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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

OK

June 7, 2007

James Fulton, Chief
Office of Surface Mining
1999 Broadway, Suite 3320
P.O. Box 46667
Denver, Colorado 80201-6667

Subject: Request for OSM Concurrence – Phase I Bond Release, PacifiCorp, Deer Creek Mine, C/015/0018, Task ID #2755, Outgoing File

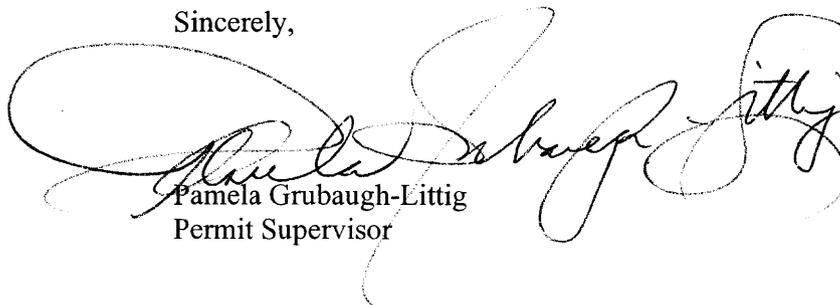
Dear Mr. Fulton:

I am enclosing the Division's Decision Document for Phase I bond release at the 9th East Portal at the Deer Creek Mine. The Permittee requests Phase I bond release on 0.6 acres at this portal that was reclaimed in 1999. No bond reduction was requested by the Permittee for this bond release.

The current bond for the Deer Creek Mine is \$4,113,000.

We look forward to your concurrence on this bond release. If you have any questions, please call me. Thank you.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

an
Enclosure
cc: Kenneth Fleck, PacifiCorp
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**UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT**

**For
Phase I Bond Release
9th East Portal
PacifiCorp
Deer Creek Mine
C/015/0018**

June 7, 2007

CONTENTS

- Administrative Overview
- Chronology
- Findings
- Recommendation for Phase I Bond Release
- Technical Analysis
- Affidavit of Publication
- Phase I Bond Release Inspection Report
- BLM Concurrence Letter
- USFS Concurrence Letter

ADMINISTRATIVE OVERVIEW

Phase I Bond Release
9th East Portal
PacifiCorp
Deer Creek Mine
C/015/0018

June 7, 2007

ACTION

The Permittee seeks Phase I bond release on approximately 0.6 acres of the Deer Creek Mine. The area is located in the SE1/4 of the SW1/4 of the SE1/4 in Section 22, Township 17 South Range 7 East, SLBM and is known as the 9th East Portals. The Permittee does not request a bond reduction in connection with the Phase I bond release at this time.

BACKGROUND

The Deer Creek Mine is located approximately 9 miles northwest of the town of Huntington in Emery County, Utah. The mine was named after the canyon in which the mine is located.

Coal mining on private land took place in the canyon prior to 1946 when the first federal coal lease was issued. Peabody Coal Company acquired the lease on the Deer Creek Mine in 1969 and in 1977 Utah Power and Light Company purchased the Peabody operation and leases. Utah Power and Light Company eventually became part of PacifiCorp. PacifiCorp is the permittee and its wholly owned subsidiary, Energy West Mining Company, is the operator.

The 9th East Portals are located in the Right Fork of Grimes Wash. Mining activity in the area occurred in the 1920's with the development of the Reed Mine. The Reed Mine had limited production with workings extending approximately 75 from the surface. By the 1930's the Reed Mine was abandoned.

In June 1977, Utah Power and Light developed 3 additional portals in the Right Fork of Grimes Wash to help ventilate the Deer Creek Mine. The portals became known as the 9th East Breakouts and were constructed pre-SMCRA. The portals were used for ventilation from 1977 to 1990, when they were permanently sealed. In the fall of 1999 the Permittee reclaimed the site.

