



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 27, 2019
Start Date/Time:	3/27/2019 10:30:00 AM
End Date/Time:	3/27/2019 2:00:00 PM
Last Inspection:	Thursday, December 13, 2018

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

Inspector: Justin Eatchel
 Weather: Partly cloudy, breezy, 42F
 InspectionID Report Number: 6384
 Accepted by:

Permitee: **FOSSIL ROCK RESOURCES, LLC**
 Operator: **FOSSIL ROCK RESOURCES, LLC**
 Site: **FOSSIL ROCK MINE**
 Address: ,
 County: **EMERY**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **INACTIVE**

Current Acreages		Mineral Ownership	Types of Operations
43.82	Total Permitted	<input checked="" type="checkbox"/> Federal	<input checked="" type="checkbox"/> Underground
27.83	Total Disturbed	<input checked="" type="checkbox"/> State	<input type="checkbox"/> Surface
	Phase I	<input type="checkbox"/> County	<input type="checkbox"/> Loadout
	Phase II	<input checked="" type="checkbox"/> Fee	<input type="checkbox"/> Processing
	Phase III	<input type="checkbox"/> Other	<input type="checkbox"/> Reprocessing

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

The Division met with Bryant Bunnell on Wednesday, March 27 for this complete inspection of the Fossil Rock Mine. The main site was almost entirely covered by up to 2 feet of snow, while the waste rock site was almost completely dry. The main site could not be accessed by vehicles because snow drifts had been pushed in front of the main gates.

Inspector's Signature: Justin Eatchel Date: Tuesday, April 2, 2019

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 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 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 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 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 checked="" 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 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. Records of quarterly inspections of impoundments and refuse disposal areas are current. UPDES permit #UT0023728 is currently in effect until the new permit is issued on May 1, 2019. The new UPDES permit is currently out for public comment and is set to expire on April 30, 2024.

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.

4.a Hydrologic Balance: Diversions

Diversions at the waste rock site appeared to be in stable condition, although some of the wider diversions on the west side were beginning to fill with silt. The diversions at the main site were covered in snow but the intake culverts were all clear of debris.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The sediment pond at the main site is covered with a thick layer of snow, but the sediment pond at the waste rock site appears to be 1/3 full and ice free.

4.c Hydrologic Balance: Other Sediment Control Measures

Recently installed silt fences on the south of Topsoil Pile #1 at the waste rock site appear to be in good condition.

15. Cessation of Operations

Permittee requested cessation status on October 15, 2018.

16.b Roads: Drainage Controls

Drainage ditches and culverts at the waste rock site appear to be clear of debris and stable. Almost all drainage ditches at the main site are still covered by snow.

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 \$1,168,000 is currently held with Endurance Assurance Co., an A+ rated surety company. Insurance is provided through Great Midwest Insurance Co, and expires on February 1, 2020.

ATTACHMENT A – March 27, 2019 Complete inspection



PHOTO 1 – POSTED PERMIT, MAIN SITE
Posted on the fence along the North end of the Permit area. Snow plows didn't quite reach this far.



PHOTO 2 – INTAKE CULVERT, MAIN SITE
Looking due east. Culvert intake appears clear.



PHOTO 3 – MAIN GATE, MAIN SITE
Snow plows piled up snow drifts in front of the entrance gate.



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 – March 27, 2019 Complete inspection



PHOTO 5 – SEDIMENT POND, MAIN SITE
Snowy and icy conditions persist.



PHOTO 6 – COTTONWOOD MINE DRAINAGE
This 66" drop culvert captures the Cottonwood Mine water drainage in route to Cottonwood Creek.



PHOTO 7 – 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 8 – 66" CULVERT OUTLET, MAIN SITE
Close up photo shows algae is thriving in the water despite the cold temperatures.

ATTACHMENT A – March 27, 2019 Complete inspection

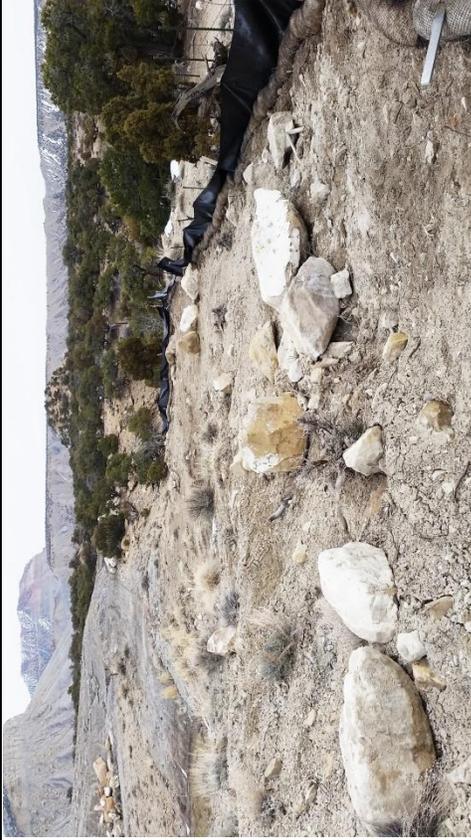


PHOTO 9 – SILT FENCE, WASTE ROCK SITE

Looking North - The newly installed silt fence at the base of Topsoil pile #1. The sediment pond is on the left.



PHOTO 10 – SILT FENCE, WASTE ROCK SITE

Newly installed silt fence at the base of Topsoil pile #1.



PHOTO 11 – PERMIT SIGN, WASTE ROCK SITE

Topsoil pile #3 just behind this sign.



PHOTO 12 – PERIMETER SIGN, WASTE ROCK SITE

Installed parallel to the primary road, looking South.

ATTACHMENT A – March 27, 2019 Complete inspection



PHOTO 13 – SUBSOIL STOCKPILE, WASTE ROCK SITE
This is the newly pocked section on the north end.



PHOTO 14 – SEDIMENT POND, WASTE ROCK SITE
Approximately 1/3 capacity, no ice.



PHOTO 15 – DIVERSION DITCH, WASTE ROCK SITE
This runs along the north side of the disturbed area. This particular ditch collects a lot of silt.

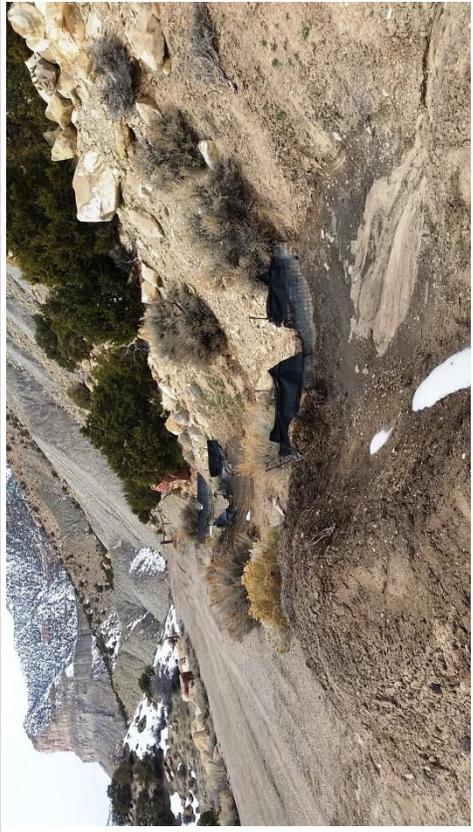


PHOTO 16 – DIVERSION DITCH, WASTE ROCK SITE
This diversion runs parallel to the primary road, and check dams like this are installed at periodic intervals.