

UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT

For

Phase I Bond Release

PacifiCorp

Energy West Mining Company

Des-Bee-Dove Mine

C/015/0017

January 9, 2007

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In C/015/0017/Des-Bee-Dove Mine

For additional information

0001 Date 01/09/2007

ADMINISTRATIVE OVERVIEW

Phase I Bond Release
PacifiCorp
Energy West Mining Company
Des-Bee-Dove Mine
C/015/0017

January 9, 2007

ACTION

The Permittee seeks Phase I bond release on approximately 29.5 acres of the Des-Bee-Dove Mine. The area is located in the E1/2 of Section 26 and the W1/2 of Section 25, Township 17 South Range 7 East, SLBM. The Permittee requests a \$ 667,994 bond release on \$1,113,324 of bond associated with:

- Phase 1 Area: Little Dove and Beehive Mines.
- Phase 2 Area: Bathhouse, and tipple areas.
- Pumphouse Area: Pumphouse near the turnaround.

BACKGROUND

The Des-Bee-Dove Mine is located approximately 13 miles northwest of the Hunter Power Plant (Castle Dale) in Emery County, Utah. The Des-Bee-Dove Mine has been closed since 1987 when the portals were closed. Most of the leases associated with the mine have been relinquished and the permit area now contains approximately 100 acres.

The mine site contained three separate mines, the Deseret Mine, the Beehive Mine and the Little Dove Mine. In 1997, PacifiCorp submitted to the Division a notice of intent to begin reclamation. The reclamation on the Phase I bond release area was done between 1998 and 2003.

The Division received a request for Phase I bond release for portions of the Des-Bee-Dove Mine on January 3, 2006. On May 1, 2006, the Division received additional information. This bond release application did not include the sedimentation pond or remote portals.

CHRONOLOGY FOR PHASE III BOND RELEASE

Phase I Bond Release
PacifiCorp
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- 1898: Mining operations begin in the area where the Des-Bee-Dove Mine is located. The mine eventually becomes known as the Griffith Mine.
- 1936: Mr. Edwards and Mr. Broderick purchase the Griffith Mine and build an access road.
- 1938: The Castle Valley Fuel Company purchases the Griffith Mine.
- 1938: The Church of Jesus Christ of Latter-Day-Saints (LDS Church) purchases coal lands adjacent to the Castle Valley Fuel Company.
- The LDS Church Mine operates under contract to Mr. Killian of Orangeville until 1943, when operations were suspended due to World War II.
- 1947: The LDS Church purchases the Castle Valley Fuel's operation and combines the operations to form the Deseret Coal Company, a church welfare project.
- 1972: Utah Power and Light purchases the Deseret Coal Company.
- 1987: The Des-Bee-Dove Mine is idled.
- 1997: PacifiCorp submitted notice of intent to reclaim all areas.
- 1997: Haul road was taken over by Emery County and Phase III bond release for the road granted. Phase III bond release did not reduce the bond amount.
- 1998: Pumphouse area consisting of 1.6 acres was reclaimed.
- 1999: Surface facilities of the upper and lower mine site were removed.
- 2000: Remote portals were reclaimed.
- 2002: Upper mine site was reclaimed.
- 2003: Lower mine site and access road were reclaimed.
- 2005: Work on Phase 3 area (sediment pond) began.
- 2006: Phase I bond release application for mine facilities for the main mine area.
- 2006: On June 29, 2006, the Division, BLM, and a representative from Emery County conducted a bond release inspection. OSM and the USFS were invited to attend but were not able to attend.

PHASE I BOND RELEASE RECOMMENDATION

Phase I Bond Release
PacifiCorp
Energy West Mining Company
Des-Bee-Dove Mine
C/015/0017

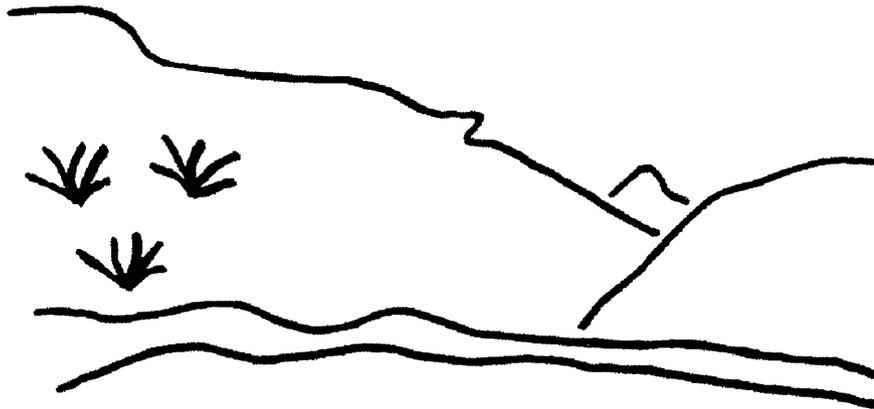
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The Division recommends that Phase I bond release be granted on the 29.5 acres associated with:

- Phase 1 Area: Little Dove and Beehive Mines.
- Phase 2 Area: Bathhouse, and tipple areas.
- Pumphouse Area: Pumphouse near the turnaround.