CHRONOLOGY FOR PHASE I BOND RELEASE

Phase I Bond Release
9th East Portal
PacifiCorp
Deer Creek Mine
C/015/0018

June 7, 2007

- 1920's: The Reed Mine was opened in the Right Fork of Grimes Wash. Production from the mine was limited.
- 1930's: The Reed Mine is reported abandoned but other mines in the area produced coal.
- 1946: Federal coal leases are issued for the Deer Creek Mine.
- 1969: Peabody Coal Company acquired the Deer Creek Mine.
- 1977: Utah Power and Light Company purchased the Deer Creek Mine from the Peabody Coal Company. Utah Power and Light Company eventually becomes PacifiCorp being the permittee and its wholly owned subsidiary, Energy West Mining Company, being the operator.
- June 1977: Utah Power and Light developed 3 new portals in the Right Fork of Grimes Wash for ventilation of the Deer Creek Mine. The portals became known as the 9th East Breakouts.
- 1990: The Permittee sealed the portals.
- 1999: The Permittee reclaimed the 9th East Portals areas.
- February 2007: The Permittee request Phase I bond release on the 9th East Portals.
- May 11, 2007: The Division conducted a bond release inspection.

SUMMARY OF FINDINGS

Phase I Bond Release
9th East Portal
PacifiCorp
Deer Creek Mine
C/015/0018

June 7, 2007

The Division determined that the 0.6 acres which the Permittee sought bond release meets the requirements for Phase I bond release. The Permittee removed all structures on site, backfilled and graded and topsoil was placed as required by the mining and reclamation plan and drainages were established.

PHASE I BOND RELEASE RECOMMENDATION

Phase I Bond Release
9th East Portal
PacifiCorp
Deer Creek Mine
C/015/0018

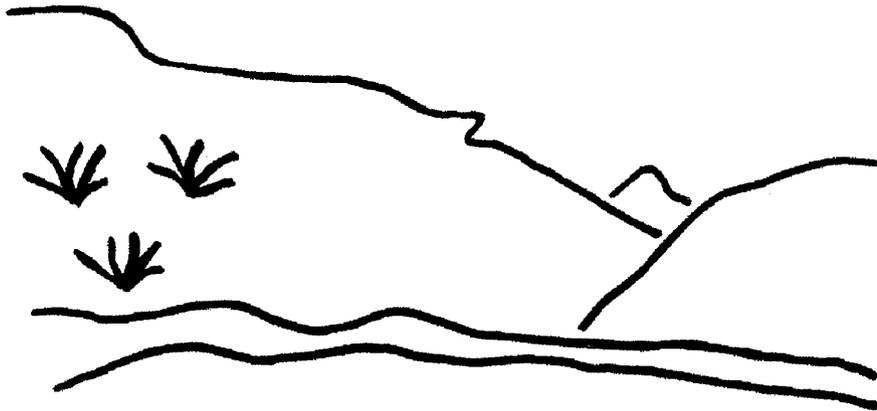
June 7, 2007

The Division recommends that Phase I bond release be granted on the 0.6 acres associated with the 9th East Portal Breakouts.

The bond Permittee does not seek any funds released as part of this Phase I bond release. The current bond for the Deer Creek Mine is for \$4,113,000.

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State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Deer Creek Mine
C/015/0018
PacifiCorp
Energy West Mining Company
Phase I Bond Release Technical Analysis
June 7, 2007

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TECHNICAL ANALYSIS DESCRIPTION

TECHNICAL ANALYSIS DESCRIPTION

PacifiCorp applied for Phase I bond release on approximately 0.60 acres at the Deer Creek Mine 9th East Breakout site. The area, in the Right Fork of Grimes Wash, is in the SE/4SW/4, Section 22, T. 17 S., R. 7 E. The Permittee did not request bond at this time.

The reclaimed site includes three portals and an access road, reclaimed in the fall of 1999. Three portals were developed in June 1977 for ventilation and were used until 1990, when they were permanently sealed. All portals and related access were pre-SMCRA. The Permittee has met the minimum requirements of R645-301-880.100 through 880.3 for Phase I bond release. The surface is owned by the United States, managed by the U.S. Forest Service.

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June 7, 2007

TECHNICAL ANALYSIS DESCRIPTION

RECLAMATION PLAN

RECLAMATION PLAN

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 met the requirements for restoring the site to the approximate original contours. The general requirements for AOC are:

- Minimize off-site effects. The Division considers that off site impacts have been minimized when the site meets the hydrology requirements and vegetation requirements when needed. See the hydrology section of the TA for specific information.
- Achieve a final configuration, which closely resembles the general surface configuration of the land prior to mining. Since the site was disturbed pre-SMCRA pre-disturbed topographic maps are not available. In addition, some adjacent areas are pre-SMCRA that have been reclaimed to AML standards. The reclamation contours and cross sections on Plate DS1785D show that the site has been reclaimed so that it blends into the surrounding area.
- Provide a subsurface foundation for vegetative cover capable of stabilizing the surface from erosion. The site has been revegetated. While revegetation is not required for Phase I bond release the vegetation cover supports such a claim.
- Support the approved postmining land use. The Division evaluated the reclamation plane and concluded that the reclaimed site would support the approved postmining land use.

