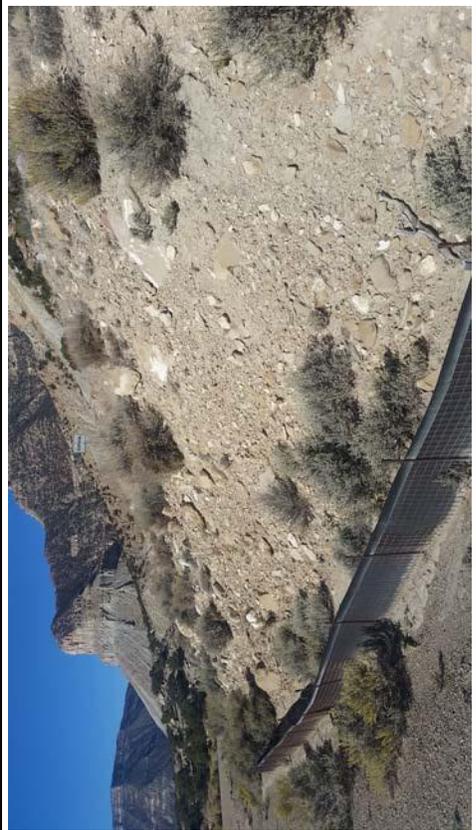


PHOTO 12 – TOPSOIL PILE #2, WASTE ROCK SITE
 Silt fence appears sturdy.

ATTACHMENT A – September 27, 2018 Complete inspection

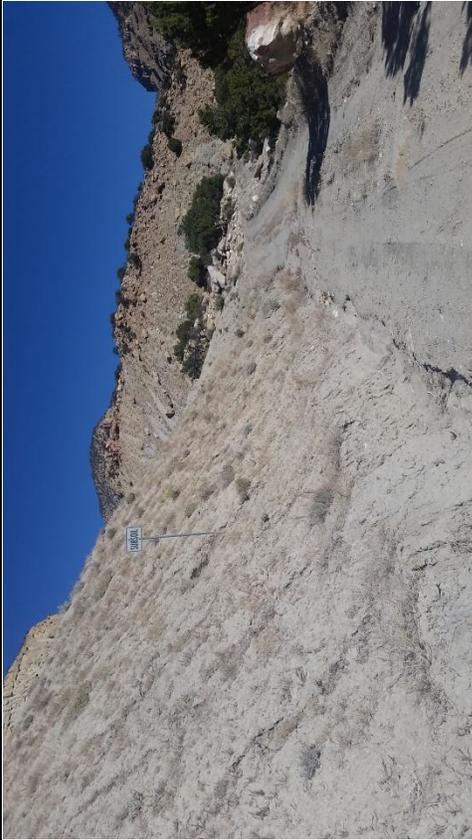


PHOTO 13 – SUBSOIL STOCKPILE, WASTE ROCK SITE
Sparsely vegetated east slopes.



PHOTO 14 – SEDIMENT POND, WASTE ROCK SITE
This pond hasn't seen moisture in a while.



PHOTO 15 – DIVERSION DITCH, WASTE ROCK SITE
This runs along the north side of the disturbed area.



PHOTO 16 – 24" CULVERT, WASTE ROCK SITE
This culvert runs beneath the access road northeast of Topsoil Pile #2. Culvert was clean and free of debris.