



0019 U. S. DEPT. OF THE INTERIOR  
 OFFICE OF SURFACE MINING  
 Mine Site Evaluation  
 State Program

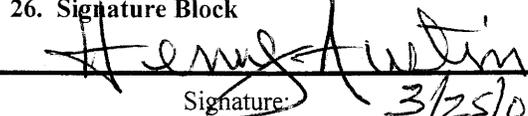
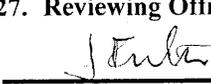
8/22/015/018 CC: Jim PFC



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APR 07 2008

1. Permittee/Person <b>PACIFICORP</b>		9. Permit Number <b>UT-015-018</b> DIV. OF OIL, GAS & MINING		10. Permit Type <b>PP</b>	
2. Address <b>P. O. BOX 310</b>		11. Field Visit Date <b>03/19/2008</b> mm - dd - yyyy		12. Purpose <b>O</b>	
3. City <b>Huntington</b>		14. Permit Status <b>A</b>		13. SRA Present <b>Y</b>	
4. State <b>UT</b>		15. Site Status <b>AP</b>		16. Facility Type <b>BDEG</b>	
5. Zip Code <b>84528</b>		17. OSM Office # <b>140</b>		18. CCID #	
6. Phone Number <b>(435) 687-4712</b>		20. M.S.H.A ID # <b>42-00121</b>		19. Land Code <b>SF</b>	
7. Operator Name, if Different than Permittee <b>ENERGY WEST MINING CO.</b>		21. State Abrev. <b>UT</b>		22. County Name <b>EMERY</b>	
8. Mine Name <b>DEER CREEK MINE</b>		23. AVS Permittee Entity ID Number		24. State Office	

25. Hours		26. Signature Block		27. Reviewing Official:	
<input type="text" value="2.0"/>	a. Permit Review	 Signature: <b>3/25/08</b> <b>HENRY AUSTIN ID # 116</b> Printed Name: Date: <input type="text" value="03/25/2008"/>		 Signature: Review Date: <input type="text" value="3 26/08"/> mm - dd - yyyy Is Supplemental MSE Page Used Y/N <input checked="" type="checkbox"/>	
<input type="text" value="4.0"/>	b. Site Visit Time				
<input type="text" value="7.0"/>	c. Travel Time				
<input type="text" value="2.0"/>	d. Report Writing				

Permit Type — Item 10 IP = Interim Program, PP = Permanent Program, NP = No Permit

Purpose Type Codes Item 12  
 Oxx... Oversight Rfx... Reclamation Fees CCR... Citizen Complaint Referral (non site visit)  
 Axx... Assistance Fxx... Federal Actions CC... Citizen Complaint (initial site visit)  
 CCF... Citizen Complaint Follow-up

Joint Inspection — Item 13 A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

Permit Status — Item 14  
 A... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.  
 IN... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.  
 BR... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)  
 AB... Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g)  
 AB1... Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.  
 AB2... Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.  
 AB3... Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.  
 NA... Not Applicable: When site is unpermitted.

Site Status Codes — Item 15  
 ND... No Disturbance: No coal mining and reclamation operations have been started.  
 EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.  
 AP... Active Coal Producing: Coal surface mining activities are occurring.  
 AN... Active Non-Producing: Active non-producing facility such as tipple or preparation plant.  
 NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.  
 MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.  
 TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).  
 P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.  
 P2... Phase II Release: At least Phase II bond release for the entire permitted area.  
 P3... Phase III Release: Reclamation completed and the RA has released all bond.  
 NS... Non-Site Visit: Status of site not determined.  
 FP... Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.  
 FR... Forfeited and Reclaimed: Forfeiture reclamation completed.  
 FO... Abandoned Site: Abandoned site that is permitted but there is no bond.  
 WC... Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

Facility Type Codes — Item 16  
 A... Surface D... Ancillary (Haulroad, Conveyor, and/or Rails) H... Exploration Permits L... Remining site permitted under 30 CFR 785.25  
 B... Underground E... Refuse and/or Impoundment I... Notice of Intent to Explore  
 C... Preparation Plant F... Loading Facility and/or Tipple J... Exempt 16 and 2/3  
 G... Stockpiles K... Government Financed Construction Exemption

