



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

OK

# Inspection Report

Permit Number:	C0250005
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, April 20, 2011
Start Date/Time:	4/20/2011 9:30:00 AM
End Date/Time:	4/20/2011 4:00:00 PM
Last Inspection:	Tuesday, April 05, 2011

Inspector: Priscilla Burton

Weather: Sun light wind 55 F

InspectionID Report Number: 2721

Accepted by: dhaddock  
5/2/2011

Representatives Present During the Inspection:	
OGM	Priscilla Burton
OGM	Pete Hess
OGM	James Owen
OGM	Kevin Lundmark
Company	Kirk Nicholes

Permittee: **ALTON COAL DEVELOPMENT LLC**

Operator: **ALTON COAL DEVELOPMENT LLC**

Site: **COAL HOLLOW**

Address: **463 North 100 West, Suite 1, CEDAR CITY UT 84720**

County: **KANE**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

#### Current Acreages

635.64	<b>Total Permitted</b>
435.00	<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:

Inspector's Signature:

*Priscilla Burton*

Priscilla Burton,

Inspector ID Number: 37

Date

Thursday, April 21, 2011



Note: This inspection report does not constitute an offer of insurance or any other financial product. For more information, please contact the Utah Department of Insurance, 160 East 100 South, Salt Lake City, UT 84111, or call 1-800-541-5800. The Utah Department of Insurance is not affiliated with the regular 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

OIL, GAS & MINING

**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 type="checkbox"/>	<input type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input 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 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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **2. Signs and Markers**

Subsoil signs are on order for the second subsoil stockpile which is taking shape. A sign for the 'in situ' subsoil stockpile was requested.

## **3. Topsoil**

Topsoil stockpile #1 had been seeded the day before. Prior to seeding, slash removed from the mine yard was placed on top of the stockpile. A ditch/berm surrounds the pile. Topsoil pile #3 is being transferred to its new location. Topsoil from Robinson Creek is windrowed and protected with berms on either side of the Creek. As the soil dries out and it becomes accessible, it is being transferred to Topsoil Pile #2. Topsoil pile #2 has a containment berm. At the time of the inspection, the berm was breached for the purpose of depositing additional topsoil. The finished half of topsoil Pile #2 has been graded to a 3h:1v slope and was seeded. Mr. Nicholes plans to place grubbed vegetation/slash on the pile to create surface roughening for wind protection and to promote water infiltration. If the slash is not brought to the pile, the surface of the pile will be roughened and reseeded.

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

Diversion Ditches 3 and 2 were inspected. Ditch 3 had recently been seeded and no flow was observed. The Division requested the Operator to construct a berm along the west side of Ditch 3 from the ditch's terminus north to the topsoil stockpile to prevent disturbed area drainage from entering the (undisturbed drainage) Ditch 3. The Division also requested the Operator to place strawbales in Ditch 3 at the ditch terminus, midway between the terminus and the NE corner, and above the undisturbed drainage north of the topsoil pile. Operator was also requested to clean up / establish swale from undisturbed drainage north of the topsoil pile to Ditch 3. Operator was requested to pull back soil onto the safety berm along haul road south of the 24-inch culvert and to slope safety berm to the west. The berm at east corner of pond 1B requires maintenance.

Culverts need to be numbered for identification in the MRP and during inspections. After identifiers are established, t-posts with culvert IDs should be installed at each culvert. No flow was observed in the 24-inch culvert under the haul road. Flows in the 36-inch culvert (tributary to LRC) and 96-inch culvert (LRC) were visually estimated as 5 to 10 gpm and 10 to 20 gpm, respectively. Culvert east of Pond 1 requires maintenance to remove partial obstruction by sediment.

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

Ponds 1, 1B and 2 require oil skimmers (see MRP p. 7-78). Inlets to sediment ponds require rip-rap to stabilize embankments. Operator was pumping water from Pond 2 for use in water trucks. Pond 3 was discharging during inspection, approx. 1 gpm (visual estimate). The Division suggested that the Permittee install sediment level markers in each of the sediment ponds to visually monitor the 60 % cleanout elevation. The cleanout elevations are established in the MRP.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Silt fence N of LRC should be removed from haul road to Pond 1 outlet culvert. The silt fence crossing the undisturbed drainages east of Ditch 3 should be removed. Silt fence requires maintenance between Pond 1 outfall and CR 138 closure point (along south side of Pond 1B).

**4.e Hydrologic Balance: Effluent Limitations**

Water was being discharged at 12 L/min (measured) from a 4-inch PVC pipe draining the ad-hoc impoundment created in the former LRC channel. Operator began discharging today upon receipt of RCRA metals analysis of impounded water. Prior to today, water was pumped. Operator did not consult with Division prior to discharging the impounded water. A Notice of Violation will be issued since this is not a permitted outfall location under the UPDES permit. Source of impounded water is reportedly from springs / seeps in the along former LRC in this location, but also includes runoff from the disturbed area adjacent to Lower Robinson Creek.

**12. Backfilling And Grading**

Backfilling of coal pit #1 was occurring during today's inspection. Pit #2 is being uncovered at this time.

**14. Subsidence Control**

No unstable highwalls were observed during today's inspection.

**16.a Roads: Construction, Maintenance, Surfacing**

Operator was placing gravel on roads on day of inspection.

**16.b Roads: Drainage Controls**

Ditches along CR 139 at LRC require maintenance.

**18. Support Facilities, Utility Installations**

AC power at this site is provided by two diesel generators.

**20. Air Quality Permit**

Two water trucks were observed at Pond #2, as they were being re-filled. The smaller truck is a six wheel unit with a 5,000-6,000 gallon capacity. The larger unit is a Caterpillar type tank unit estimated at 20-30,000 gallons. Roads were being watered during today's inspection.