The bond associated with the area should be reduced by \$ 667,994, which is a 60% reduction of the \$1,113,324 bond for the area. The total bond for the Des-Bee-Dove Mine would change from \$1,837,712 to \$1,169,718.

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

PacifiCorp
Energy West Mining Company
Des-Bee-Dove Mine
C/015/0017
January 9, 2007

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TECHNICAL ANALYSIS DESCRIPTION

TECHNICAL ANALYSIS DESCRIPTION

This TA deals specifically with a request for Phase I bond release on 29.5 associated with the main mine facilities of the Des-Bee-Dove Mine. The area is located in the E1/2 of Section 26 and the W1/2 of Section 25, Township 17 South Range 7 East, SLBM. The Permittee requests a \$ 667,994 bond release on \$1,113,324 of bond associated with:

- Phase 1 Area: Little Dove and Beehive Mines.
- Phase 2 Area: Bathhouse and tipple areas.
- Pumphouse Area: Pumphouse near the turnaround.

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TECHNICAL ANALYSIS DESCRIPTION

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GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

Analysis:

The Permittee met the general requirements for bond release on the following area.

- Phase 1 Area: Little Dove and Beehive Mines.
- Phase 2 Area: Bathhouse, and tipple areas.
- Pumphouse Area: Pumphouse near the turnaround.

Other Areas associated with the Des-Bee-Dove Mine for which bond release is not being sought in this submittal.

- Phase 3 Area: The sediment pond area, which contains approximately 9 acres.
- Remove Portals: The Permittee reclaimed two remote portals in 2000. There was no money in the bond specifically marked to reclaim the portals. The portals were breakouts from the mine and did not involve any surface disturbance.
- County Road: Area granted Phase III bond release in 1997.

Chronology

- 1997: PacifiCorp submitted notice of intent to reclaim all areas.
- 1997: Haul road was taken over by Emery County and Phase III bond release for the road granted. Bond amount was not reduced because of the Phase III bond release.
- 1998: Pumphouse area consisting of 1.6 acres was reclaimed.
- 1999: Surface facilities of the upper and lower mine site were removed.
- 2000: Remote portals were reclaimed.
- 2002: Upper mine site was reclaimed.
- 2003: Lower mine site and access road were reclaimed.
- 2005: Work on Phase 3 area (sediment pond) began.

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations.

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

Analysis:

The Permittee has met the requirements for restoring the Phase 1 area, Phase 2 area and the pumphouse area to the approximate original contours (AOC.) The requirements to achieve approximate original contour restoration are couched in the requirements for backfilling and grading, hydrology, postmining land use and revegetation.

Final Surface Configuration

The R645-Rules require that the disturbed areas be restored to the approximate original contours with limited exemptions. Restoration to AOC means that the final surface configuration shall closely resemble the general surface configuration of the land before mining. To meet the AOC requirements the land does not have to be restored to pre-mining elevations. Rather the land must blend into the surrounding area, with slopes that are similar in length and steepness to the adjacent topography. Since the area was disturbed before the passage of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), there are no pre-disturbed topographic maps. Therefore, the Permittee has no reference as to the pre-disturbed topography of the area. Therefore, the Division main concern is that the mine site blend into the surrounding undisturbed areas.

Phase 1 Area

The Permittee showed the Phase 1 area on Map 3, Des-Bee-Dove Mines Phase 1 Reclamation Plan View & Cross Sections. The Permittee restored the slopes in the area to either 1.25:1V or 2H: 1V depending on the topography. See page 9 of the engineering section of Appendix XIV for additional design specification. The Division noticed during reclamation that the reclaimed slopes are similar to slopes in the surrounding undisturbed areas.

Phase 2 Area

The Permittee showed the Phase 2 area on Map 1, Des-Bee-Dove Mines Area of Bond Release Phases 1 & 2 & pumphouse area at a scale of 1 inch equals 100 feet. The cross sections are shown on Map 2, Des-Bee-Dove Mines Phase 2 Reclamation Cross Sections. The Permittee restored the slopes in the area to either 1.25:1V or 2H: 1V depending on the topography. See pages 13- 19 of the engineering section of Appendix XV for additional design specification.

Pumphouse Area

The Permittee showed the pumphouse area on Drawing 1 of the bond release package. The Division found that the Permittee restored the site to AOC. The pumphouse area is

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relatively flat. Many of the areas surrounding the pumphouse site were disturbed pre-SMCRA and reclaimed by AML. The pumphouse area blends into the surrounding landscape as shown on the as-built drawing in the Phase I bond submittal.