**Small Business Regulatory Enforcement Fairness Act (SBREFA)**  
**Your Comments Are Important**

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

# U. S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

## Mine Site Evaluation

State Program

Permittee/Person PACIFICORP

Permit Number UT-015-018

Field Visit Date 03/19/2008

Continuation Page

### 28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited

<p><b>A. Administrative</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Mining within Valid Permit</li> <li>2. <u>1</u> Mining within Bonded Area</li> <li>3. <u>1</u> Terms &amp; Conditions of Permit</li> <li>4. <u>1</u> Liability Insurance</li> <li>5. <u>1</u> Ownership and Control</li> <li>6. <u>1</u> Temporary Cessation</li> <li>7. <u>1</u> AML Rec. Fees -- Non-Respondent</li> <li>8. <u>1</u> AML Rec. Fees -- Failure to Pay</li> </ol> <p><b>B. Hydrologic Balance</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. <u>1</u> Inspections &amp; Certifications</li> <li>3. <u>1</u> Siltation Structures</li> <li>4. <u>1</u> Discharge Structures</li> <li>5. <u>1</u> Diversions</li> <li>6. <u>1</u> Effluent Limits</li> <li>7. <u>1</u> Ground Water Monitoring</li> <li>8. <u>1</u> Surface Water Monitoring</li> <li>9. <u>3</u> Drainage -- Acid-Toxic Materials</li> <li>10. <u>1</u> Impoundments</li> <li>11. <u>3</u> Stream Buffer Zones</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Removal</li> <li>2. <u>1</u> Substitute Materials</li> <li>3. <u>1</u> Storage and Protection</li> <li>4. <u>1</u> Redistribution</li> </ol>	<p><b>D. Backfilling &amp; Grading</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Exposed Openings</li> <li>2. <u>1</u> Contemporaneous Reclamation</li> <li>3. <u>1</u> Approximate Original Contour</li> <li>4. <u>1</u> Highwall Elimination</li> <li>5. <u>1</u> Steep Slopes (includes downslope)</li> <li>6. <u>3</u> Handling of Acid &amp; Toxic Materials</li> <li>7. <u>1</u> Stabilization (rills and gullies)</li> </ol> <p><b>E. Excess Spoil Disposal</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Placement</li> <li>2. <u>3</u> Drainage Control</li> <li>3. <u>3</u> Surface Stabilization</li> <li>4. <u>3</u> Inspections &amp; Certifications</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. <u>1</u> Surface Stabilization</li> <li>3. <u>1</u> Placement</li> <li>4. <u>1</u> Inspections and Certifications</li> <li>5. <u>1</u> Impounding Structures</li> </ol> <p><b>G. Use Of Explosives</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Blaster Certification</li> <li>2. <u>3</u> Distance Prohibitions</li> <li>3. <u>3</u> Blast Survey/Schedule</li> <li>4. <u>3</u> Warnings &amp; Records</li> <li>5. <u>3</u> Control of Adverse Effects</li> </ol>	<p><b>H. <u>1</u> Subsidence Control Plan</b></p> <p><b>I. Roads</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Road Construction</li> <li>2. <u>1</u> Certification</li> <li>3. <u>1</u> Drainage</li> <li>4. <u>1</u> Surfacing and Maintenance</li> <li>5. <u>1</u> Reclamation</li> </ol> <p><b>J. Signs &amp; Markers</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Signs</li> <li>2. <u>1</u> Markers</li> </ol> <p><b>K. <u>1</u> Distance Prohibitions</b></p> <p><b>L. Revegetation</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Vegetative Cover</li> <li>2. <u>1</u> Timing</li> </ol> <p><b>M. <u>1</u> Postmining Land Use</b></p> <p><b>N. Other</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 150px;">General</td> <td style="width: 50px;">_____</td> <td style="width: 50px;">1)</td> <td style="width: 100px;">_____</td> </tr> <tr> <td>Performance</td> <td>_____</td> <td>2)</td> <td>_____</td> </tr> <tr> <td>Category</td> <td>_____</td> <td>3)</td> <td>_____</td> </tr> </table>	General	_____	1)	_____	Performance	_____	2)	_____	Category	_____	3)	_____
General	_____	1)	_____											
Performance	_____	2)	_____											
Category	_____	3)	_____											