The Permittee must also eliminate all spoil piles and highwalls. There are no spoil piles on the permitted site. Some coal piles are located in pre-SMCRA adjacent areas. See Plate DS1785D for details.

The Permittee reclaimed all highwalls within the permitted site. The highwalls (portal face ups) were developed in the coal outcrop. The portals were constructed with minimal disturbance to the overlying strata. The Permittee eliminated the highwalls by placing fill material against the portals.

Some pre-SMCRA portals exist that are outside of the disturbed area. The portals were closed and reclaimed by AML to AML standards.

Findings:

The Permittee met the minimum requirements for this section 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 met the requirements for backfilling and grading by:

- Backfill and grade the area to the approximate original contours. See the AOC section of the TA for information.
- Eliminate all highwalls. See AOC section of the TA.
- Eliminate spoil piles and depressions. There are no spoil piles at the site. There are no depressions on the site except for "pocks" that are used to retain moisture for plants.
- The reclamation plan was designed to be else than the angle of repose and achieve a minimum long-term static safety factor of 1.3. The Permittee reclaimed the site according to the approved plan. A professional engineer certified the as-built drawings.
- The Division considers that the requirements to minimize erosion and water pollution both on and off site are meet if the hydrology and biology requirements are met.
- The Division considers that the site supports the approved postmining land use if the hydrology and biology requirements are met.

Previously Mined Areas

The site was disturbed pre-SMCRA. The Permittee was able to reclaim the site to SMCRA standards therefore the regulations that allow for highwall remnant retention are not applicable.

Part of the surrounding area was disturbed by mining pre-SMCRA. Since the Permittee did not use or disturb those areas the Permittee is not required to reclaim those areas. AML has reclaimed some abandoned portals that in the surrounding area to AML standards.

RECLAMATION PLAN

Findings:

The Permittee met the minimum requirements for this section 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 portals were seal in the fall of 1999 to MSHA and DOGM standards.

Findings:

The Permittee met the minimum requirements for this section of the regulations.

TOPSOIL AND SUBSOIL

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

Analysis:

Redistribution

The reclaimed site includes five portals and an access road, reclaimed in the fall of 1999. The surface is owned by the United States, managed by the U.S. Forest Service.

The Phase I Bond release application contains:

Attachment D: Reclamation Map DS1785D (providing an account of mass balance) and Bond Release Map DS1889D providing final contours, final mass/balance, and seeded areas;

Attachment F soil sampling map DS 1891D;

Attachment E photos;

Attachment F soils analysis.

A description of the reclamation is found in the MRP Volume 2, R645-301-500 Engineering Appendix R645-301-500-B and Volume 3, Appendix XIV, R645-301-500 Appendix A, Photos.

RECLAMATION PLAN

No topsoil was applied. Surrounding soil berms were graded to provide fill and seeded. Approximately 1,500 yd³ was moved. Soils analysis of an adjacent area taken in 1982, 2001, and 2006 indicate that the surrounding surface soils are not high in salts or pH. Soil sample locations are provided on Map DS1891D (and MRP Vol 2, Part 4).

Also pertinent is the overburden testing reported in Volume 3, App. XIV R645-301-600 Appendix. A, Overburden. These in-mine samples provide an indication of the mine spoil characteristics. According to these analyses, the SAR, EC, Se and Boron content of the spoil is within tolerable limits for native vegetation. Some of these 1994 to 1999 samples indicate that the oxidation of pyrite could create acidity. If so, it will be quickly neutralized by the native soils that are calcareous, with a neutralization potential of 250 to 400 t/1000t of soil (App. F.).

Findings:

The information provided meets the requirements for bond release.

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 roads within the Phase I bond release area. The reclamation included:

- The Permittee closed the road to traffic and removed all culverts.
- The road was not paved. Therefore, the Permittee did not have to dispose of any road base.
- The road was reclaimed as part of the backfilling and grading process. The Permittee established drainages according to the approved plan.

Retention

The Permittee did not retain roads within the Phase I bond release area.