Eliminate All Spoil Piles

No spoil was generated during the construction or mining operations for the Des-Bee-Dove Mine.

Eliminate All Highwalls

R645-301-553.120 requires that all highwalls be eliminated except as provided for in R645-301-553.500 through R645-301-553.540. The exception apply to previously and continuously mined areas where there is insufficient fill material to reclaim the highwalls.

Phase 1 Area

The portals in the Phase 1 area were developed for the Beehive Mine and the Little Dove Mine. The locations of the portals are shown on several maps including CD1660B, Des-Bee-Dove Surface Facilities Map Highwall Survey and Drawing CD1817C, Des-Bee-Dove Mines Phase 1 Reclamation Plan View & Cross Sections.

The Beehive Mine portals were constructed in 1974 and therefore the portals are pre-SMCRA. Drawing CS1817C shows that there were two portals associated with the Beehive Mine and one vertical shaft used for return air. On page 13 in the engineering section of Appendix XIV, the Permittee states that the intake entries to the Beehive Mine were directly below a sandstone channel and that no excavation was needed. The return entry used a short vertical shaft to access the coal seam.

Sheet 3 of the bond release package shows a cross section for the reclaimed Beehive Mine portals. The Permittee placed seals 25 feet inside the mine and then backfilled to the surface. Since the portals were constructed in a natural cliff, there was no excavation above the portal height. Therefore, the highwalls were reclaimed when the portals were backfilled.

Photographs of the site before reclamation are in Appendix XVI Appendix A. Photo #11 shows the portal locations for the Beehive Mine. The portals were constructed at or near the base of a cliff; therefore no highwalls were associated with the portals. The return shaft was constructed on a slope. During interim reclamation, the Permittee reclaimed the shaft area.

Little Dove Mine portals were constructed in April 1977 and therefore are pre-SMCRA. On page 13 of the engineering section of Appendix XIV, the Permittee states "Development of the Little Dove Mine included several cuts along the contour along with highwalls for the individual portals." The Permittee later states "Due to restricted site configuration,

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reconstruction of the drainages will dictate the actual extents of the fills. Slopes constructed will not exceed 1.25H: 1V.”

Sheet 3 of the bond release package shows cross sections for the area where the reclaimed Little Dove Mine portals are located. Cross Sections 1+00, 2+00 and 3+00 show the areas where the portals are located. The as-built drawings show that the Permittee reclaimed most of the highwalls. The Permittee reclaimed the highwalls using a combination of rock fills that did not exceed 1.25V: 1H slope and fill slopes that did not exceed 2H: 1V slopes.

Because the Little Dove Mine site was constructed pre-SMCRA, there are no accurate premining topographic maps of the area. Without the maps, the Permittee and Division were unable to determine if there was sufficient fill material to totally reclaim the highwalls. Photo #10 in Appendix XVI Appendix A shows portal location before final reclamation. The portals were constructed along cutslopes that were used to access the area.

R645-301-553.600, allows highwall remnants to remain at previously mined or continuously mined site if there is insufficient fill material. In addition to insufficient fill material, the Division allows highwall remnants to remain if highwall reclamation would conflict with another regulation, such as establishing drainages.

During reclamation, the Permittee and the Division continually re-evaluated the project. Both parties determined that the highwalls at the Little Dove Mine could not be eliminated because:

- There was insufficient fill at the site to reclaim the highwalls and maintain a safety factor of 1.3. The slope stability report in Appendix XIV, Appendix C, states that slopes constructed from fill must not exceed 2H: 1V slope. The Permittee could have placed more material against the highwall but the slopes would not have the minimum safety factor of 1.3.
- The drainages were redesigned during reclamation to take advantage of natural drainage patterns that had been buried and to ensure long-term stability of the drainages. Placing addition fill material along the Little Dove portals would have prevented the drainages from being restored.

The Permittee reestablished the cattle trail for access to East Mountain by implementing partial reclamation in certain areas of the access road dugways, as well as along the mine site access roads. The trail is small enough to blend into the surrounding area.

Phase 2 Area

The portals in the Phase 2 area were developed for the Deseret Mine. On page 14 of the engineering section of Appendix XV, the Permittee states “Dozers will be used to position the fill to eliminate (as practical) the associated highwalls and cuts.” The Permittee also references information in Appendix XIV Appendix, Highwall Survey: March 1997.

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The Permittee excavated material above the bedrock outcrops that overlay the Deseret portals to create energy dissipation drops. The Permittee also placed large boulders along the highwalls in the drainage flow paths. See hydrology section for more details.

There are no highwall remnants associated with the Deseret Mine. All highwalls were reclaimed during reclamation.

Pumphouse Area

There are no portals in the pumphouse area.

