



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

Outgoing  
C0150017  
#3221  
K

April 29, 2009

James Fulton, Chief  
Office of Surface Mining  
P.O. Box 46667  
Denver, CO 80201-6667

Subject: OSM Concurrence on Phase I Bond Release of Reclaimed Areas, PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #3221, Outgoing File

Dear Mr. Fulton:

PacifiCorp submitted an application for Phase I Bond Release on August 28, 2008 and requested bond release on approximately 13.9 acres of land at the Des Bee Dove Mine. The Permittee is not requesting a reduction in the bond amount at this time, so the bond will remain at \$1,169,718.00.

The Division of Oil, Gas and Mining finds that PacifiCorp has satisfactorily completed Phase I reclamation at the mine site as required. The Division received letters concurring with Phase I bond release from the BLM on December 1, 2008 and the USFS on March 5, 2009. The Division seeks OSM's concurrence as well. Please provide a letter of concurrence by May 28, 2009. If you have any questions or need further information, please feel free to call Jim Smith at (801) 538-5262 or Daron Haddock at (801) 538-5325.

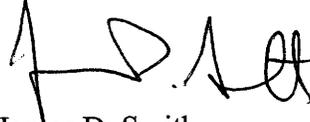
The areas covered by this bond release include the reclaimed Des Bee Dove Mine sedimentation pond and pond access road in Sections 35 and 36, T. 17 S., R. 7 E., and two remote portals in Maple Gulch Canyon, in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13 and SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 14, T. 14 S., R. 7 E. The first several hundred feet of the pond access road, where it leaves the paved county road, are on BLM administered land. The remainder of the road and the pond are on Utah SITLA (School and Institutional Trust Lands Administration) land. The remote portals are on USFS administered land.

On November 19, 2008, the Division sent letters inviting interested parties to participate in an inspection of the Phase I Bond Release area, and the Division conducted the inspection on December 3, 2008. Because of the remoteness and steep terrain at the remote portals, there was no attempt to inspect them on-site; instead, photographs that were taken from a helicopter on June 24, 2008 by Wayne Western of DOGM were used for that portion of the inspection. Representatives from BLM, the Permittee, and DOGM participated in the on-site inspection. The USFS based their inspection largely on the photographs of the remote portals.



Representatives from Emery County had inspected the pond and road area earlier and did not participate in this inspection. SITLA did not send a representative. A copy of the inspection report is enclosed for your information and records.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.D. Smith', written in a cursive style.

James D. Smith  
Permit Supervisor

JDS/sqs  
Enclosure  
cc: Daron Haddock  
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Inspection Report

Permit Number:	C0150017
Inspection Type:	BOND RELEASE
Inspection Date:	Wednesday, December 03, 2008
Start Date/Time:	12/3/2008 11:30:00 AM
End Date/Time:	12/3/2008 1:00:00 PM
Last Inspection:	

Inspector: Jim Smith, Environmental Scientist III

Weather: Cold and clear

InspectionID Report Number: 1886

Accepted by:

Representatives Present During the Inspection:	
Company	Guy Davis Environmental Scientist
Company	Dennis Oakley Environmental Engineer
BLM	Sue Wiler
BLM	Mike Robinson
BLM	Connie Leschin
OGM	April Abate Hydrologist
OGM	Ingrid Wieser Range Scientist
OGM	Pete Hess Environmental Scientist III
OGM	Jim Smith Environmental Scientist III
OGM	Joe Helfrich Environmental Scientist III
OGM	Priscilla Burton Environmental Scientist III

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

134.31	<b>Total Permitted</b>
36.02	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

Mineral Ownership

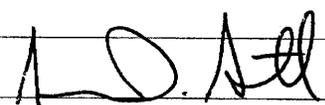
- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

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

This was a Phase I bond release inspection. The Permittee published notification of the application for bond release in the Emery County Progress on August 19, 26, September 2, and 9, 2008. An invitation letter was sent to parties of interest on November 19, 2008, and the on-site inspection was done on Wednesday December 3, 2008. The Phase I bond release area consisted of the access road to the sediment pond created in the 1980s and later reclaimed in January 2006. The remote Deseret and Beehive portals in Maple Gulch were also included in the Permittee's bond release submittal, but these remote sites were not visited as part of this inspection

Inspector's Signature 

Date Wednesday, January 14, 2009

Jim Smith, Environmental Scientist III

1594 West North Temple, Suite 1210, P.O. Box 145801, Salt Lake City, UT 84114-5801  
 telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • [www.ogm.utah.gov](http://www.ogm.utah.gov)

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, Division 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input 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**

The post mining land use for the disturbed area was changed and approved in February of 2007. The Land use now includes grazing, wildlife habitat, recreation and industrial/commercial uses.

**3. Topsoil**

The small area held by the BLM located just off the road was pocked with topsoil. Minimal vegetation growth was noted in this area. The former access road followed an ephemeral drainage channel. Pocking was noted along the banks of the drainage and appeared to be filling in with sediment within the individual pocks. Vegetation appears to have started to take hold along the former access road.

**4.a Hydrologic Balance: Diversions**

The main channel has been restored and appears to be functioning. No flow was observed in the channel at the time of the inspection, but it had appeared to have been flowing recently.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

All impoundments, including the sedimentation pond, have been removed.

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

There is no water monitoring at this site.

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

The sedimentation pond has been removed and there is no water monitoring at this site.

**16.a Roads: Construction, Maintenance, Surfacing**

The sedimentation pond access road has been completely removed.