

2015/018 Incoming &



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U.S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING Mine Site Evaluation State Program



DEPT. OF OIL, GAS, & MINING

1. Permittee/Person PACIFICORP		9. Permit Number UT-015-018-X	10. Permit Type PP
2. Address PO BOX 310		11. Field Visit Date 4/3/2012 <small>mm - dd - yyyy</small>	12. Purpose OP
3. City HUNTINGTON		13. SRA Present Y	
4. State UT		14. Permit Status A	15. Site Status AP
5. Zip Code 84528	6. Phone Number (801) 653-2312	16. Facility Type B	
7. Operator Name, if Different than Permittee ENERGY WEST MINING		17. OSM Office # 140	18. CCID #
8. Mine Name DEER CREEK		19. Land Code SF	
		20. M.S.H.A. ID # 42-00121	21. State Abbrev. UT
		22. County/Burrough EMERY	
		23. AVS Permittee Entity ID Number 118429	24. State Office

25. Hours	26. Signature Block	27. Reviewing Official:								
<table border="1"> <tr><td>3.0</td><td>a. Permit Review</td></tr> <tr><td>3.0</td><td>b. Site Visit Time</td></tr> <tr><td>17.0</td><td>c. Travel Time</td></tr> <tr><td>3.0</td><td>d. Report Writing</td></tr> </table>	3.0	a. Permit Review	3.0	b. Site Visit Time	17.0	c. Travel Time	3.0	d. Report Writing	<p><i>Christine Belka</i> Signature:</p> <p>Christine Belka, ID#182 Printed Name:</p> <p>Date: 4/19/2012</p>	<p><i>Kristen Walker</i> Signature:</p> <p>Review Date: 4-19-12 <small>mm - dd - yyyy</small></p> <p>Is Supplemental MSE Page Used Y/N Y</p>
3.0	a. Permit Review									
3.0	b. Site Visit Time									
17.0	c. Travel Time									
3.0	d. Report Writing									

Permit Type - Item 10 IP = Interim Program PP = Permanent Program NP = No Permit

Purpose Type Codes - Item 12

Oxx...Oversight	RFx...Reclamation Fees	CCR...Citizen Complaint Referral (non-site visit)
Axx...Assistance	Fxx...Federal Actions	CC...Citizen Complaint (initial site visit)
		CCF...Assistance

Joint Inspection - Item 13 A joint inspection is when a state inspector accompanies an OSM inspector at any time during the review of the mine site

Permit Status - Item 14

A Active: Coal mining activities occurring or permitted but not yet disturbed.	AB Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g).
IN Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated.	AB1 Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced.
BR Bond Release: Reclamation completed and State Regulatory Authority(RA) has released all of the bond (Phase III Release).	AB2 Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.
	AB3 Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.
	NA Not Applicable: When site is unpermitted.

Site Status - Item 15

ND No Disturbance: No coal mining and reclamation operations have been started.	MC Mining Complete: No mining activity on site, site regraded and awaiting bond release.	NS Non-Site Visit: Status of site not determined.
EX Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.	TC Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817:13(b).	FP Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.
AP Active Coal Producing: Coal surface mining activities are occurring.	P1 Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.	FR Forfeited and Reclaimed: Forfeiture reclamation completed.
AN Active Non-Producing: Active non-producing facility such as tipple or preparation plant.	P2 Phase II Release: At least Phase II bond release for the entire permitted area.	FO Abandoned Site: Abandoned site that is permitted but there is no bond.
NM No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.	P3 Phase III Release: Reclamation completed and the RA has released all bond.	WC Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

Facility Type Codes - Item 16

A ...Surface	D ...Ancillary (Haulroad, Conveyor, and/or Rails	H ...Exploration Permits	K ...Government Financed Construction Exemption
B ...Underground	E ...Refuse and/or Impoundment	I ...Notice of Intent to Explore	L ...Remining site permitted under 30 CFR 785.25
C ...Preparation Plant	F ...Loading Facility and/or Tipple	J ...Exempt 16 and 2/3	
	G ...Stockpiles		

Small Business Regulatory Enforcement Fairness Act (SBREFA) Your Comments are Important