Restore Drainages and Sediment Control

The Division considers that all AOC requirements associated with the restoration of drainages and sediment control are met when all of the reclamation hydrology requirements have been met.

Post Mining Land Use

The Division considers that all post mining land use requirements associated with the AOC requirements are met when all of the reclamation post mining land use requirements have been met.

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General

The Permittee has met the backfilling and grading requirements needed for Phase I bond release in the Phase 1, Phase 2 and pumphouse area. The general backfilling and grading requirements are:

- Achieve the approximate original contours.
- Eliminate all highwalls, spoil piles, and depressions.

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- Achieve a postmining slope that does not exceed either the angle of repose or such lesser slope as is necessary to achieve a minimum long-term static safety factor of 1.3 and to prevent slides.
- Minimize erosion and water pollution both on and off the site.
- Support the approved postmining land use.

Achieve the Approximate Original Contours

The Division addressed the all the AOC issues in the AOC section of the TA.

Eliminate all Highwalls, Spoil Piles and Depressions

The Division discussed how all highwalls were reclaimed in the AOC in the AOC section of the TA. There are no spoil piles in the areas for which the Permittee seeks Phase I bond release. The Permittee eliminated all depressions except for small pocks that were implemented to control erosion and provide microhabitats for vegetation.

Slope Stability

Phase 1 Area

The Beehive and Little Dove Mine areas were reclaimed so that all slopes would be stable and are less than the angle of repose. In Appendix C of Appendix XVI contains a slope stability report prepared by RB&G Engineering. The slope designs were as follows:

- Earth filled slopes should not exceed 2H: 1V slopes.
- Rock filled slopes should not exceed 1.25H: 1V slopes.
- The slope stability calculations were done using the assumption that no pore pressure would be present. Therefore, the slopes should have rock fill or drain fill place beneath the earth.

The engineering report states that slopes constructed to the design specification will have a safety factor of at least 1.3

Some cut slopes were left because:

- There was either not enough fill to reclaim the cutslopes.
- The reclaimed cutslopes would interfere with drainages.
- The reclaimed cutslopes would not meet the safety factor requirements.

Phase 2 Area

The Permittee reclaimed the Deseret Mine area so that all slopes would be stable and are less than the angle of repose. In Appendix XVI Appendix C contains a slope stability report prepared by RB&G Engineering. The slope designs were as follows:

RECLAMATION PLAN

- Earth filled slopes should not exceed 2H: 1V slopes.
- Rock filled slopes should not exceed 1.25H: 1V slopes.
- The slope stability calculations were done using the assumption that no pore pressure would be present. Therefore, the slopes should have rock fill or drain fill place beneath the earth.

The engineering report states that slopes constructed to the design specification will have a safety factor of at least 1.3

Some cut slopes were left because:

- There was either not enough fill to reclaim the cutslopes.
- The reclaimed cutslopes would interfere with drainages.
- The reclaimed cutslopes would not meet the safety factor requirements.

The Permittee needs to include in the narrative information about the coal material that was removed from the site and the modifications to the reclamation plan.

Pumphouse Area

The pumphouse area is relatively flat and none of the slopes approach 2V: 1H.

Previously Mined Areas

The highwalls were constructed pre-SMCRA. The Division addressed those issues in the AOC section of the TA.

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations.

MINE OPENINGS

Regulatory Reference: 30 CFR Sec. 817.13, 817.14, 817.15; R645-301-513, -301-529, -301-551, -301-631, -301-748, -301-765, -301-748.

Analysis:

The Permittee met the requirements for closing all portals. They sealed all the portals and backfilled the entrances. The closure plan complied with all MSHA and Division requirements.

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Phase 1

On page 12 of the engineering section of Appendix XIV, the Permittee states that they sealed the portals in November 1987 and were backfilled in the fall of 2000. On page 33 of the hydrology section of Appendix XIV, the Permittee states that there are no wells within the Phase1 area.

Phase 2

On page 20 of the engineering section of Appendix XV, the Permittee states that they sealed the portals in November 1987 and were backfilled in the fall of 2000. On page 33 of the hydrology section of Appendix XV, the Permittee states that there are no wells within the Phase2 area.

Pumphouse

There are no mine openings at the pumphouse site.

The only shaft associated with the Des-Bee-Dove Mine was the fan entry to the Beehive Mine. The Permittee closed they shaft in 1987 by placing concrete debris and native rock.

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations.

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-240.

Analysis:

Redistribution

The requirements for Phase I bond release are outlined in R645-301-880.310. Requirements for Phase I bond release are described in R645-301-880.330. The Rule states "no bond will be fully released under provisions of this section until reclamation requirements of the Act and the permit are fully met." Charles Semborski signed the C1 form, certifying on behalf of PacifiCorp that the information contained in the application is true and correct.

