0019

# 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*

# Inspection Report

| Representatives Present During the Inspection: | |
|---|---|
| Company | Kenneth S. Fleck Manager of Geology and Environ |
| OGM | Karl Houskeeper Environmental Scientist III |

| | |
|---|---|
| Permit Number: | C0150018 |
| Inspection Type: | COMPLETE |
| Inspection Date: | Tuesday, June 23, 2009 |
| Start Date/Time: | 6/23/2009 8:00:00 AM |
| End Date/Time: | 6/23/2009 2:00:00 PM |
| Last Inspection: | Tuesday, May 26, 2009 |

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 82 Deg. F.

InspectionID Report Number: 2047

Accepted by: jhelfric
7/9/2009

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, June 23, 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.b Hydrologic Balance: Sediment Ponds and Impoundments**

The sediment ponds were last inspected on 3/30/2009. The report was P.E. certified 4/14/09. The 60% elevation for the main pond is listed at 7213.1 The existing sediment elevation is shown to be 7243.15 indicating that the pond needs to be cleaned.

**4.e Hydrologic Balance: Effluent Limitations**

The discharge monitoring reports for January, February, March and April 2009 were reviewed. Outfall 001A did not discharge in January but discharged for the remaining referenced months. 002A discharged for all referenced months. No parameters were exceeded during any discharge period for either outfall.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The first quarter 2009 refuse pile inspection was conducted on March 30, 2009 and P.E. certified on April 10, 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.