Findings:

The Permittee met the minimum requirements of this section of the regulations.

RECLAMATION PLAN

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 is described in Deer Creek Mine MRP, Volume 2, R645-301-500 Engineering Appendix R645-301-500-B (9th East Grimes Wash Portals): hydrology is described in section 700 Hydrology of this appendix. The plan indicates surface roughening and vegetation are the primary reclamation sediment control methods. There has been no hydrologic monitoring at the 9th East Breakout, although Grimes Wash is monitored at GWR-01 above and GWR-03 below the Cottonwood/Wilberg Mine site.

The portals were dry during mine operation. Strata dip approximately 2 degrees to the NW, and there should be no post-mining gravity discharge.

Phase I reclamation was completed in December 1999. Straw bales, silt fences, ditches, berms, and a culvert were removed. These were the only sediment control structures at the site. The access road was reclaimed down to the Wilberg fan. (The fan and fan access road are in an ASCA in the Cottonwood/Wilberg Mine disturbed area. Silt fence and a retention basin provide sediment control for this ASCA.) After the 9th East Portal site was backfilled and graded, it was fertilized, mulched, and seeded. The Reclamation Plan in the current MRP was followed.

Findings:

Hydrologic Reclamation Information is sufficient to meet the requirements of the R645 Rules.

STABILIZATION OF SURFACE AREAS

Regulatory Reference: 30 CFR Sec. 817.95; R645-301-244.

Analysis:

Erosion control for the 9th east portals was accomplished by gouging 1 ton/acre noxious weed-free hay into the surface soil and a surface straw mulch (1 ton/acre blown straw) and 500 lbs/ac of hydromulch and tackifier. The seed mix is described in MRP Volume 2, R645-301-500 Engineering Appendix R645-301-500-B. The Permittee has monitored the site twice a year for 8

RECLAMATION PLAN

years and has not reported any erosion problems (Reclamation Schedule in Appendix R645-301-500-B).

A Division inspector found the site well vegetated in June 2006 (personal communication from Pete Hess, 12/18/2006).

Findings:

The information provided in the bond release application meets the bond release regulations.

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 Permittee did not change the affected area.

Bonded Area Map

The Permittee did not meet the requirements of this section of the regulations. The Permittee must include a map that shows when each phase of bond release was granted. An example would be Phase I bond release granted in 2007.

Reclamation Backfilling And Grading Maps

The Permittee met the requirements of this section of the regulations by providing as-built maps and cross sections. The Division already approved the as-built maps and cross sections for the reclaimed area. Those maps and cross sections include Drawing DS1889D, Deer Creek Mine 9th East Portals Phase I Bond Release, and Drawing DS1785D, Deer Creek Mine Reclamation of 9th East Portals Blind Canyon Coal Seam.

Final Surface Configuration Maps

The Permittee met the requirements of this section of the regulations by providing as-built maps and cross sections. The Division already approved the as-built maps and cross sections for the reclaimed area. Those maps and cross sections include Drawing DS1889D, Deer

RECLAMATION PLAN

Creek Mine 9th East Portals Phase I Bond Release, and Drawing DS1785D, Deer Creek Mine Reclamation of 9th East Portals Blind Canyon Coal Seam.

Reclamation Surface And Subsurface Manmade Features Maps

The Permittee met the minimum requirements of this section by providing map Drawing DS1889D, Deer Creek Mine 9th East Portals Phase I Bond Release. The Permittee shows the manmade features in and around the Phase I area.

Certification Requirements.

The Permittee met the minimum requirements by having all appropriate maps certified.

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

General

The Permittee did not request any bond release with this application.

Findings:

The Permittee met the minimum requirements of this section 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 10th day of April, 2007 and that the last publication of such notice was in the issue of such newspaper dated the 1st day of May, 2007.

Richard Shaw

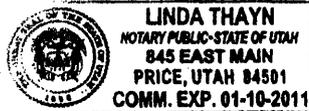
Richard Shaw - Publisher

Subscribed and sworn to before me this 1st day of May, 2007.