Reclamation of the pumphouse area is described in Volume 5 - Appendix IV. The information was reviewed under Task AM00A. Small amounts of surface coal waste deposits were buried in the former pumphouse storage tank area. The road was ripped and the road berm served as substitute topsoil. Site photos and maps are provided in Appendix A of R645-301-500, Appendix IV of the MRP.

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Reclamation of Phase 1 is described in Appendix XIV. Phase 1 was reviewed under AM01A, AM01B. Reclamation of Phase 2 is described in Appendix XV. Phase 2 was reviewed under tasks AM02D, AM03B, and Task 1786. Both Phase 1 & 2 Des Bee Dove reclamation soils information is found in Appendices A – C of Appendix XIV and on Plate 200-1 of Appendix XV.

Map 1 of the bond release application provides acreages and average replacement substitute topsoil depths for both Phase 1 and 2 Des Bee Dove reclaimed sites. The depth of substitute topsoil cover varied from 1.0 to 2.5 ft.

Des Bee Dove Phases 1 & 2 were reclaimed using “in site” soils that were sampled in 2000 and 2001. The locations of sampling are shown on Drawing CM-103636-DS, corresponding laboratory analysis is found in Appendix A. Plate 200-1 Appendix XV shows locations of trenches that correspond with laboratory analysis found in Appendix C.

In Phase 1, the outslope of the Beehive pad provided the bulk of the substitute topsoil (represented by sample SS8 and Trench 2 and 2A).

Phase 2 substitute topsoil was gathered from the surrounding slopes nearest the work. The sampling locations are identified on Map 200-1, Appendix XV. The lab analyses are found in Appendix XIV. The Appendix XV Changer Order tab describes the use of undisturbed soils along the Beehive access road. This undisturbed soil is represented by site SS9. The undisturbed island represented by sample SS5 was left in tact and provides a source of micro-propagules for the site.

Volume XV Change Order Tab also describes the use of 11, 500 yd³ of substitute soil from the bathhouse pad out-slope. This large source of substitute topsoil for Phase 2 is represented by samples taken at locations shown on Plate 200-1.

The main drainage fill slopes were also derived from adjacent slopes represented by samples on Map 200-1. Samples numbered 5, 8, & 9 on Map 200-1 represent the coal mine waste which was removed during the Valley Fill Excavation (reviewed under AM01A & B). Upon reaching final grade in the main drainage at Station 4+00 and 5+00, the fill was tested for acid/toxic characteristics. Analyses of these samples are found in Attachment E of the Phase 1 bond release application.

Appendix XV Map 200-2 provides the proposed locations of coal mine waste burial in Phase 2. Final coal mine waste burial locations are identified on Map 1 included with the Phase 1 bond release application. All coal mine waste was covered with a minimum of four feet of soil.

Cross sections associated with Map 1 are shown on Map 2 and these cross sections provide a comparison between the as-built configuration and the proposed configuration for

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Phase 2. This sort of variation was anticipated in the reclamation plan due to the unknown contours beneath the pre-SMCRA operations. In particular during Phase 2:

- A steep slope was created at the 180-degree turn in the Beehive Access Road at Station 16+00.
- Exposed bedrock defines the channel at Stations 16+00, 15+00, and 14+00.
- Coal mine waste was scraped from the steep slopes surrounding the tippel yard to re-expose the cliffs (shown on Drawing #2 at Stations 16 +00 through 11+00).
- Additional substitute topsoil material was gained from deeper cuts on the bathhouse outslope described in the Change Order Tab App XV (shown at -50 to -200 at cross sections 5+00 and 4+00 on Drawing #2).

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR Sec. 701.5, 784.24, 817.150, 817.151; R645-100-200, -301-513, -301-521, -301-527, -301-534, -301-537, -301-732.

Analysis:

Reclamation

The Permittee reclaimed all of the roads within the Phase 1, and Phase 2 areas, either completely or in part. As previously noted, a cattle trail was established through the reclaim area connecting to a previously established trail that provides access to the top of East Mountain. The road accessing the pumphouse area was completely reclaimed. Where roads were completely removed, the roadbeds were scarified and ripped before reestablishing the final contours.

Retention

The Permittee established a cattle trail along the parts of the main access road and through the mine site area by utilizing portions of the portal access dugways. Thus, only partial reclamation of these roads (this was comprised of narrowing the road width to approximately six feet) was achieved. This established trail connected to an existing cattle trail above the mine. The Division does not consider the reclaimed cattle trail to be a road because it is not capable of handling automobile or truck traffic.

A full description of the cattle trail is on page 19 of the engineering section of Appendix XV.

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Findings:

The Permittee met the requirements for the road systems and other transportation facilities section of the R645-Rules.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 784.14, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-301-512, -301-513, -301-514, -301-515, -301-532, -301-533, -301-542, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-733, -301-742, -301-743, -301-750, -301-751, -301-760, -301-761.

