

0040

Outgoing

00160025

&

From: Karl Houskeeper
To: mark.reynolds@hiawathacoal.com
CC: Angela Nance; Daron Haddock; Suzanne Steab
Date: 6/4/2009 12:16 PM
Subject: May 2009 Inspection Report
Attachments: Bear Canyon May 2009.pdf

Mark,

Attached is the May 2009 inspection report for Bear Canyon.

Thanks,
Karl



State of Utah
 Department of
 Natural Resources

MICHAEL R. STYLER
 Executive Director

Division of
 Oil, Gas & Mining

JOHN R. BAZA
 Division Director

JON M. HUNTSMAN, JR.
 Governor

GARY R. HERBERT
 Lieutenant Governor

Representatives Present During the Inspection:

OGM Karl Houskeeper Environmental Scientist III

Inspection Report

Permit Number:	C0150025
Inspection Type:	COMPLETE
Inspection Date:	Wednesday, May 13, 2009
Start Date/Time:	5/13/2009 8:15:00 AM
End Date/Time:	5/13/2009 12:00:00 PM
Last Inspection:	Tuesday, April 28, 2009

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 72 Deg. F.

InspectionID Report Number: 2003

Accepted by: jhelfric

5/14/2009

Permitee: HIAWATHA COAL CO INC

Operator: HIAWATHA COAL CO INC

Site: BEAR CANYON MINE

Address: PO BOX 1240, HUNTINGTON UT 84528

County: EMERY

Permit Type: PERMANENT COAL PROGRAM

Permit Status: ACTIVE

Current Acreages

10,991.83	Total Permitted
40.46	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:

Miles Stevens from the Mine was present during the inspection. Shawn Baker the mine representative for inspections no longer works for the company.

Cessation Order #10034 was issued on 02/05/2009 by Dana Dean. The reason listed on the Cessation Order is that "...Hiawatha has been conducting mining operations without a permit." This CO was still in place at the time of the inspection and has not been resolved.

The information relative to permits and inspections of facilities listed in this complete inspection is information from CW Mining and Hiawatha Coal Company. CW Mining was the most recent permit holder before they sold their assets to Hiawatha Coal Company.

Inspector's Signature:

Karl R. Houskeeper

Date Wednesday, May 13, 2009

Karl Houskeeper, Environmental Scientist III

Inspector ID Number: 49

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

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 telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

Permit Number: C0150025
 Inspection Type: COMPLETE
 Inspection Date: Wednesday, May 13, 2009

Inspection Continuation Sheet

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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The current DOGM permit C/015/0025 was issued effective 04/03/2007 and expires 11/02/2010 to CW Mining.

-Certificate of Insurance policy number GL 360 21 36, issued 06/24/2008 and terminates 11/01/2009, CW Mining.

-UPDES permit # UTG040000(UTG040006) effective 08/01/2008 and expires @ midnight 04/30/2013, CW Mining.

-Air Quality permit DAQE-145-02, issued February 22, 2002, Cw Mining.

-SPCC Plan dated 09/14/06. The Plan is P.E. certified, stamped, signed and dated by a Utah P.E., CW Mining.

2. Signs and Markers

The Mine ID sign has blown down and needs to be re-secured so that it can be read.

4.a Hydrologic Balance: Diversions

Several of the inlets along the mine access road to the main portal area need to be cleaned.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Sediment pond D and sediment basin #2 need to be cleaned from the information provided on the first quarter 2009 inspections conducted on 03/12/2009 by Shawn Baker.

4.e Hydrologic Balance: Effluent Limitations

Reviewed the discharge monitoring reports for February 2009.

8. Noncoal Waste

Noncoal waste items are present at the uppermost switch back of the portal access road. The material is in the tree line. The noncoal waste needs to be gathered and placed in the proper containment area.