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

U.S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation

Permittee/ Person PACIFICORP	Permit Number UT-015-018-X	Field Visit Date 4/3/2012	State Program Continuation Page
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28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited, 7=Permit Defect

<p>A. Administrative</p> <ol style="list-style-type: none"> 1. <u>1</u> Mining within Valid Permit 2. <u>1</u> Mining within Bonded Area 3. <u>1</u> Terms & Conditions of Permit 4. _____ Liability Insurance 5. _____ Ownership and Control 6. _____ Temporary Cessation 7. _____ AML Rec. Fees - Non-Respondent 8. _____ AML Rec. Fees - Failure to Pay <p>B. Hydrologic Balance</p> <ol style="list-style-type: none"> 1. <u>1</u> Drainage Control 2. _____ Inspections & Certifications 3. <u>1</u> Siltation Structures 4. <u>1</u> Discharge Structures 5. <u>1</u> Diversions 6. _____ Effluent Limits 7. _____ Ground Water Monitoring 8. <u>1</u> Surface Water Monitoring 9. _____ Drainage - Acid-Toxic Materials 10. _____ Impoundments 11. <u>1</u> Stream Buffer Zones <p>C. Topsoil & Subsoil</p> <ol style="list-style-type: none"> 1. _____ Removal 2. _____ Substitute Materials 3. _____ Storage and Protection 4. _____ Redistribution 	<p>D. Backfilling & Grading</p> <ol style="list-style-type: none"> 1. _____ Exposed Openings 2. _____ Contemporaneous Reclamation 3. _____ Approximate Original Contour 4. _____ Highwall Elimination 5. _____ Steep Slopes (includes downslope) 6. _____ Handling of Acid and Toxic Materials 7. _____ Stabilization (rills and gullies) <p>E. Excess Spoil Disposal</p> <ol style="list-style-type: none"> 1. _____ Placement 2. _____ Drainage Control 3. _____ Surface Stabilization 4. _____ Inspections & Certifications <p>F. Coal Mine Waste (Refuse Piles/Impoundments)</p> <ol style="list-style-type: none"> 1. _____ Drainage Control 2. _____ Surface Stabilization 3. _____ Placement 4. _____ Inspections & Certifications 5. _____ Impounding Structures <p>G. Use of Explosives</p> <ol style="list-style-type: none"> 1. _____ Blaster Certification 2. _____ Distance Prohibitions 3. _____ Blast Survey/Schedule 4. _____ Warnings & Records 5. _____ Control of Adverse Effects 	<p>H. _____ Subsidence Control Plan</p> <p>I. Roads</p> <ol style="list-style-type: none"> 1. _____ Road Construction 2. _____ Certification 3. _____ Drainage 4. _____ Surfacing and Maintenance 5. _____ Reclamation <p>J. Signs & Markers</p> <ol style="list-style-type: none"> 1. _____ Signs 2. _____ Markers <p>K. _____ Distance Prohibitions</p> <p>L. Revegetation</p> <ol style="list-style-type: none"> 1. _____ Vegetative Cover 2. _____ Timing <p>M. _____ Postmining Land Use</p> <p>N. Other</p> <p>General Performance Category</p> <p>_____</p> <p>_____</p> <p>_____</p>
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Performance Standard Categories 30 CFR Counterparts

