



GARY R. HERBERT
Governor

GREGORY S. BELL
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

Outgoing
C0150018
#3726
R

June 30, 2011

Pamela Brown
US Forest Service
599 West Price River Drive
Price, Utah 84501

Subject: Phase II and Phase III Bond Release, 9th East Portal, PacifiCorp, Deer Creek Mine, C/015/0018, Task ID #3726, Outgoing File

Dear Ms. Brown:

PacifiCorp, through Energy West Mining Company, submitted an application for Phase II and III bond release on January 11, 2011 and requested bond release on 0.6 acres of land. The Permittee currently has a surety bond in the amount of \$4,113,000.00, which is payable to the Utah Division of Oil, Gas and Mining and the US Office of Surface Mining Reclamation and Enforcement. PacifiCorp is not requesting a reduction in the current bond amount.

After review and approval of the application, the Division conducted a Phase II and III bond release inspection of the above referenced mine site. An invitation letter was sent to parties of interest on April 21, 2011, and the on-site inspection was done on Tuesday, May 17, 2011. Joe DiBenedetto of the Manti-LaSal National Forest participated in the inspection. Dennis Oakley and Ken Fleck represented the Permittee, PacifiCorp – Energy West Mining Company. A copy of the Division's inspection report is enclosed for your information and records.

The Division of Oil, Gas and Mining finds that PacifiCorp has completed Phase II and III reclamation of the mine site as required. The Division seeks concurrence from the US Forest Service. Please provide a letter of concurrence by July 18, 2011.

If you have any questions or need further information, please feel free to call me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Permit Supervisor

DRH/JDS/sqs
Enclosure
cc: Price Field Office
O:\015018.DER\WG3726\USFS concurrence letter.doc





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Inspection Report

Permit Number:	C0150018
Inspection Type:	BOND RELEASE
Inspection Date:	Tuesday, May 17, 2011
Start Date/Time:	5/17/2011 1:30:00 PM
End Date/Time:	5/17/2011 3:15:00 PM
Last Inspection:	Wednesday, April 27, 2011

Inspector: Daron Haddock.

Weather: Mixed, Sun, Rain & Snow.

InspectionID Report Number: 2757

Accepted by: jhelfric

6/1/2011

Representatives Present During the Inspection:	
OGM	James Owen
OSM	Howard Strand
Company	Ken Fleck
Company	Dennis Oakley
	Joe Helfrich
OGM	Ingrid Campbell
OGM	Jim Smith
OSM	Elizabeth Shaeffer

Permitee: **ENERGY WEST MINING CO**

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

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

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

Energy West Mining Company has applied for phase II and phase III bond release on approximately .6 acres of land that encompass the 9th East portal area. They have not requested release of any of the bond money associated with the bond release, only release of liability as a result of reclamation work completed.

Joe DiBenidetto with the Manti LaSal National Forest also participated in the inspection.

Inspector's Signature: _____

Date

Tuesday, May 17, 2011

Daron Haddock,

Inspector ID Number: 28



Permit Number: C0150018
 Inspection Type: BOND RELEASE
 Inspection Date: Tuesday, May 17, 2011

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

2. Signs and Markers

Disturbed Area Boundary markers need to be removed before final bond release

3. Topsoil

The disturbance was pre-SMCRAA and there was no topsoil recovery at the time of construction. Overcast material from the 1977 and earlier disturbances was used to reclaim and achieve AOC.

4.a Hydrologic Balance: Diversions

There were no ditches or culverts at this site. The only diversion was a berm that directed runoff from the lower part of the road to the Exempt Area at the Wilberg Fan; this berm was removed during Phase I regrading.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

There were no sedimentation ponds or other impoundments at the 9th East Portal Breakout Area

4.d Hydrologic Balance: Water Monitoring

Neither surface nor ground water has ever been directly monitored at the 9th East Portal Breakout Area. Monitoring at the Cottonwood/Wilberg Mine continues to monitor water quality and quantity in Grimes Wash, including the Right Fork where the 9th East Portal Breakout Area is located.

13. Revegetation

The site was well vegetated with forbs, grasses and shrubs, but many of the forbs were not in bloom yet. Grasses included indian ricegrass, wheatgrass and wildrye. Forbs identifiable included palmer penstamon and northern sweetvetch. Shrubs established included big sagebrush, curleaf mahogany, rubber rabbitbrush, and fouwing saltbush. Some volunteer willows were present as well. The vegetation appeared to be providing soil stabilization and preventing erosion.

21. Bonding and Insurance

Energy West Mining Company has applied for Phase II and Phase III bond release on approximately .6 acres of land that encompass the 9th East Portal Breakout Area. They have not requested release of any of the bond money associated with the bond release, only release of liability as a result of reclamation work completed.

22. Other

In addition to the vegetativecover, abundant rock litter on the surface also protects the soil from raindrop impact.