0011

Inspection Report

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
OGM	Karl Houskeeper	Environmental Scientist III

Permit Number:	C0150018
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, March 24, 2009
Start Date/Time:	3/24/2009 8:00:00 AM
End Date/Time:	3/24/2009 1:00:00 PM
Last Inspection:	Wednesday, February 25, 2009

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 36 Deg. F.

InspectionID Report Number: 1954

Accepted by: jhelfric
3/24/2009

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
98.05	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, Division Orders, and amendments:

Inspector's Signature: Karl R. Houskeeper **Date** Tuesday, March 24, 2009

Karl Houskeeper, Environmental Scientist III
Inspector ID Number: 49

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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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	☑	☐	☐	☐

1. Permits, Change, Transfer, Renewal, Sale

The current DOGM permit C/015/0018 was issued effective 02/07/2006 and expires 02/07/2011.

-Certificate of Insurance policy number X0720A1A08, issued 08/28/2008 and terminates 08/28/2009.
-UPDES permit # UT0023604 effective 12/01/2007 and expires @ midnight 11/30/2012.
-Air Quality permit DAQE-AN0239003-02, issued June 14, 2002.
-SPCC Plan dated 01/27/2009. The Plan is P.E. certified, stamped, signed and dated by a Utah P.E.

2. Signs and Markers

The ID signs contained the necessary information.

4.a Hydrologic Balance: Diversions

The culvert inlet at the base of the fan access road, at the main facilities area, needs immediate attention to ensure that it can function properly as temperatures begin to become warm and the snow pack begins to melt.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The sediment ponds were last inspected on 12/30/2008. The report was P.E. certified 1/13/09. The Rilda sediment pond construction was completed toward the end of September to the beginning of October 2008. The report did not contain any information relative to the Rilda sediment pond for the referenced fourth quarter 2008. The four reports for 2008 do not contain an estimated sediment elevation as required on the form. The report serving as the annual certification needs to be revised to include the missing applicable information as referenced above and resubmitted to the Division promptly as required by R645-301-514.312.

4.d Hydrologic Balance: Water Monitoring

Fourth quarter 2008 water monitoring information is in the EDI website and has been uploaded. Water monitoring is current.

4.e Hydrologic Balance: Effluent Limitations

The November, December 2008 and January 2009 discharge monitoring reports were reviewed. No parameters were exceeded.

7. Coal Mine Waste, Refuse Piles, Impoundments

The fourth quarter 2008 refuse pile inspections were done on December 30, 2008 and P.E. certified on January 13, 2009.

20. Air Quality Permit

Approval order AN0239003-02 was issued on 06/14/2002 and remains in effect.

21. Bonding and Insurance

The bond is set at $4,118,000. It includes the new Rilda Facilities. The bond was recently raised by $5,000 by the installation of the approved switch gear in Rilda Canyon. There are 19,722.21 permitted acres of which 98.05 are disturbed acres.