



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:	C0250005
Inspection Type:	TECHNICAL
Inspection Date:	Tuesday, April 30, 2013
Start Date/Time:	4/30/2013 9:00:00 AM
End Date/Time:	4/30/2013 2:00:00 PM
Last Inspection:	

Representatives Present During the Inspection:	
OGM	Priscilla Burton
OGM	Joe Helfrich
OGM	Pete Hess
OGM	Kenneth Hoffman
OGM	Karl Houskeeper
Company	Kirk Nicholes

Inspector: Priscilla Burton,

Weather: WINDY 60 F

InspectionID Report Number: 3467

Accepted by: jhelfric

5/13/2013

Permitee: **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	Total Permitted
289.00	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:

Midterm review inspection with staff biologist, hydrologist, soil scientist, engineer, and inspector. Refer to Map 5-10 for pit locations, map 5-3 for surface facilities, and map 2-2 for topsoil stockpile locations.

Inspector's Signature

Priscilla Burton,

Inspector ID Number: 37

Digitally signed by Priscilla Burton
 DN: cn=Priscilla Burton, o, ou,
 email=priscillaburton@utah.gov, c=US
 Date: 2013.06.05 12:51:36 -06'00'

Date

Thursday, May 02, 2013



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 type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

1. Permits, Change, Transfer, Renewal, Sale

Each review item of the midterm letter dated April 2, 2013 was discussed and reviewers summarized their comments that will be forthcoming in a midterm review memo. Attachment A Special Conditions to the Mining Permit was reviewed. There are 8 Special Conditions. Conditions 2 and 3 refer to future mining in the vicinity of pit 15. An addendum to the 2012 Annual Report regarding Special Condition #5 was requested of the Permittee. The objectives of Special Condition #7 are being followed, see Addendum to Appendix 3-6 in the 2012 Annual Report. A sagegrouse concern was noted with the Mining Sequence Change Task 4323 which was conditionally approved 4/19/2013, but which requires Phase II bond prior to final approval. The Permittee was reminded of the commitment in the MRP Appendix 3-5 p. 13 to evaluate the sagegrouse in the permit area prior to mining pit 28. Joe Helfrich and Dustin Schibley (DWR) will return on Monday May 6, 2013 to expedite this evaluation. The Permittee's consultant, Steve Peterson will be at the site for the same purpose in mid-May at the completion of the nesting period. The Permittee expects bonding for Phase II to be in place by mid-May.

3. Topsoil

Topsoil from Pit #9 has been windrowed and is ready for live haul. Topsoil pile #4 has been surface roughened using a ripper. There is a compacted area on the east side that needs to be ripped. The longterm pile needs to be treated with mulch and seeded. The berm is formed of uncompacted topsoil approximately 30" high and 36" wide. A discussion of berm sizing ensued. The pile was seeded in February before additional material from Pond 4 was added and before the entire pile received surface roughening treatment. Some vegetation was able to germinate and grow with the spring moisture. The pile is now dry and the outlook for moisture is limited through the spring and summer. The Division agreed that seeding the pile could wait until the weather was more favorable (late fall). The mulch will be crimped into the pile now.

Topsoil Pile #1, Topsoil pile #2 and Subsoil pile #1 were evaluated. Vegetation was seeded in the Spring of 2011 and is now in its second year. Burying the seed with a harrow was successful. Broadcasting the seed on the mixture of slash and soil was not successful. The slash does provide an effective erosion cover.

An open area east of Subsoil pile #1 should be roughened and seeded in the fall.

Thistle control on all topsoil piles is recommended.

4.a Hydrologic Balance: Diversions

A pile of cleanout sediment was observed in a ditch upgradient of Pond 1. The operator stated cleanout was currently being conducted and the sediment would be removed shortly. New hay bales have been placed at the end of the Lower Robinson Diversion.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Ponds 1, 1b, 2, 3, and 4 were observed. Pond 3 is currently being expanded to the approved December 2012 amendment. Pond 4 is currently being constructed in accordance with the approved MRP Phase 1 design.

4.c Hydrologic Balance: Other Sediment Control Measures

The spoils pile area was inspected and the south slope of the pile is currently being worked. Installation of a sediment control measure such as a straw waddle was discussed and the operator said they could have something installed by June 1 in the area.

4.d Hydrologic Balance: Water Monitoring

Water monitoring for dissolved selenium per Attachment A Special Condition 4 was discussed. The Permittee is in compliance with this monitoring, although a Table in the MRP requires updating to show all the monitoring locations.

9. Protection of Fish, Wildlife and Related Environmental Issues

New surface disturbance included construction of pond 4 during the end of the active lekking and the beginning of the nesting period for the Sage Grouse. According to personal observations from Dustin Schaible (DWR Wildlife Biologist), Rhet Boswell (DWR habitat Biologist) and Dr Steven Petersen (ACD Biologist) on Monday, May 6th pond 4 is located at the South end of the active historic lek and in nesting and brood rearing habitat.

11. Contemporaneous Reclamation

The west toe of the reclaimed Excess Spoil pile is green with Triticale. The upper slopes of the reclaimed pile are showing less growth, perhaps due to the drying effects of the wind. Work continues on spreading the remaining topsoil from Topsoil pile #3 onto the west slope of the Excess Spoil Pile. The Permittee suggested and the Division agreed that the contemporaneous reclamation should be seeded this summer with Triticale only and wait to seed the final mix until more favorable conditions of late fall/winter.

16.a Roads: Construction, Maintenance, Surfacing

Haul road construction for access to pits 27 and 28 will eliminate the known historic lekking and portions of the nesting and brood rearing areas. The permittee was requested to not to initiate any new mining activities in these areas until recommendations regarding temporal buffers could be provided from DWR and DOGM.



Pit 9 windrowed topsoil



Topsoil pile #4 foreground. Coal in seen in Pit 6. Backfilled pits 5 and 4 in mid ground. Excess Spoil pile over pits 2 and 1 in background.



Enlarging Pond #3.



topsoiled south slope of Excess Spoil pile



redistributed topsoil, subsoil on the Excess Spoil pile.



First year growth on the Excess Spoil pile.



Pond 4 construction view from County road.



Ditch construction north of Pond 4.



Topsoil pile #2. Subsoil pile on right.



Slope and berm around Topsoil Pile #2



Topsoil pile #4. Subsoil stockpile #2 on right side background.



Slash on topsoil pile #1.



Topsoil pile #1 foreground, facilities farground.



Facilities slope.