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From: Suzanne Steab
To: Kenneth Fleck
CC: Daron Haddock; Dave Darby; Jim Smith
Date: 2/11/2009 12:04 PM
Subject: 2008 Annual Report
Attachments: Deer Creek Mine C0150018.doc; AnnualReportLetter.pdf

Outgoing
C0150018
K

Hello,

Attached is the 2008 Annual Report for Deer Creek C0150018 and the Annual Report letter.

Thanks

*Letter is
in General file*



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

COPY

General

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February 11, 2009

All Coal Operators

Subject: 2008 Coal Mining Annual Reports for Active and Inactive Coal Mines, Outgoing File

Dear Sirs:

Enclosed, please find an updated 2008 Annual Report document. This single document is to be used by the operator, the inspector, and the DOGM staff. This 2008 Annual Report document is being sent in a format that is compatible with most word-processing programs, and you should be able to open the file and enter your information directly into the form electronically. When completed, it can be submitted to the Division electronically. If for some reason you cannot make use of this electronic format, please fill out a hard copy and mail it to the Division at:

Utah Division of Oil, Gas and Mining
1594 W. North Temple, Suite 1210
Post Office Box 145801
Salt Lake City, Utah 84114-5801.

The 2008 Annual Report form includes entries for regulatory requirements, such as annual impoundment certification; however, many Mining and Reclamation Plans include unique, mine-specific commitments that also must be reported annually. The Division has compiled these commitments for each mine and incorporated them into a 2008 Annual Report form that is distinct for each mine. Both these commitments and the regulatory requirements need to be addressed in the 2008 Annual Report. Timing for the 2008 Annual Report submittal is outlined below.

- The Division will send out 2008 Annual Report forms by February 28, 2009.
- The Operator will submit the required information by May 15, 2009.
- The Inspectors will review 2008 Annual Report information during a complete inspection by July 31, 2009. If required information is not included, the Division can initiate enforcement and compliance action.
- If the Inspector determines that more review is needed of a specific item, the Inspector will comment and forward the 2008 Annual Report to an assigned staff member.
- This additional review will be handled separately, as a Special Project, and completed by October 31, 2009.

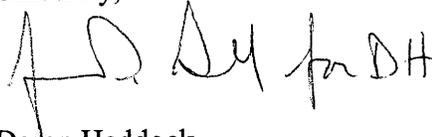


COPY

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All Coal Operators
February 11, 2009

If you have any questions, please call me at (801) 538-5325 or Dave Darby at (801) 538-5341.

Sincerely,

A handwritten signature in black ink, appearing to read "Daron Haddock" with a stylized flourish at the end.

Daron Haddock
Permit Supervisor

Enclosure
O:\AnnualReport\2008 Annual Reports\2008 Annual Report letter.jds.doc

This Annual Report shows information the Division has for your mine. Please review the information to see if it is current. If the information needs to be updated please do so in this document. At the end of each section the operator is asked to verify if the information is correct. Please answer these questions and make all comments on this document. Submit the completed document and any additional information identified in the Appendicies to the Division by April 30, 2009. During a complete inspection an inspector will check and verify the information. To enter text, click in the cell and type your response. You can use the tab key to move from one field to the next. To enter an X in a box, click next to the box, right click, and select properties, then the checked circle, then hit enter, or hit the unchecked circle if the X is to be removed.

GENERAL INFORMATION

Permittee Name	<u>PacifiCorp</u>
Mine Name	<u>Deer Creek Mine</u>
Operator Name (If other then permittee)	<u></u>
Permit Expiration Date	<u>July 6, 2009</u>
Permit Number	<u>C/015/0018</u>
Authorized Representative Title	<u>Geological and Environmental Affairs Manager</u>
Phone Number	<u>(435) 687-4712</u>
Fax Number	<u>(435) 687-2695</u>
E-mail Address	<u>Ken.fleck@pacificorp.com</u>
Mailing Address	<u>P.O. Box 310 Huntington, Utah 84528</u>
Designated Representative	<u>Ken Fleck</u>
Resident Agent	<u>Ken Fleck</u>
Resident Agent Mailing Address	<u>Same as above</u>
Number of Binders Submitted	<u>2</u>

Operator, please update any incorrect information.

IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-01221	Cottonwood/Wilberg	None
MSHA Impoundment(s)	1211-UT-09-02052	North Sediment Pond	None
	1211-UT-09-02052	South Sediment Pond	None
NPDES/UPDES Permit(s)	UT0023604	Outfalls 001 and 002, consisting of mine and sediment pond discharges	11/30/2012
PSD Permit(s) (Air)	DAQE-694-95	Issued 8/9/95, includes Trail Mtn Mine	None
	DAQE-694-91	Issued 12/16/91, includes WRS	None

Other

Operator, please update any incorrect information.

CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included Included	or	DOGM file location Vol, Chapter, Page
	Yes	No			
Excess Spoil Piles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Refuse Piles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments:

COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If the particular section is blank, no commitment has been identified and no response is required for this report. If additional written response is required, it should be filed under Appendix B to this report.

Admin R645-301-100

Title: TRAILHEAD CONSTRUCTION

Objective: Construct a new trailhead and parking pad at the east end of the facilities site.

Frequency: Once.

Status: Pending Rilda portal construction in 2005.

Reports: Annual report.

Citation: MRP, Sec. 526.116.2, p. 34.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Soils R645-301-200

Title: REVEGETATION

Objective: Revegetate previously disturbed areas to nondisturbed standards.

Frequency: Annual.

Status: Pending Rilda portal construction in 2005 and reclamation.

Reports: Annual report.

Citation: MRP, Sec. 330, p. 16, #1 of list.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: RILDA SOIL SALVAGE PLAN

Objective: The Permittee will have a qualified person (familiar with the soil survey and salvage plan) on site to monitor the soil salvage operations (Section R645-301-231.100).

Frequency: During any construction.

Status: Ongoing.

Reports: As-built volumes of salvaged soil.

Citation: Vol. 11. Section R645-301-231.100.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: RILDA TOPSOIL PILE CONSTRUCTION

Objective: After construction, the stockpile will be surveyed and the volume of topsoil stockpiled will be documented.

Frequency: After construction.

Status: Ongoing.

Reports: As-built of topsoil stockpile.

Citation: Vol. 11. R645-301-232.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: SUBSOIL TESTING

Objective: Regraded subsoil will be sampled on 500 ft intervals to a depth of four ft (three or four samples for the 2,000 linear ft in the facilities area). The samples will be analyzed on site for pH and EC. Problem areas will be further sampled and sent to a laboratory for analysis.

Frequency: Final regrading.

Status: Ongoing.

Reports: Laboratory analysis to be provided to the Division.

Citation: Vol. 11. Section R645-301-231.300.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: TOPSOIL HANDLING TESTING PLAN

Objective: Three composite samples will be taken from the facilities area and sediment pond. Samples will be analyzed for parameters to be compared with baseline information and to determine the need for amendments, including fertilizer

Frequency: Final Reclamation

Status: Ongoing.

Reports: Annual.

Citation: Vol. 11. Section R645-301-242.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: BULK DENSITY TESTING

Objective: The experimental practice will provide an indication of the degree of compaction related to the loading of the in place soil through measurements of the bulk density of the in-place soil before and after burial. Bulk density of the Rominger Mine soils will occur to a depth of 6 ft. (or lithic contact) prior to and after disturbance.

Frequency: Prior to subsoil pile construction and again during reclamation, using a split spoon.

Status: once before construction and once again during reclamation

Reports: Analysis to be provided to the Division. A [bulk] change greater than 10% from an undisturbed state will require that the Permittee increase the gouging depth by one foot.

