



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

June 10, 2009

Kurt Higgins, Trust Lands Resource Specialist
Trust Lands Administration
675 East 500 South, Suite 500
Salt Lake City, Utah 84102

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

Dear Mr. Higgins:

The Division of Oil, Gas and Mining finds that PacifiCorp has completed Phase I reclamation of the Des Bee Dove Mine sedimentation pond and pond access road as required, having completed backfilling, regrading, and drainage control in accordance with the approved reclamation plan. The Division seeks concurrence on Phase I bond release from SITLA. Please provide a letter of concurrence by July 2, 2009.

PacifiCorp, through Energy West Mining Company, submitted an application for Phase I bond release on August 28, 2008. The application was for bond release on 13.88 acres of reclaimed land at the Des Bee Dove Mine sedimentation pond and pond access road, which are on state trust land except for a short initial section of the road that is on BLM administered land. (The application included two reclaimed ventilation breakout portals on USFS land in Maple Gulch, totaling 0.02 acre.) The Permittee currently has a surety bond in the amount of \$1,169,718.00, which is payable to the Utah Division of Oil, Gas and Mining and the US Office of Surface Mining Reclamation and Enforcement. Typically, 60 % of the bond is released upon approval of Phase I, but PacifiCorp is not requesting a reduction in the bond at this time.

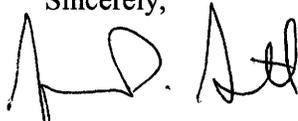
After review of the application, the Division conducted a Phase I bond release inspection of the Des Bee Dove Mine reclaimed sedimentation pond and pond access road. The Division sent an invitation letter to parties of interest, including Kevin Carter at SITLA, on November 19, 2008, and the on-site inspection was on Wednesday, December 3, 2008. Dennis Oakley and Guy Davis from PacifiCorp – Energy West Mining Company accompanied Sue Wiler and Mike Robinson from the BLM and several Division personnel for the inspection. A copy of the Division's inspection report is enclosed for your information and records.



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Mr. Kurt Higgins
June 10, 2009

If you have any questions or need further information, please feel free to call me at (801) 538-5262 or Daron Haddock at (801) 538-5325

Sincerely,

A handwritten signature in black ink, appearing to read "J.D. Smith". The signature is written in a cursive style with a large initial "J" and "S".

James D. Smith
Permit Supervisor

DRH/JDS/sqs
Enclosure
cc: Price Field Office
O:\015017.DBD\FINAL\WG3221\SITLA.doc



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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	Total Permitted
36.02	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:

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 14380, Salt Lake City, UT 84114-5801

telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • 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, 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 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.