



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

Representatives Present During the Inspection:

OGM	Priscilla Burton	Environmental Scientist III
OGM	Pamela Grubaugh-Littig	Environmental Manager
Company	Dennis Oakley	Environmental Engineer
OGM	Chuck Semborski	Environmental Supervisor
OGM	Jerriann Ernsten	Environmental Scientist II
OGM	Jim Smith	Environmental Scientist III

Inspection Report

Permit Number:	C0150017
Inspection Type:	BOND RELEASE
Inspection Date:	Thursday, September 28, 2006
Start Date/Time:	9/28/2006 2:00:00 PM
End Date/Time:	9/28/2006 4:45:00 PM
Last Inspection:	Friday, September 08, 2006

Inspector: Wayne Western, Environmental Scientist III

Weather: Clear skies temperature 70's

InspectionID Report Number: 1091

Accepted by: pgrubaug

10/26/2006

Permitee: **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

154.86	Total Permitted
23.88	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:

The bond release inspection was done as part of the Phase III bond release application, Task ID #2625.

In addition, Angela Wadman from the BLM attended.

Inspector's Signature: _____

Wayne Western, Environmental Scientist III

Inspector ID Number: 42

Date: Friday, September 29, 2006

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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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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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

The Division is simultaneously processing Task ID #2606, a postmining land use change to industrial and recreation for the entire permit area. The land for the Phase III bond release includes 0.9 acres reclaimed in 2003 and 1.62 acres reclaimed in 1999. It is the same land under consideration for Phase III bond release under Task ID #2625.

2. Signs and Markers

Signs and markers were present.

3. Topsoil

Both the 1.62 and 0.9 acre parcel were reclaimed using available soils (not stockpiled topsoil). The sites were both roughened for stability, but the 1999 reclaimed site had little evidence of roughening left. The surface gouges were still present in the 2003 reclaimed site. The saltbush (*Atriplex*) was three feet high at the 2003 site!

4.a Hydrologic Balance: Diversions

There are no diversions on site.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

There are no sedimentation ponds or impoundments on site.

4.c Hydrologic Balance: Other Sediment Control Measures

Vegetation and/or surface roughening is controlling erosion. There was no evidence of rills or gullies on either the 1999 or 2003 site.

4.d Hydrologic Balance: Water Monitoring

There has never been water monitoring on this part of the Des Bee Dove Mines permit area.

5. Explosives

No explosives were on site.

6. Disposal of Excess Spoil, Fills, Benches

No excess spoil was on site.

7. Coal Mine Waste, Refuse Piles, Impoundments

No refuse piles or impoundments (other than pocks) were on site.

8. Noncoal Waste

No noncoal waste was on site.

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9. Protection of Fish, Wildlife and Related Environmental Issues

For the 2.3 acres inspected, the plant diversity is high and cover is good. The area should support wildlife grazing needs.

10. Slides and Other Damage

No slides were noted.

12. Backfilling And Grading

Backfilled areas appeared to be stable.

13. Revegetation

For the Phase III bond release, the Permittee has requested for 1.62 acres in addition to the estimated area needed for the XTO drill pad of 0.9 acres. The Permittee presented that the need for this additional area was to reduce the possibility of XTO and ATVs from impacting the reclaimed area to the west of the pad. The Permittee stated that impacts to vegetation could occur from windblown dust resulting from drilling operations, and increased trash build up and ATV activity because of increased visibility and access. The Permittee also stated that the release of these 1.62 acres would provide a clearer delineation (straight line running east to west) for the remaining permit area.

The Division had no significant concerns for releasing the 0.9 acres for PIII bond release, but questioned whether the Permittee had demonstrated an objective need for the additional 1.62 acres. As far as vegetation being impacted to the point of preventing bond release, vegetation surveys for bond release typically include taking many random samples over the entire permit area and averaging sample parameters for each community type. Even if the area to the west of the XTO pad was impacted and surveyed, it is highly doubtful that its contribution to the overall average for the entire permit area would be enough to prevent bond release.

Furthermore, although the Division is not intimately familiar with oil drilling, the concept of windbreaks is not understood. Typically, tree and shrub windbreaks are designed such that there are one or more rows of trees and shrubs to reduce wind effects. The site west of the XTO pad has two natural windbreaks; these are the islands of undisturbed area. These islands have mature Utah juniper trees mixed with shrubs of various heights and species characteristics. Also, there appears to be a moderate elevation gain between the XTO pad and reclaimed areas. This elevation gain along with the natural vegetation windbreak may help reduce the amount of wind-blown dust from the XTO project to the 1.62 acres.

As far as trash is concerned, other mines have reclaimed areas next to major highways. Typically, the DOGM inspectors let the Permittees know of trash build up prior to ever issuing a NOV. The Permittees and DOGM work cooperatively to keep a vigilant eye on the amount of trash on their reclaimed site.

As far as the increased ATV use is concerned, there may be a problem. However, much of the reclaimed area at DesBee Dove and especially the road heading north of the XTO pad face this same problem.

14. Subsidence Control

The area was not within a subsidence zone.

16.a Roads: Construction, Maintenance, Surfacing

All roads had been reclaimed. A cattle trail was on the site and in good working order.

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Inspection Continuation Sheet

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16.b Roads: Drainage Controls

Roads have been removed.