



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

Table with 2 columns: Representative Name, Title. Includes Dennis Oakley and Jim Smith.

Inspection Report

Table with 2 columns: Field Name, Value. Includes Permit Number, Inspection Type, Date, etc.

Inspector: Jim Smith, Environmental Scientist III
Weather: Warm, overcast, thundershowers in the area
InspectionID Report Number: 648

Accepted by: whedberg
7/7/2005

Permittee: PACIFICORP
Operator: ENERGY WEST MINING CO
Site: DES BEE DOVE MINE
Address: PO BOX 310, HUNTINGTON UT 84528
County: EMERY
Permit Type: PERMANENT COAL PROGRAM
Permit Status: RECLAIMED

Current Acreages

Table with 2 columns: Acreage, Category. Includes Total Permitted (154.86), Total Disturbed (23.88), and Phases I, II, III.

Mineral Ownership

- Checkboxes for Federal, State, County, Fee, Other.

Types of Operations

- Checkboxes for Underground, Surface, Loadout, Processing, Reprocessing.

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

Inspector's Signature

Date Wednesday, June 29, 2005

Jim Smith, Environmental Scientist III
Inspector ID Number: 43

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and 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 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 type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **1. Permits, Change, Transfer, Renewal, Sale**

There are two conditions on this permit and the Permittee is in compliance with both. Permit renewal is due this year.

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

There is only one diversion, along the south side of the subsoil pile. It was clear of debris and operable.

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

The straw-bale ASCA at the subsoil pile was intact and appears to have been functioning. The Permittee hopes to reclaim this area before this structure needs to be rebuilt.

### **4.d Hydrologic Balance: Water Monitoring**

UPDES discharge from the sedimentation pond is the only water monitored at this site. There was no UPDES discharge during May 2005, and the DMR report for June was not completed at the time of the inspection. In anticipation of reclaiming the pond later this year, the Permittee plans to remove the water by pumping and allow the mud to dry.

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

UPDES discharge from the sedimentation pond is the only water monitored at this site. There has been no discharge reported or known so far in 2005.

## **13. Revegetation**

Overall, vegetation appears to be doing much better than last year; however, there are still large patches of ground where vegetation is sparse. Grasses, shadscale, and fourwing saltbush appear to be more abundant than last year, and rabbitbrush is starting to grow in many areas. Penstemon are blooming. Russian thistle is abundant. Desirable forbs and grasses are beginning to dominate in some areas where halogeton has been thick in the past.

## **19. AVS Check**

An AVS check was done on June 27, 2005. The audit violation under WV permits O014783 and O016483 are under payment plan with OSM. The remaining KY violations are under Island Creek settlement. Linking entity is Dan Baker.

**21. Bonding and Insurance**

The insurance policy with Assoc. Electric & Gas Insurance Services, Ltd. of Hamilton, Bermuda, underwritten by AEGIS Insurance Services runs to April 1, 2006. The State of Utah Dept. of Natural Resources is the certificate holder. The insurer will provide 45 days written notice of cancellation. General coverage is for \$2 million and aggregate excess is for \$20 million. Explosion and subsidence are covered.

The non-cancelable bond for \$1.837 million is with Traveler's Casualty and Surety of America. It bonds for the Reclamation Agreement dated 8/29/95. The bond was signed by the surety on 11/7/02 and by the Permittee on 11/18/02. A stipulation to revise the Reclamation Agreement to change surety companies was signed by the Permittee on 12/18/02 and by the Division on 12/12/02.