The State of Utah

Department of Natural Resources

Division of Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

Inspection Report

Representatives Present During the Inspection:	
OGM	Priscilla Burton Environmental Scientist III
Company	Dennis Oakley Environmental Engineer

Permit Number:	**C0150018**
Inspection Type:	TECHNICAL
Inspection Date:	Wednesday, July 14, 2004
Start Date/Time:	7/14/2004 1:00:00 PM
End Date/Time:	7/14/2004 5:00:00 PM
Last Inspection:	Thursday, June 17, 2004

Inspector: Priscilla Burton, Environmental Scientist III

Weather: overcast, cool, 65 - 70 F

InspectionID Report Number: 331

Accepted by: whedberg
8/6/2004

Permitee: **PACIFICORP**
Operator: **ENERGY WEST MINING CO**
Site: **DEER CREEK MINE**
Address: **PO BOX 310, HUNTINGTON UT 84528**
County: **EMERY**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

22,769.06	**Total Permitted**
84.34	**Total Disturbed**
	Phase I
	Phase II
	Phase III

Mineral Ownership

- [x] **Federal**
- [x] **State**
- [ ] **County**
- [x] **Fee**
- [ ] **Other**

Types of Operations

- [x] **Underground**
- [ ] **Surface**
- [ ] **Loadout**
- [ ] **Processing**
- [ ] **Reprocessing**

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

Consulting soil scientist, Jim Nyenhuis was at Rilda Canyon evaluating soils below the forks of Rilda Cyn. Photographic record of the site made. Topsoil pile for Rilda fan observed. See photos of Rilda Canyon proposed location of additional fan

Inspector's Signature **Date** Monday, July 19, 2004

Priscilla Burton, Environmental Scientist III
Inspector ID Number: 37

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 performace 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	☐	☐	☐	☐
2. Signs and Markers	☐	☐	☑	☐
3. Topsoil	☐	☐	☑	☐
4.a Hydrologic Balance: Diversions	☐	☐	☑	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☐	☐	☐	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☐	☐	☐	☐
4.d Hydrologic Balance: Water Monitoring	☐	☐	☐	☐
4.e Hydrologic Balance: Effluent Limitations	☐	☐	☐	☐
5. Explosives	☐	☐	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☐	☐	☐	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☐	☐	☐	☐
8. Noncoal Waste	☐	☐	☐	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☐	☐	☐	☐
10. Slides and Other Damage	☐	☐	☐	☐
11. Contemporaneous Reclamation	☐	☐	☐	☐
12. Backfilling And Grading	☐	☐	☐	☐
13. Revegetation	☐	☐	☐	☐
14. Subsidence Control	☐	☐	☐	☐
15. Cessation of Operations	☐	☐	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☐	☐	☐	☐
16.b Roads: Drainage Controls	☐	☐	☐	☐
17. Other Transportation Facilities	☐	☐	☐	☐
18. Support Facilities, Utility Installations	☐	☐	☐	☐
19. AVS Check	☐	☐	☐	☐
20. Air Quality Permit	☐	☐	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☐	☐	☐	☐

2. Signs and Markers

The sign at the fan site lists outdated phone numbers.

3. Topsoil

The topsoil pile for the fan disturbance in Rilda Canyon contains 3,740 cu yds (Vol 2, page 34). The topsoil pile was seeded using an interim seed mixture that has since been removed from Part 4 of the plan. The topsoil pile was well vegetated but had been heavily grazed recently. All vegetation was chewed down to three inches or so. The vegetation appeared to be mostly yellow sweet clover, great basin wildrye, saltbush and grasses. Cattle or sheep had thoroughly trampled the pile and left a lot of unstable loose soil. The site is protected by a cattle guard along the access road, but it is not within the fenced disturbed area. The Permittee should discuss the problem with the District Ranger of the Forest Service so they can relate the problem to the grazing rights holder.

Soils of the proposed disturbed area in Rilda Canyon were under investigation by Mr. Jim Nyenhuis, consulting soil scientist, with ARCPAC's Certification. (The ARCPACS acronym originally stood for: American Registry of Certified Professionals in Agronomy, Crops and Soils.
When Plant Pathology and Weed Science were added, the acronym was kept, but the words changed to: A Federation of Certifying Boards in Agriculture, Biology, Earth and Environmental Sciences. see http://www.agronomy.org/certification/)

Mr. Nyenhuis was sampling by depth from three locations. The soils were classified as Brycan Series, fine-loamy, mixed,Cumullic Haploborolls. The alluvial soils were characterized by a darker A horizon and more sandy C horizon. The cover over alluvial soils was mostly creeping Oregon grape, not sagebrush as was the case on the upland sites.

Mr. Nyenhuis was looking for the soil map that accompanied a previous 1991 soil survey of Rilda Canyon conducted by Thomas H. Furst, PhD, Consultant, Logan Utah. Mr. Oakley had a copy of Dr. Furst's report, but no map. I have checked the Public Information Center files and found the Furst report in an MRP volume dated 1990 (no longer part of the current MRP). The report was not accompanied by a map, but the current Plate 2-16 was developed at the time using the information from the report.

Before leaving the site, I photographed the entire length of the proposed location of the Rilda Canyon facilities. The photos are in the database under the date of the field visit.

4.a Hydrologic Balance: Diversions

The flow in the left and right forks of Rilda Canyon stream was photographed above and below the confluence. The site of the Emery County Water Users springs was photographed.