Citation: Vol. 11. Chapter 2 R645-301-242 and R645-302-216 and Experimental Practice pgs.36 and 40.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: POLYACRYLAMIDE APPLICATION

Objective: Reduce erosion from 1.6 acres undisturbed soil on 60 degree slopes buried by subsoil and unearthed at reclamation. Fill removal will be done by small earth moving equipment and/or by hand labor to minimize disturbance of the topsoil. The soil will be re-exposed in 5-10 foot horizontal zones that can and worked by hand from the adjacent pad fill level. (After the pad fill has been removed, the backfilled culvert will serve as the primary access way for machinery and materials associated with the remaining reclamation efforts.) Slopes steeper than 50% will be treated with an anionic polyacrylamide (PAM) during seeding to increase cohesion and infiltration of water without disrupting soil structure. Bareroot or containerized plant stock will be pre-treated with PAM and used as enhancement plantings on the re-exposed, steep slopes.

Frequency: Final Reclamation

Status: during reclamation

Reports: During reclamation.

Citation: Vol. 11. Chapter 2 Section R645-302-216 and Experimental Practice Plan pg.40.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: WASTE ROCK SITE SAMPLING**Objective:** Monitor chemical quality of waste at waste rock site**Frequency:** Grab samples upon completion of each two foot lifts. Parameters as described.**Status:** Ongoing during mining.**Reports:** Annual Report**Citation:** MRP Volume 10, Chap. VII, p. 7-4 to 7-5.**Operator:** Has this commitment been acted on this year?Yes No Not required this year. If yes, comment.**Operator Comments:****Inspector:**Has the operator complied with this commitment? Yes No **Inspector Comments:****Title: WASTE ROCK SITE RECLAMATION SAMPLING****Objective:** Monitor chemical quality of upper four feet of final waste reclaimed surface at waste rock site**Frequency:** Grab samples within four feet of final elevation at a rate of two samples per acre per lift. Parameters as described.**Status:** Final reclamation of waste rock cell**Reports:** Annual Report**Citation:** MRP Volume 10, Chap. VII, p. 7-5**Operator:** Has this commitment been acted on this year?Yes No Not required this year. If yes, comment.**Operator Comments:****Inspector:**Has the operator complied with this commitment? Yes No **Inspector Comments:**

Title: DEMONSTRATION OF SELECTED OVERBURDEN AS BEST AVAILABLE MATERIAL IN THE PERMIT AREA FOR USE AS SUBSTITUTE TOPSOIL**Objective:** Monitor chemical quality of identified substitute topsoil to show reduction in sodicity**Frequency:** Sampling as described**Status:** Prior to permit renewal**Reports:** Annual Report**Citation:** MRP Vol. 2, Part4, Section R645-301-233, pg. 2-3**Operator:** Has this commitment been acted on this year?Yes No Not required this year. If yes, comment.**Operator Comments:****Inspector:**Has the operator complied with this commitment? Yes No **Inspector Comments:**

Biology R645-301-300

Title: WILDLIFE**Objective:** Adhere to wildlife exclusionary periods.**Frequency:** Annual**Status:** Ongoing during Rilda portal construction in 2005 and reclamation.**Reports:** Annual Report.**Citation:** MRP, Sec. 322, p. 10; Sec. 330, p.16, #14 in list; Sec. 342, p. 32, #7 in list.**Operator:** Has this commitment been acted on this year?Yes No Not required this year. If yes, comment.**Operator Comments:****Inspector:**Has the operator complied with this commitment? Yes No **Inspector Comments:**

Title MACROINVERTEBRATES "AQUATIC".

Objective: Monitor macroinvertebrates in Rilda Creek.

Frequency: Spring/fall two years prior to and spring/fall one year immediately following start of construction. Spring every three years during operations and reclamation.

Status: On going. Spring/fall 2006 is the anticipated date for the year following construction. Spring 2009 is the anticipated date for the first of the three-year monitoring surveys.

Reports: Division Annual Report.

Citation: MRP, Sec. 330, p. 26.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: FISH "AQUATIC".

Objective: DWR will monitor fish in Rilda Creek as part of annual surveys.

Frequency: Spring/fall two years prior to and spring/fall one year immediately following start of construction. Spring every three years during operations and reclamation.

Status: On going. Spring/fall 2006 is the anticipated date for the year following construction. Spring 2009 is the anticipated date for the first of the three-year monitoring surveys.

Reports: Division Annual Report.

