0044

Outgoing
C0150025
ok

From: Karl Houskeeper
To: mark.reynolds@hiawathacoal.com
CC: Angela Nance; Daron Haddock; Suzanne Steab
Date: 7/9/2009 3:38 PM
Subject: June 2009 Inspection Reports
Attachments: Bear Canyon June 2009.pdf; Bear Canyon Citizen Complaint.pdf

Mark,

Attached are the June 2009 inspection reports 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

Inspection Report

Representatives Present During the Inspection:		
OGM	Karl Houskeeper	Environmental Scientist III
OGM	Steve Demczak	Environmental Scientist III
Company	Mark Reynolds	Resident Agent

Permit Number:	C0150025
Inspection Type:	CITIZEN COMPLAINT
Inspection Date:	Thursday, June 04, 2009
Start Date/Time:	6/4/2009 8:30:00 AM
End Date/Time:	6/4/2009 10:00:00 AM
Last Inspection:	

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 72 Deg. F.

InspectionID Report Number: 2027

Accepted by: jhelfric
6/4/2009

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

- [x] Federal
- [ ] State
- [ ] County
- [x] Fee
- [ ] Other

Types of Operations

- [x] Underground
- [ ] Surface
- [ ] Loadout
- [ ] Processing
- [ ] Reprocessing

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

Received a Citizens complaint on June 3, 2009 @ 2:30pm. Coal being stockpiled at a residential location owned by Ralph Anderson. Conducted an inspection/investigation on June 4, 2009. Findings from this inspection are located in this report under the other category.

Inspector's Signature: Karl R. Houskeeper **Date** Thursday, June 04, 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.

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • *www.ogm.utah.gov*

Permit Number: C0150025
Inspection Type: CITIZEN COMPLAINT
Inspection Date: Thursday, June 04, 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 performace 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	☐	☐	☐	☐
2. Signs and Markers	☐	☐	☐	☐
3. Topsoil	☐	☐	☐	☐
4.a Hydrologic Balance: Diversions	☐	☐	☐	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☐	☐	☐	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☐	☐	☐	☐
4.d Hydrologic Balance: Water Monitoring	☐	☐	☐	☐
4.e Hydrologic Balance: Effluent Limitations	☐	☐	☐	☐
5. Explosives	☐	☐	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☐	☐	☐	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☐	☐	☐	☐
8. Noncoal Waste	☐	☐	☐	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☐	☐	☐	☐
10. Slides and Other Damage	☐	☐	☐	☐
11. Contemporaneous Reclamation	☐	☐	☐	☐
12. Backfilling And Grading	☐	☐	☐	☐
13. Revegetation	☐	☐	☐	☐
14. Subsidence Control	☐	☐	☐	☐
15. Cessation of Operations	☐	☐	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☐	☐	☐	☐
16.b Roads: Drainage Controls	☐	☐	☐	☐
17. Other Transportation Facilities	☐	☐	☐	☐
18. Support Facilities, Utility Installations	☐	☐	☐	☐
19. AVS Check	☐	☐	☐	☐
20. Air Quality Permit	☐	☐	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☑	☐	☑	☐

22. Other

Received a Citizens complaint on June 3, 2009 @ 2:30pm. Coal being stockpiled at a residential location owned by Ralph Anderson.

Conducted an inspection/investigation on June 4, 2009. There is piles of lump coal (approximately 240 tons obtained from weigh slips) located at the residence of Ralph Anderson located adjacent to the Huntington Canyon road heading west of Hwy 10. The residence is located on the south side of Huntington Canyon road approximately 1 mile west of the Huntington cemetery.

Steve Demczack and Karl Houskeeper (Division of Oil, Gas and Mining) met with Mark Reynolds (Bear Canyon Mine) at the Bear Canyon Mine. Mark provided weigh slips which shows that Ralph Anderson (former employee) has purchased 242.39 tons of lump coal from Bear Canyon Mine. The point of sale for coal from the Bear Canyon Mine is at the weigh scales located at the mine. The Division has no rules that apply to individual usage and/or quantity purchased. The complainant was contacted by phone and e-mailed after the inspection and will be provided a copy of this inspection report. A copy of the weigh slips was provided to the complainant via e-mail and placed in the OGMCOAL e-mail account so that it can be archived.

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Inspection Report

Representatives Present During the Inspection:		
Company	Mark Reynolds	Resident Agent
OGM	Karl Houskeeper	Environmental Scientist III

Permit Number:	C0150025
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, June 24, 2009
Start Date/Time:	6/24/2009 8:00:00 AM
End Date/Time:	6/24/2009 2:30:00 PM
Last Inspection:	Wednesday, May 13, 2009

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 85 Deg. F.

InspectionID Report Number: 2048

Accepted by: jhelfric
7/9/2009

Permitee: **HIAWATHA COAL CO INC**
Operator: **HIAWATHA COAL CO INC**
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Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The information relative to permits and inspections of facilities listed in this inspection is information from CW Mining. CW Mining was the most recent permit holder before they sold their assets to Hiawatha Coal Company. The court has ruled that the sale was not proper. A Trustee has been assigned from the bankruptcy court.

Inspector's Signature: Karl R. Houskeeper **Date** Wednesday, June 24, 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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Permit Number: C0150025
Inspection Type: PARTIAL
Inspection Date: Wednesday, June 24, 2009

Inspection Continuation Sheet

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

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18. Support Facilities, Utility Installations	☑	☐	☑	☐
19. AVS Check	☐	☐	☐	☐
20. Air Quality Permit	☐	☐	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☑	☐	☑	☐

2. Signs and Markers

ID sign is present for CW Mining.

4.a Hydrologic Balance: Diversions

Cap pieces were found in the diversion adjacent to the scale house. The cap pieces need to be removed from the diversion.

The diversions located on the access road to the main portal have been cleaned.

18. Support Facilities, Utility Installations

A coal spill is present under #2 belt line. The spill is being cleaned up by hand. A crew of about a half dozen men were present and cleaning the spill by use of shovels, buckets and ropes. The coal is then dumped back onto the belt. The area has been protected at the base of the spill by silt fences.

22. Other

The longwall finished mining in the current longwall panel on June 17, 2009.