### Performance Standard Categories 30 CFR Counterpart

<p><b>A. Administrative.....(816/817.22)</b></p> <ol style="list-style-type: none"> <li>1. Valid Permit.....773.11</li> <li>2. Mining within Bonded Area.....773.11</li> <li>3. Terms &amp; Conditions of Permit.....773.17</li> <li>4. Liability Insurance.....800.60</li> <li>5. Ownership and Control.....778.13</li> <li>6. Temporary Cessation.....842.11(e) &amp; 816/817.131</li> <li>7. AML Rec. Fees -- Non-Respondant.....870.15(b)</li> <li>8. AML Rec. Fees -- Failure to Pay.....870.15(a)</li> </ol> <p><b>B. Hydrologic Balance.....(816/817.41-57)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....45</li> <li>2. Inspections &amp; Certifications.....49(a)(10)</li> <li>3. Siltation Structures.....46</li> <li>4. Discharge Structures.....47</li> <li>5. Diversions.....43</li> <li>6. Effluent Limits.....42</li> <li>7. Ground Water Monitoring.....41(c)</li> <li>8. Surface Water Monitoring.....41(e)</li> <li>9. Drainage--Acid - Toxic Materials.....41(f)</li> <li>10. Impoundments.....49</li> <li>11. Stream Buffer Zones.....57</li> </ol> <p><b>C. Topsoil &amp; Subsoil.....(816/817.22)</b></p> <ol style="list-style-type: none"> <li>1. Removal.....22(a)</li> <li>2. Substitute Materials.....22(c)</li> <li>3. Storage and Protection.....22(c)</li> <li>4. Redistribution.....22(d)</li> </ol> <p><b>D. Backfilling &amp; Grading.....(816/817.95-107)</b></p> <ol style="list-style-type: none"> <li>1. Exposed Openings.....816/817.13, 14, 15, &amp; 823.11 &amp; 21</li> <li>2. Contemporaneous Reclamation.....100</li> <li>3. Approximate Original Contour.....102(a)(1)</li> <li>4. Highwall Elimination.....102(a)(2)</li> <li>5. Steep Slopes (includes downslope).....107</li> <li>6. Handling of Acid &amp; Toxic Materials.....102(c)</li> <li>7. Stabilization (rills and gullies).....95(b)</li> </ol>	<p><b>E. Excess Spoil Disposal.....(816/817.71-74)</b></p> <ol style="list-style-type: none"> <li>1. Placement.....71(e)</li> <li>2. Drainage Control.....71(f)</li> <li>3. Surface Stabilization.....71(g)</li> <li>4. Inspections &amp; Certifications.....71(h)</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments) .....(816/817.81-84)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....83(a)</li> <li>2. Surface Stabilization.....83(b)</li> <li>3. Placement.....83(c)</li> <li>4. Inspections and Certifications.....83(d)</li> <li>5. Impounding Structures.....84</li> </ol> <p><b>G. Use of Explosives.....(816/817.61-68)</b></p> <ol style="list-style-type: none"> <li>1. Blaster Certification.....61(c)</li> <li>2. Distance Prohibitions.....61(d)</li> <li>3. Blast Survey/Schedule.....62-64</li> <li>4. Warnings &amp; Records.....66 &amp; 68</li> <li>5. Control of Adverse Effects.....67</li> </ol> <p><b>H. Subsidence Control Plan.....(817.121-122)</b></p> <p><b>I. Roads.....(816/817.150-151)</b></p> <ol style="list-style-type: none"> <li>1. Road Construction.....150(c)</li> <li>2. Certification.....151(a)</li> <li>3. Drainage.....150(b)-151(d)</li> <li>4. Surfacing and Maintenance.....150(e)-151(d)</li> <li>5. Reclamation.....150(f)</li> </ol> <p><b>J. Signs &amp; Markers .....(816/817.11)</b></p> <ol style="list-style-type: none"> <li>1. Signs.....11(a),(b),&amp;(c)</li> <li>2. Markers.....11(a),(b),(d),(e),&amp;(f)</li> </ol> <p><b>K. Distance Prohibitions.....(761.11)</b></p> <p><b>L. Revegetation.....(816/817.111-116)</b></p> <ol style="list-style-type: none"> <li>1. Vegetative Cover.....111 &amp; 116</li> <li>2. Timing.....113</li> </ol> <p><b>M. Postmining Land Use.....(816/817.133)</b></p>
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March 21, 2008

Energy West Mining Company (EWM)  
PO Box 310  
15 No. Main Street  
Huntington, UT 84528