Analysis:**Hydrologic Reclamation Plan**

The reclamation plans for the Phase 1 and Phase 2 areas are detailed in Appendices XIV and XV, respectively. Reclamation of the pumphouse area is in Volume 5 - Appendix IV.

Drawing 1 shows the restored natural drainages, which are the only postmining hydrologic features in the Phase 1 and Phase 2 areas. There are no ponds, diversions, wells and monitoring sites.

The two conditions in the current permit are that water-monitoring data will be submitted in electronic format and that PacifiCorp may not dispose of asphalt within the Manti – La Sal National Forest Boundary. The Permittee meet all those conditions and they did not request any changes to these conditions as part of the Phase I bond release package. The only water monitoring has been at the UPDES permitted discharge from the sedimentation pond. The Phase 3 sedimentation pond and access road removal, completed in February 2006, eliminated this UPDES discharge point and there is no longer any water monitoring at the Des Bee Dove Mines.

Findings:

Hydrologic information in the submittal meets the requirements of the Coal Mining Rules.

MAPS, PLANS, AND CROSS SECTIONS OF RECLAMATION OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-323, -301-512, -301-521, -301-542, -301-632, -301-731.

Analysis:

Affected Area Boundary Maps

The affected (permit) boundaries will not change because of Phase I bond release. Therefore, the Permittee does not have to provide updated maps.

Bonded Area Map

The disturbed areas are shown Drawing 3 of the bond release package.

Reclamation Backfilling And Grading Maps

The Permittee met the requirements for showing the as-built reclamation and grading maps.

The Permittee states that Reclamation of Phase 1, Phase 2 and pumphouse area was completed according to the plans and modifications as outlined in the MRP. In an addendum received February 8, 2006, the Permittee certifies that all applicable reclamation activities have been accomplished in accordance with the requirements of the Act, the regulatory program, and the approved reclamation plan.

Phase 1 Area

The Permittee showed the as-built topography and cross sections on Drawing #3 of the bond release package of the Phase 1 area.

Phase 2 Area.

The Permittee showed the as-built topography and cross sections on Drawing #1 and Drawing #2 of the bond release package of the Phase 1 area.

Pumphouse Area

The Permittee showed the as-built topography on Drawing #1 of the pumphouse area.

Final Surface Configuration Maps

The Permittee met the requirements for showing the as-built reclamation and grading maps.

Drawing 1, an as-built map, shows the drainages, which have been restored to approximate natural conditions, in the Phase 1, Phase 2, and pumphouse reclaimed areas. These are the only postmining hydrologic features in the Phase 1 and Phase 2 areas. Drawing 2 shows pre-reclamation, proposed final reclamation, and as-built final reclamation cross-sections that

RECLAMATION PLAN

include the main restored channel. Drawing 3 shows pre-reclamation and final reclamation topography and cross sections for the Phase 1 area.

No ponds, diversions, wells or monitoring sites remain.

Phase 1 Area

The Permittee showed the as-built topography and cross sections on Drawing #3 of the bond release package of the Phase 1 area.

Phase 2 Area

The Permittee showed the as-built topography and cross sections on Drawing #1 and Drawing #2 of the bond release package of the Phase 1 area.

Pumphouse Area

The Permittee showed the as-built topography on Drawing #1 of the pumphouse area.

Reclamation Monitoring And Sampling Location Maps

There are no ponds, diversions, wells, or monitoring sites in the areas covered by this bond release application, or anywhere on or adjacent to the Des Bee Dove Mines permit area.

Reclamation Surface And Subsurface Manmade Features Maps

The Permittee met the requirement of showing surface and subsurface manmade features. The only surface or subsurface manmade feature at the Phase 1, Phase 2 or pumphouse area is the cattle trail. The cattle trail is shown on Drawing #1 of the bond release package.

Certification Requirements.

The Permittee met the requirements for map certification by having Drawing 1, Drawing 2 and Drawing 3 of the bond release package certified.

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations.

BONDING AND INSURANCE REQUIREMENTS

RECLAMATION PLAN

Analysis:

Determination of Bond Amount

The Division reviewed the Permittee's request for Phase I bond release. The information is summarized in the table below.

Area	Acres	Bond Amount	Percent Bond Release	Bond Release	Bond Remaining
Phase 1 Area: Little Dove and Beehive Mines	4.6				
Phase 2 Area: Bathhouse and tipple area.	23.3				
Pumphouse Area: Pumphouse near the turnaround.	1.6				
Subtotal	29.5	\$1,113,324	60%	\$ 667,994	\$ 445,330
Phase 3	9.0	\$ 133,054	0%	\$ 0	\$ 133,054
County Road Granted Phase III Bond Release 1997	NA	\$ 591,334	0%	\$ 0	\$ 591,334
Total	38.5	\$1,837,712		\$ 667,994	\$1,169,718

Findings:

The information provided in the bond release application is considered adequate to meet the minimum requirements of the regulations.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 29th day of August, 2006 and that the last publication of such notice was in the issue of such newspaper dated the 19th day of September, 2006.