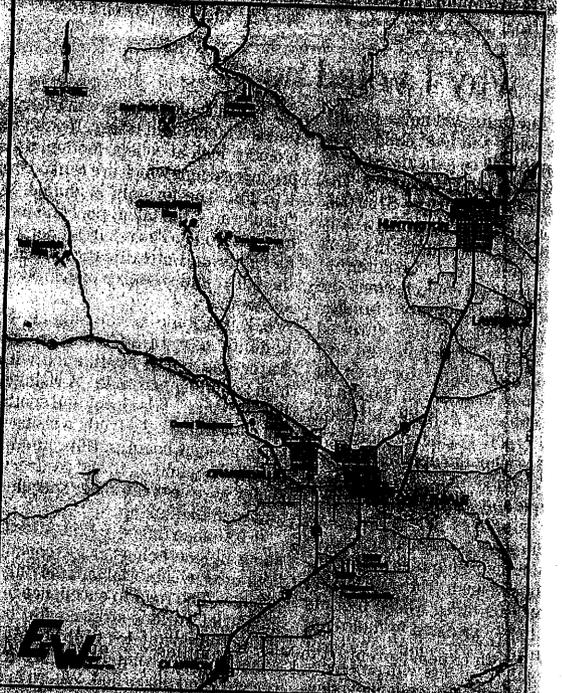
Linda Thayne

Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 572.16



PACIFICORP
BEER BRACK MINE
9TH EAST BREAKOUTS
2005-0018
PERMIT APPROVED FEBRUARY 1, 2006
PHASE I BOND RELEASE APPLICATION
Energy West Mining Company
P.O. Box 319
Huntington, Utah 84528
Persons of and through which ownership of the Beer Brack Mine, 9th East Breakouts, is held by Energy West Mining Company, a Utah corporation, are listed on the attached Phase I Bond Release Application. The mine is located on the 9th East Breakouts, Range 7 East, Section 36, Township 38 North, Range 7 East, Emery County, Utah. The Phase I Bond Release Application is approved for release as shown on the attached portals as shown on page 2.



The 9th East Breakouts includes 20 portals, 10 of which are for non-ventilation. These (10) portals are located on the 9th East Breakouts, Range 7 East, Section 36, Township 38 North, Range 7 East, Emery County, Utah. The 1977 portals were sealed in 1998. The 1998 portals and 10 new portals were installed in the fall of 1999.

Currently, a surety bond is filed with the Division of Oil, Gas and Mining in the amount of \$4,112,000.00 and is available to the State of Utah, Division of Oil, Gas and Mining (DOG&M) and the Office of Surface Mining Reclamation and Enforcement (OSM). Pacificorp does not request that a reduction of the bond be made at this time.

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 210, Salt Lake City, Utah 84114, 8001 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. 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.



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
Company	Guy Davis Environmental Scientist
Federal	Tom Lloyd Ferron-Price District Geologist
OSM	Henry Austin
OGM	Jim Smith Environmental Scientist III
OGM	Wayne Western Environmental Scientist III
Federal	Angela Wadman Physical Science Technician

Inspection Report

Permit Number:	C0150018
Inspection Type:	BOND RELEASE
Inspection Date:	Monday, May 07, 2007
Start Date/Time:	5/7/2007 2:00:00 PM
End Date/Time:	5/7/2007 3:30:00 PM
Last Inspection:	Tuesday, April 24, 2007

Inspector: Wayne Western, Environmental Scientist III
Weather: Partly cloudy skies temperatures in mid 70's
InspectionID Report Number: 1292

Accepted by: pgrubaug
5/23/2007 *pk*

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	
19,740.78	Total Permitted
97.74	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 conducted to determine if 0.6 acre of the Deer Creek mine was eligible for Phase I bond release. The 0.6 acre was associated with ventilation portals that were located next to the Cottonwood/Wilberg Mine. The site was reclaimed in 1999. There were three pre-SMCRA portals that were used by the Permittee for ventilation. There were two pre-SMCRA portals at the site that were not used by the Permittee but were reclaimed under the direction of AML.

Deep pocking or gouging and vegetation are the primary reclamation sediment control methods. Prior to reclamation, drainage from the portal terrace was treated by silt fencing and then discharged through culvert CU-15 to the Right Fork of Grimes Wash. The access road, below the culvert, was part of a 0.9-acre Wilberg Mine fan SAE. A retention basin adjacent to the Wilberg fan provided sediment control for this SAE.

Inspector's Signature: *Wayne Western*

Date: Tuesday, May 08, 2007

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.

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

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Signs and Markers

Disturbed area for the 0.6 acres was clearly marked.