Deer Creek Mine, OGM Permit C/015/018  
Complete, oversight inspection  
March 19, 2008

Participants:

Dennis Oakley, EWM  
Karl Housekeeper, Utah Division of Oil, Gas and Mining (OGM)  
Henry Austin, Office of Surface Mining (OSM)

We participated in a complete inspection of the Deer Creek Mine as indicated above. This mine was selected by OSM for oversight during evaluation year 2008. Weather conditions were fair and ground conditions were partially snow covered, muddy, or frozen in places. Surface water runoff was noted from the mine water bypass discharge, and the sediment pond discharge. Both discharges were clear. Discharges were not sampled. There was not much general site runoff due to partial snow cover, and frozen ground conditions on north facing and shady slopes. The primary purpose of this inspection was to evaluate offsite impacts. No offsite impacts were documented during the field inspection or review of environmental monitoring records.

Mr. Housekeeper began the inspection with a thorough review of the approved OGM mining permit and the required environmental monitoring records. Our review included the following: OGM permit term is 01/19/2007 through 02/07/2011. Three permit conditions require electronic submittal of water monitoring data to OGM; ground water seeps into the mine exceeding 5gpm must be reported to OGM, monitored, and sampled for baseline requirements; and the Mill Fork Lease mining requirement has been satisfied. Disturbed acreage at the Deer Creek Mine is approximately 98 acres. Total bond amount held is \$ 4,113,000.00.

The active waste rock site and the old waste rock site (completed waste rock site in Deer Creek Canyon) have quarterly, certified engineering inspections, and certifications current through 2007. No problems were noted on the waste rock disposal areas in the field. The active waste rock area sediment pond has never discharged according to inspection participants. Waste rock and coal are well graded and compacted.

The mine site and waste rock site sediment ponds were inspected, certified, and current through 2007. The mine site sediment pond had sediment removal completed during the 2<sup>nd</sup> quarter of 2007. We discussed engineering fabrics (GeoTube) used to remove sediment from surface water runoff.

Deer Creek Mine: pg. 2

Subsidence measurement and monitoring for the EWM complex is reported each year in the annual report. Subsidence monitoring for the CY 2006 annual report was provided to OSM via e-mail during the inspection. The UPDES reports were current. The UPDES permit requirements were reviewed. We discussed the requirements for the EPA / Clean Water Act / Storm Water Program and Mr. Oakley provided OSM a printed EPA reference. The SPCC Plan is dated December 2003, and certified February 27, 2004. Surface and ground water monitoring records were not reviewed. There is a variance approved for the stream buffer zone at the Rilda Canyon Facilities. This concluded our records review.

Mr. Housekeeper led the field inspection and we inspected all the disturbed areas at the Deer Creek Mine including stops and observations at the following: active waste rock / coal refuse pile was well graded and the sediment pond embankment is stable; the coal conveyor in Deer Creek Canyon is maintained where necessary, and Mr. Oakley pointed out recent maintenance and planned maintenance areas. No offsite runoff from the conveyor was noted. The mine site sediment pond was discharging clear water as noted above. The mine water bypass discharge was also clear and averages 600 gpm. Water samples were not taken. Deer Creek Mine is most likely to have a perpetual, gravity fed mine water discharge when coal removal ceases.

The coal preparation (rock removal and crushing) facility and pad, and coal stockpile areas were orderly. The upper pad material and equipment storage area was inspected. Fuel storage areas are contained. The roadway to the water storage area has a durable surface and no erosion was noted. No problems were noted at the upper facilities areas.

We drove to the new Rilda Canyon facilities. The temporary sediment basin is functioning as designed. No fuel or oil was on site. The permanent sediment pond will be constructed during the 2008 construction season. We could not access the left fork facilities due to snow cover on the road. The Rilda Canyon facility is new (2006-2007) and not fully operational. It appears to be well designed and constructed, compact, and orderly. The Emery County culinary water spring developed in Rilda Canyon was completely snow covered. This spring discharge was diverted into new pipe under the Rilda Canyon haul road during construction of this facility.

No offsite impacts were identified at the Rilda Canyon facility. This concluded the inspection.

Please address any questions concerning this inspection report to Henry Austin, Senior Reclamation Specialist, at [haustin@osmre.gov](mailto:haustin@osmre.gov) or to (303) 293-5019.