<p>A. Administrative 1. Valid Permit 773.11 2. Mining within Bonded Area 773.11 3. Terms & Conditions of Permit 773.17 4. Liability Insurance 800.60 5. Ownership and Control 778.13 6. Temporary Cessation §42.11(e) & §16/§17.131 7. AML Rec. Fees - Non-Respondent §70.15(b) 8. AML Rec. Fees - Failure to Pay §70.15(a)</p> <p>B. Hydrologic Balance (816/§17.41-57) 1. Drainage Control 45 2. Inspections & Certifications 49(a)(10) 3. Siltation Structures 46 4. Discharge Structures 47 5. Diversions 43 6. Effluent Limits 42 7. Ground Water Monitoring 41(c) 8. Surface Water Monitoring 41(e) 9. Drainage-Acid - Toxic Materials 41(f) 10. Impoundments 49 11. Stream Buffer Zones 57</p> <p>C. Topsoil & Subsoil (816/§17.22) 1. Removal 22(a) 2. Substitute Materials 22(c) 3. Storage and Protection 22(c) 4. Redistribution 22(d)</p> <p>D. Backfilling & Grading 816/§17.95-107 1. Exposed Openings §16/§17.13, 14, 15, & §23.11 & 21 2. Contemporaneous Reclamation 100 3. Approximate Original Contour 102(a)(1) 4. Highwall Elimination 102(a)(2) 5. Steep Slopes (includes downslope) 107 6. Handling of Acid & Toxic Materials 102(c) 7. Stabilization (rills and gullies) 95(b)</p>	<p>E. Excess Spoil Disposal (816/§17.71-74) 1. Placement 71(e) 2. Drainage Control 71(f) 3. Surface Stabilization 71(g) 4. Inspections & Certifications 71(h)</p> <p>F. Coal Mine Waste (Refuse Piles/Impoundments) 816/§17.81-84 1. Drainage Control 83(a) 2. Surface Stabilization 83(b) 3. Placement 83(c) 4. Inspections and Certifications 83(d) 5. Impounding Structures 84</p> <p>G. Use of Explosives (816/§17.61-68) 1. Blaster Certification 61(c) 2. Distance Prohibitions 61(d) 3. Blast Survey/Schedule 62-64 4. Warnings & Records 66 & 68 5. Control of Adverse Effects 67</p> <p>H. Subsidence Control Plan (817.121-122)</p> <p>I. Roads (816/§17.150-151) 1. Road Construction 150(c) 2. Certification 151(a) 3. Drainage 150(b)-151(d) 4. Surfacing and Maintenance 150(e)-151(d) 5. Reclamation 150(f)</p> <p>J. Signs & Markers 816/§17.11 1. Signs 11(a),(b), & (c) 2. Markers 11(a),(b),(d),(e), & (f)</p> <p>K. Distance Prohibitions (761.11)</p> <p>L. Revegetation (816/§17.111-116) 1. Vegetative Cover 111 & 116 2. Timing 113</p> <p>M. Postmining Land Use (816/§17.133)</p>
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OSM Action

- | | |
|-----------------------------|--|
| 1) Deferred to State Action | 6) ID-CO Issued (Imminent Danger to Public) |
| 2) TDN Issued | 7) Previously cited by RA, abatement pending |
| 3) NOV Issued | 8) Abated during or before OSM inspection |
| 4) FTA-CO Issued | 9) Follow-up of Federal Action |
| 5) IH-CO Issued | 0) Off-site impact with no violation |

Off-Site Impacts

- For each type of impact and resource affected, enter "N, D, or J" to describe the degree of off-site impact:
- N - Minor Occurrence
D - Moderate Occurrence
J - Major Occurrence

I&E Inspection Photos

Permit: UT-015-018-X Inspection Date: 4/3/2012

Permittee: PACIFICORP



Notes:

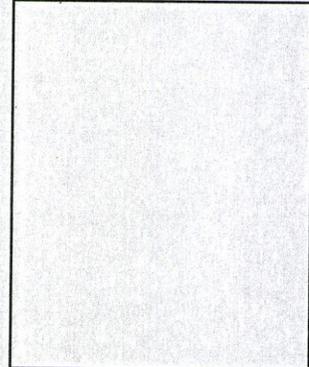


Photo ID: 6794

Photographer: SMCBELKA

Date Taken: 4/3/2012

State: UT

County: EMERY

Latitude: 0392123

Longitude: 1110659

Subject: SEDIMENT POND DISCHARGE WEIR, UPDES OUTFALL 001

Mine Name: DEER CREEK



Notes:

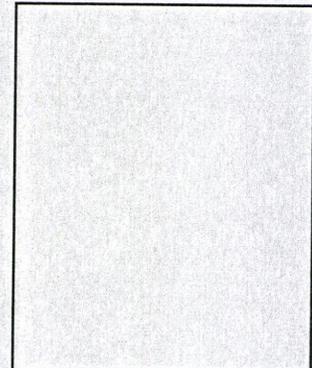


Photo ID: 6803

Photographer: SMCBELKA

Date Taken: 4/3/2012

State: UT

County: EMERY

Latitude: 0392123

Longitude: 1110659

Subject: INLET STRUCTURE BROKEN, WATER CASCADES INTO POND

Mine Name: DEER CREEK

I&E Inspection Photos

Permit: UT-015-018-X Inspection Date: 4/3/2012

Permittee: PACIFICORP



Notes:

Cells require cleanout, but are currently non-operational (not an urgent maintenance item)

Photo ID: 6804

Photographer: SM/CBELKA

Date Taken: 4/3/2012

State: UT

County: EMERY

Latitude: 0392123

Longitude: 1110659

Subject: 3-CELLED PRETREATMENT SUMPS (NON-OPERATIONAL)

Mine Name: DEER CREEK



Notes:

Staff use a pole / bucket to collect water samples at outlet riser. Water pooled below grating.

Photo ID: 6805

Photographer: SM/CBELKA

Date Taken: 4/3/2012

State: UT

County: EMERY

Latitude: 0392123

Longitude: 1110659

Subject: UPDES OUTFALL 002 IN LOWER LEFT

Mine Name: DEER CREEK

Mine Site Inspection

Mine Name: Deer Creek Mine

Permittee: Energy West Mining Co.

Permit ID #: C0150018

Inspection Date: April 3, 2012 12:30 – 3:30

Weather Conditions: Mild, clear, dry ground conditions

Participants:

April Abate, Division of Oil, Gas, and Mining (DOGM)

Christine Belka, Office of Surface Mining Reclamation and Enforcement (OSMRE) #182

Steve Christensen, DOGM

Paul Clark, OSMRE

Amanda Daniels, DOGM

Ken Fleck, Energy West Mining (EWM)

Ken Hoffman, DOGM

Karl Houskeeper, DOGM

Brent Means, OSMRE

Dennis Oakley, EWM

Chuck Semborski, EWM

Field Evaluation

This was a partial oversight inspection focused on mine water and effluent discharge monitoring. Deer Creek is an active coal producing underground mine.

Energy West Mining (EWM) collects the mine area groundwater, treats some for use as culinary water on site, returns some for use in the mine (fire and dust suppression), and discharges the remainder to the Deer Creek. The Deer Creek mine currently produces approximately 700 gpm, but EWM anticipates only around 10% of that discharge volume at final reclamation.

The mine has two Utah Pollutant Discharge Elimination System (UPDES) outfall monitoring locations. Outfall 001 is at the Deer Creek Sediment Pond discharge weir (see photo 6794). The sediment pond's inlet structure is broken, so surface runoff cascades into the pond from above rather than being piped into the three-celled pre-treatment structure (see photos 6803 and 6804). Although the pond water appears turbid, discharge water is compliant with UPDES criteria. Outfall 002 is at the discharge point from the water house where underground production water is collected, distributed for reuse, or discharged (see photo 6805). Mine staff uses a plastic bucket to collect water samples for laboratory analysis.

The mine adjacent to Deer Creek is in temporary cessation and currently discharges approximately 500 gpm. That effluent discharge requires treatment for high iron concentrations. The duration of the pollutorial drainage is unknown, but that permittee is responsible for funding water treatment for its entire duration. EWM is aware of the possibility that it may experience similar effluent discharge at final reclamation. Mine representatives proactively met with OSM hydrologists (Brent Means, Paul Clark) to

discuss the possibility of pollutional discharge, preventative strategies, and cost effective treatment options. While EWM remains optimistic it will not experience such discharge problems, staff members appeared interested in preventative measures and in developing a contingency plan prior to mine closure. Mr. Means discussed several options such as creating baffles within the mine works to slow the water and allow suspended iron to settle underground, and using constructed wetlands on the surface as a low cost water treatment option.

Because EWM is not currently experiencing pollutional discharge, it is not required to develop a water treatment strategy. However, mine water chemistry may change when the mine is closed and water is exposed to oxygen within the coal seam for longer periods of time (water is currently removed quickly from oxygenated mining areas).

No compliance issues were noted, and no enforcement actions were issued as a result of this inspection.