4.c Hydrologic Balance: Other Sediment Control Measures

Phase I reclamation was completed in December 1999. Silt fences, ditches, berms, and culvert CU-15 were removed: these were the only sediment control structures at the site. The access road was reclaimed down to the Wilberg fan, reducing the Wilberg fan SAE from 0.9 acre to 0.7 acre: the retention basin still controls sediment in runoff for the Wilberg fan SAE.

RUSLE calculations were not done specifically for the 9th East portal area, but the results of RUSLE calculations in Volume 2, Part 4 – Reclamation Plan, R645-3021-700: Hydrology that was done for comparable terrain in Deer Creek Canyon indicate gouging is adequate to keep the rate of sediment loss at or below the rate of loss from adjacent undisturbed areas. There has been no direct hydrologic monitoring at the 9th East Breakout, but Grimes Wash is monitored at GWR-01 above the 9th East portal area and GWR-03 below the Cottonwood/Wilberg Mine site.

No rills, gullies, or evidence of excessive sediment transport were seen during the inspection. Based only on visual assessment, gouging, vegetation, litter, and rock appear to be providing adequate cover and sediment control. The pocking established at the time of reclamation has matured into a more even surface, without extreme highs and lows, but it is still helping control sedimentation and erosion over much of the reclaimed area.

6. Disposal of Excess Spoil, Fills, Benches

No excess spoil, fills, or benches were at the site.

7. Coal Mine Waste, Refuse Piles, Impoundments

There were no refuse piles or impoundments at the site. All coal mine waste had either been properly disposed of on site.

8. Noncoal Waste

All noncoal mine waste had been removed.

10. Slides and Other Damage

No slides or other instabilities were noted.

13. Revegetation

Based on visual assessment only, the vegetation appears to be diverse and providing good cover. No rills or gullies were seen.

Permit Number: C0150018
Inspection Type: BOND RELEASE
Inspection Date: Monday, May 07, 2007

Inspection Continuation Sheet

Page 4 of 4

16.a Roads: Construction, Maintenance, Surfacing

All roads at the site were reclaimed.



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/](http://www.blm.gov/utah/price/)



MAY - 9 2007

In Reply Refer to:
3484
SL-064900/U-044025
(UT-070)

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

Re: Phase I, Deer Creek 9th East Portals

Dear Mrs. Grubaugh-Littig:

The Bureau of Land Management (BLM) has been asked to respond if our agency has any objections or concerns to Phase I bond release (reclamation bond) of 0.60 acres for Deer Creek 9th East Portals. This area is located in T. 17 S. R. 7 E., Section 22 and 27. Manti-La Sal National Forest is the surface owner with the BLM as the subsurface owner.

We have participated in the May 7, 2007, onsite inspection of the three portals. The reclamation was completed in 1999. The portals were doubled-blocked sealed then back filled 25 feet. The company removed and broke the cement liners in the 3 portals and added the cement into the backfill material. The area was also pocked and vegetation is being established.

We concur that PacifiCorp has properly reclaimed the portals according to the approved reclamation plan (R645-301-341) and has met Phase I Bond requirements. Therefore, we have no objections to Phase I Bond release.

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

Sincerely,

Roger Bankert
Field Manager

cc: UT-923, SD, Utah

RECEIVED
MAY 11 2007

DIV. OF OIL, GAS & MINING

From: Thomas W Lloyd <twlloyd@fs.fed.us>
To: "Pamela Grubaugh-Littig" <pamgrubaughlittig@utah.gov>
Date: 5/15/2007 11:36 AM
Subject: FS Concurrence, Phase 1 Bond Release, DC 9th East Breakout

CC: Dale Harber <dharber@fs.fed.us>, Mesia Nyman <mnyman@fs.fed.us>

On May 7, 2007 a joint agency on-site inspection was held at the 9th East Breakout area above the Cottonwood Mine. In attendance was Dennis Oakley, Guy Davis, (Energy West), Wayne Western, Jim Smith (OGM), Henrie Austin (OSM), Angela Wadman, (BLM).

The FS concurs with the Division decision to grant Phase I bond release on 0.6 acres of the Deer Creek Mine. The site looks excellent. There is well established sage brush, salt bush, and many grasses growing on the site. The forage is reproducing seeds. and would be good habitat for wildlife.

Tom Lloyd
North Zone Mineral Manager
Manti LaSal National Forest