Citation: MRP, Sec. 330, p. 26.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: RAPTORS.

Objective: Over-flight surveys.

Frequency: Yearly.

Status: On going for life of mine.

Reports: Upon request.

Citation: MRP, Sec. 322, Subsec. Terrestrial Species.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: BATS.

Objective: Install a "stay-out" sign near a large cavern.

Frequency: Once.

Status: Prior to Rilda portal construction in 2005.

Reports: Not required.

Citation: MRP, Sec. 330, p. 16, #15 in list.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: RILDA CREEK.

Objective: Enhance riparian corridor along the Rilda Creek.

Frequency: As necessary.

Status: Initiate 180 days after Rilda portal construction begins in 2005.

Reports: Not required.

Citation: MRP, Sec. 330, Tab. 300-5.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: RILDA CREEK.

Objective: Enhance riparian corridor along the Rilda Creek.

Frequency: As necessary.

Status: Initiate 180 days after Rilda portal construction begins in 2005.

Reports: Not required.

Citation: MRP, Sec. 330, Tab. 300-5.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: RAT MIDDEN.

Objective: Install a fence around a rat midden in Rilda Canyon.

Frequency: Once with annual repairs.

Status: Prior to Rilda portal construction in 2005.

Reports: Annual Report.

Citation: MRP, Sec. 322.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Title: MITIGATION.

Objective: Several projects to enhance and mitigate potential impacts associated with Rilda portal facilities.

Frequency: Annual.

Status: Pending approval or Rilda portal construction in 2005.

Reports: Annual Report.

Citation: MRP, Sec. 330, Tab. 300-5.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Landuse, Cultural Resources, Air Quality R645-301- 400

Engineering R645-301-500

Title: SPECIAL MONITORING - CASTLEGATE CLIFF ESCARPMENT

Objective: Monitor Cliff Escarpments

Frequency: Daily measuring during mining.

Status: Ongoing.

Reports: Annual.

Citation: Volume 11 p 28.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments:

Geology R645-301-600

Hydrology R645-301-700

Bonding & Insurance R645-301-800

Other Commitments

*Reminder: If equipment has been abandoned during 2008, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

REPORTING OF OTHER TECHNICAL DATA

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments:

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each Permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide

the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report.

Legal / Financial Update **Required** **Included** **or** **DOGM File location**
 Yes No Included Vol, Chapter, Page

Department of Commerce, Annual Report Officers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments:

MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2008, are to be provided to the Division as Appendix D to this report in accordance with the requirements of R 645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential. (Please provide a CD.)

Confidential information is limited to:

R645-300-124.310. Information that pertains only to the analysis of the chemical and physical properties of the coal to be mined, except information on components of such coal which are potentially toxic in the environment.

R645-300-124.330. Information on the nature and location of archeological resources on public land and Indian land as required under the Archeological Resources Protection Act of 1979 (P. L. 96-95, 93 Stat. 721, 16 U.S.C. 470).

R645-301-322, Fish and Wildlife Information; R645-301-322.100, the scope and level of detail for such information will be determined by the Division in consultation with state and federal agencies with responsibilities for fish and wildlife and will be sufficient to design the protection and enhancement plan required under R645-301-333 and R645-301-322.230, other species or habitats identified through agency consultation as requiring special protection under state or federal law; R645-301-333.300, Include protective measures that will be used during the active mining phase of operation.

The Division will provide procedures, including notice and opportunity to be heard for persons both seeking and opposing disclosure.

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments:

APPENDIX A

Certified Reports

Excess Spoil Piles
Refuse Piles
Impoundments

As required under R645-301-514

CONTENTS

APPENDIX B

Reporting of Technical Data

Including monitoring data, reports, maps, and other information
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

CONTENTS

APPENDIX C

Legal Financial, Compliance and Related Information

Annual Report of Officers
As submitted to the Utah Department of Commerce

Other change in ownership and control information
As required under R645-301-110

CONTENTS

APPENDIX D

Mine Maps

As required under R645-302-525-270

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APPENDIX E

Other Information

In accordance with the requirements of R645-301 and R645-302

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