0025

# 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: | Monday, November 16, 2009 |
| Start Date/Time: | 11/16/2009 8:30:00 AM |
| End Date/Time: | 11/16/2009 2:30:00 PM |
| Last Inspection: | Tuesday, October 20, 2009 |

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 35 Deg. F.

InspectionID Report Number: 2189

Accepted by: jhelfric
12/7/2009

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 |
| 0.60 | 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** Monday, November 16, 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.

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*

Permit Number: C0150018
Inspection Type: COMPLETE
Inspection Date: Monday, November 16, 2009

**Inspection Continuation Sheet**



***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 08/28/2009 and terminates 08/28/2010.
-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**

Third quarter sediment pond inspections were done on September 17, 2009 and the report was dated September 25, 2009. The report indicated by the elevations that the pond needs to be cleaned. During the last inspection the pond (October 2009) the pond was being cleaned. The fourth quarter 2009 report should indicate the current results.

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

Reviewed the September 2009 discharge monitoring reports. No paramenters were exceeded.

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

The refuse pile was last inspected on September 17, 2009 nad included in a report dated September 25, 2009. No problems were noted.

**8. Noncoal Waste**

Several items of noncoal waste were observed along side of the mine access road and mine pads at the main facility. These items need to be gathered and placed in the approved storage facility.

**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.