Richard Shaw

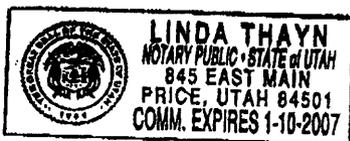
Richard Shaw - Publisher

Subscribed and sworn to before me this 19th day of September, 2006.

Linda Thayne

Notary Public My commission expires January 10, 2007 Residing at Price, Utah

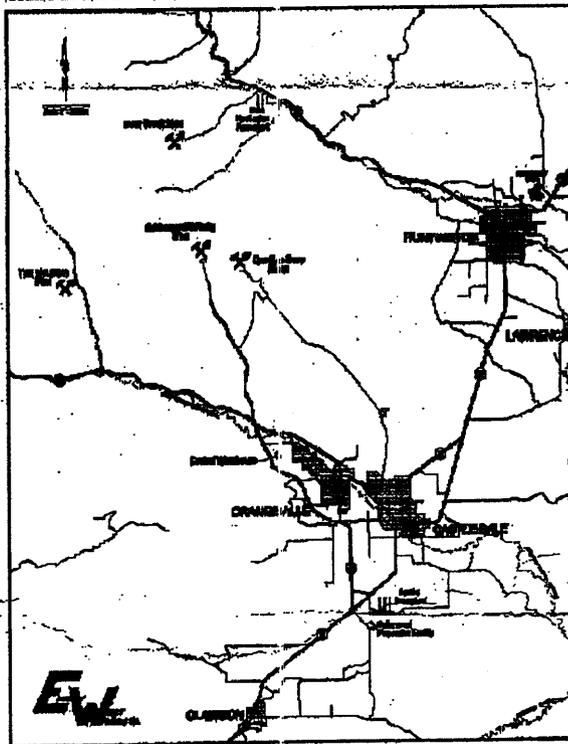
Publication fee, \$ 596.00



**PACIFICORP
DES BEE DOVE MINE
C/015/0017
(PERMIT APPROVED AUGUST 2005)
PHASE I BOND RELEASE APPLICATION**

Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

PacificCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an application for Phase I bond release for the Des Bee Dove Mine site. The said area, located in E½ of Section 26 and the W½ of Section 25, Township 17 South, Range 7 East, SLBM, has met the regulations of the R645 Utah Coal Rules in regards to Phase I Bond Release (R645-301-880.300). The total acreage proposed for release is approximately 29.5 acres (upper and lower mine and pumphouse area) and is located as shown below.



The Des Bee Dove Mine complex encompasses three separate mines; the Beehive and Little Dove mine portals in the upper or Blind Canyon seam and the Daseret mine portals in the lower or Hlawatha seam. All mine portals were permanently sealed in 1987. In 1997, PacificCorp submitted a "Notice of Intent" to reclaim all areas of the Des Bee Dove Mine including the haul road. Emery County expressed interest and called for the haul road to be left in place as part of the County road system. In 1998, Phase III bond release was granted for the haul road. In 1999, the 1.6 acre pumphouse area was reclaimed. In 1999, surface facilities of the upper and lower mine site were removed. The upper mine site reclamation was completed in May, 2002. The lower mine site and access road was completed in June, 2003. The sediment pond servicing this site was completed in January, 2006.

Currently, a surety bond is filed with the Division of Oil, Gas and Mining in the amount of \$1,837,712.00 and is payable to the State of Utah, Division of Oil, Gas and Mining (DOGMI), and the Office of Surface Mining Reclamation and Enforcement (OSM). PacificCorp requests that the bond liability amount for the Des Bee Dove mine site and pumphouse area be reduced by 60%. The bond for these specific areas equal \$1,113,324.00. Reducing this amount by 60% is equal to \$445,330.00. Total surety bond held for all of the Des Bee Dove Mine will be reduced to \$1,169,718.00 at the completion of the Phase I Bond Release.

A copy of the Phase I application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801. Written comments, objections, or requests for an informal conference may be submitted to the Salt Lake City address. Said comments must be submitted thirty (30) days from the date of the last publication of this notice. This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress August 29, September 5, 12 & 19 2006

dc



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:		
Company	Dennis Oakley	Environmental Engineer
OGM	Wayne Western	Environmental Scientist III
OGM	Jim Smith	Environmental Scientist III
OGM	Priscilla Burton	Environmental Scientist III

Inspection Report

Permit Number:	C0150017
Inspection Type:	BOND RELEASE
Inspection Date:	Thursday, June 29, 2006
Start Date/Time:	6/29/2006 9:00:00 AM
End Date/Time:	6/29/2006 12:35:00 PM
Last Inspection:	Thursday, June 15, 2006

Inspector: Wayne Western, Environmental Scientist III

Weather: 80's - 90's Partly cloudy skies

InspectionID Report Number: 1000

Accepted by: pgrubaug
 7/25/2006

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 inspection was for Phase I bond release on the main mine facilities at the Deseret, Beehive and Little Dove Mines and at the turn around area. The Division found that the site met the conditions needed for Phase I bond release.

