



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

0004

*Outgoing
4/0015/0010*

UTAH DIVISION OF OIL, GAS AND MINING FACSIMILE COVER SHEET

DATE: 1/15/08

FAX#: 435 687-2695

ATTN: CHUCK SOMBORSKI

COMPANY: ENERGY WEST

NUMBER OF PAGES (INCLUDING THIS ONE): 4

FROM: Joe Heitrich

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340. We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGES: CHUCK, HAVE YOU HAD TIME TO UPDATE THE MITIGATION COMMITMENT DOCUMENT. I WILL BE SPEAKING WITH DIANNA WHITTINGTON TOMORROW AND THOUGHT I WOULD GIVE HER AN UPDATE. CARMEN BAILEY WITH DWR IS SUPPOSEDLY WORKING ON A DRAFT PROPOSAL FOR THE MITIGATION TRACKING IN HUNTINGTON CANYON... Joe 801-538-5290

1/16 - SPOKE WITH DENNIS, YOUR FAX MACHINE IS DOWN, WILL SEND REGULAR MAIL... Joe

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.





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

Table with 2 columns: Company, Name/Title. Rows include Chuck Semborski (Environmental Supervisor), Dennis Oakley (Environmental Engineer), and Kenneth S. Fleck (Manager of Geology and Environ).

Inspection Report

Table with 2 columns: Field, Value. Fields include Permit Number (C0150018), Inspection Type (PARTIAL), Inspection Date (Wednesday, December 05, 2007), Start Date/Time (12/05/2007 10:00:00 AM), End Date/Time (12/05/2007 1:00:00 PM), Last Inspection (Friday, November 16, 2007).

Inspector: Joe Helfrich, Environmental Scientist III

Weather: sunny clear 50

InspectionID Report Number: 1491

Accepted by: dhaddock
12/10/2007

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

Table with 2 columns: Value, Description. Rows include 19,722.21 Total Permitted, 98.05 Total Disturbed, and three rows for Phase I, Phase II, and Phase III.

Mineral Ownership

- Checked: Federal, State, Fee
Unchecked: County, Other

Types of Operations

- Checked: Underground
Unchecked: Surface, Loadout, Processing, Reprocessing

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

The purpose of this site visit was to review the status of the wildlife commitments in conjunction with the development of the Rilda Canyon facilities. For the purposes of this report the commitments are categorized as ongoing for the life of the facilities, completed, or in progress. Mr. Semborski was asked to provide the Division with an updated version of the commitments status document dated 6/9/2006.

Inspector's Signature:

Handwritten signature of Joe Helfrich

Date

Friday, December 07, 2007

Joe Helfrich, Environmental Scientist III

Inspector ID Number: 1

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

3. Topsoil

Topsoil stockpile areas have been seeded with the seed mix outlined in the permit. A copy of the seed mixes provided by Pacific Corp from Stevensen Intermountain Seed Inc. was faxed to the Division on 11/06/2007. It included the two seed mixes that were used to seed topsoil storage and reclaimed areas that were completed during the construction season of 2007.

9. Protection of Fish, Wildlife and Related Environmental Issues

The following text contains an update on the status of the wildlife commitments for the Rilda Canyon facilities. 1. Removal of coal from the Leroy Mine area: Completed. 2. Removal of coal from outside the proposed disturbance: Completed except for the area associated with sed pond development slated for the construction season of 2008. 3. Timber harvest and aspen regeneration: Ongoing, economic conditions precluded bidding options, company will pursue again in Spring of 08'. 4. Habitat protection on East Mountain private land: Ongoing for the life of the mine for the 4440 acre parcel of land dedicated to seasonal livestock grazing and recreation. 5. Historic raptor database development and evaluation: Completed, data summarized, analyzed and report was prepared by hawk watch and a copy sent to the Division. 6. Company news letter: ongoing awareness program for the life of the facilities. 7. Rilda Creek Riparian habitat restoration: In progress, natural construction of beaver dams combined with high sediment yield did not alleviate cut bank issues, will reconvene with FS, DWR and DOGM in Spring of 08'. 8. Mitigation database development: In progress, US F&WS could not accept funding, DWR is preparing a proposal to include the mitigation efforts in Huntington Canyon. 9. Noxious weed program: Ongoing elimination of noxious and invasive species in disturbed and adjacent areas.

11. Contemporaneous Reclamation

As noted in the topsoil section a copy of the seed mixes provided by Pacific Corp from Stevensen Intermountain Seed Inc. was faxed to the Division on 11/06/2007. It included the two seed mixes that were used to seed topsoil stockpiles and reclaimed areas that were completed during the construction season of 2007.