TECHNICAL MEMORANDUM
Utah Coal Regulatory Program

December 4, 2008

TO: Internal File

THRU: Joe Helfrich, Environmental Scientist III, Lead

FROM: Ingrid Wieser, Environmental Scientist II 2/19/2009

RE: Midterm Permit Review, Energy West Mining Company/ Pacificorp, Trail Mountain Mine, C/015/0009, Task ID # 2878

SUMMARY:

On November 15, 2007 the Division notified Kenneth Fleck, Manager of Geology and Environmental Affairs for Energy West Mining Company, of the commencement of the Midterm Permit Review. The review encompassed the following items:

1. An AVS check to ensure that Ownership and Control information is current and correct and that all outstanding fines are paid.

2. A review of the plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee initiated plan changes are appropriately incorporated into the plan document.

3. A review of the applicable portions of the permit to ensure that the plan contains commitments for application of the best technology currently available (BCTA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.

4. A review of the bond to ensure that it is in order and that the cost estimate is accurate and is escalated to the appropriate year dollars.

5. The Division will conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness of operational, reclamation, and contemporaneous reclamation practices.

6. Trail Mountain Mine went into temporary cessation on May 2, 2001. Please provide the Division with future reactivation plans.

The Division staff conducted a technical site visit on September 25, 2008. This Memo will address item 6.

It was concluded that the Midterm Review couldn't be approved until the following is met:

R645-301-541: The Division must be provided with plans of possible future reactivation plans.

TECHNICAL ANALYSIS:

RECLAMATION PLAN

CESSATION OF OPERATIONS

Regulatory Reference: 30 CFR Sec. 817.131, 817.132; R645-301-515, -301-541.

Analysis:

On May 2, 2001, Trail Mountain Mine went into temporary cessation. Trail Mountain Mine was requested to provide any reactivation plans for the mine. No plans were submitted.

Findings:

The Division requests the following information in accordance with:

R645-301-541: The Division must be provided with plans of possible future reactivation plans.

RECOMMENDATIONS:

The Midterm Review is not recommended for approval at this time.