In attendance were:

EWMC: Dennis Oakley and Scott Child
 BLM: Angela Wadman and Zac Phelps
 Emery County: Ray Peterson
 DOGM: Priscilla Burton, Jim Smith, and Wayne Western

OSM and USFS were invited but did not attend.

Inspector's Signature: _____

Wayne Western

Date Monday, July 03, 2006

Wayne Western, Environmental Scientist III

Inspector ID Number: 42

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

Permit Number: C0150017
 Inspection Type: BOND RELEASE
 Inspection Date: Thursday, June 29, 2006

Inspection Continuation Sheet

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 type="checkbox"/>	<input checked="" 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"/>

4.a Hydrologic Balance: Diversions

No diversions remain.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

No sedimentation ponds or impoundments remain.

4.c Hydrologic Balance: Other Sediment Control Measures

No "Other Sediment Controls" remain.

4.d Hydrologic Balance: Water Monitoring

There are no water-monitoring points at this permit area.

4.e Hydrologic Balance: Effluent Limitations

The sedimentation pond has been removed and the area reclaimed. There are no effluent limitations that apply to this permit.

5. Explosives

No explosives were on site.

6. Disposal of Excess Spoil, Fills, Benches

No excess spoil or terrace benches were on site.

7. Coal Mine Waste, Refuse Piles, Impoundments

All coal mine waste had been either removed or buried on site.

8. Noncoal Waste

All noncoal waste had been removed.

10. Slides and Other Damage

No evidence of slides or other damage was noted during the inspection.

12. Backfilling And Grading

All backfilling and grading had been done according to approved plans.

14. Subsidence Control

No subsidence has occurred in the area.

16.a Roads: Construction, Maintenance, Surfacing

All roads have been reclaimed.

Permit Number: C0150017
Inspection Type: BOND RELEASE
Inspection Date: Thursday, June 29, 2006

Inspection Continuation Sheet

Page 4 of 4

16.b Roads: Drainage Controls

All roads have been reclaimed and no road drainage controls remain.

18. Support Facilities, Utility Installations

All support facilities have been removed.

0031



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Price Field Office
125 South 600 West
Price, UT 84501

<http://www.blm.gov/utah/price/>



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(UT-070)

RECEIVED

JUL 17 2006

DIV. OF OIL, GAS & MINING

JUL 14 2006

Steping
0150017

task 0513

Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil Gas and Mining
P. O. Box 145801
1594 West North Temple Street, Suite 1210
Salt Lake City, Utah 84114-5801

Subject: Phase I Bond Release for Desert, Beehive and Little Dove Mines (Des-Bee-Dove), Pacific Corp

Dear Mrs. Grubaugh-Littig:

The Bureau of Land Management (BLM) has been asked to respond if our agency has any objections or concerns with regards to a Phase I bond release (reclamation bond) for the subject mines.

We have participated in the June 29, 2006 onsite inspections and have reviewed our files in regards to our response. Reclamation in this area occurred on federal, state and private lands. All portal seals, which access Federal coal to the north, were noted to be intact and properly sealed and backfilled. The reclaimed surface disturbance for portals, belts, conveyors and part of the access road are on private land and outside of our jurisdiction. Other reclamation activity occurred on Forest Service lands and State Lands and also outside of our jurisdiction. We therefore have no objections to the Phase I bond release.

If you have and questions or comments, please contact Angela Wadman of my staff at 435-636-3661.

Sincerely,

Gary Reimer
Gary Reimer
Field Manager

cc: UT-923, SD, Utah

0033



United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

Supervisor's Office
599 West Price River Drive
Price, UT 84501
Phone # (435) 637-2817
Fax # (435) 637-4940

File Code: 2820-4
Date: July 18, 2006

Resy
7/18/2006
task 2513

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, UT 84114-5801

RECEIVED
JUL 20 2006

DIV. OF OIL, GAS & MINING

Dear Ms. Grubaugh-Littig:

My staff has reviewed PacifiCorp's Phase 1 Bond Release Application for the Des-Bee-Dove Mine, and they visited the site on June 29. Nothing was found that would preclude bond release. Therefore, I concur with the Phase 1 Bond Release.

Please contact Dale Harber at (435) 636-3548 if you have any questions.

Sincerely,

Eileen F. Richmond for

EILEEN F. RICHMOND
Acting Forest Supervisor

