



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



<p>1. Permittee/Person <b>PACIFICORP</b></p> <p>2. Address <b>PO BOX 310</b></p> <p>3. City <b>HUNTINGTON</b></p> <p>4. State <b>UT</b></p> <p>5. Zip Code <b>84528</b></p> <p>6. Phone Number <b>(435) 687-4820</b></p> <p>7. Operator Name, if Different than Permittee</p> <p>8. Mine Name <b>DEER CREEK MINE</b></p>	<p>9. Permit Number <b>C/015/0018</b></p> <p>10. Permit Type <b>PP</b></p> <p>11. Field Visit Date <b>11/27/2018</b> <small>mm - dd - yyyy</small></p> <p>12. Purpose <b>OB3</b></p> <p>13. SRA Present <b>Y</b></p> <p>14. Permit Status <b>A</b></p> <p>15. Site Status <b>AN</b></p> <p>16. Facility Type <b>B</b></p> <p>17. OSM Office # <b>140</b></p> <p>18. CCID #</p> <p>19. Land Code <b>SF</b></p> <p>20. M.S.H.A. ID #</p> <p>21. State Abbrev. <b>UT</b></p> <p>22. County/Burrough <b>EMERY</b></p> <p>23. AVS Permittee Entity ID Number</p> <p>24. State Office</p>
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<p><b>25. Hours</b></p> <table style="width:100%;"> <tr><td style="border: 1px solid black; padding: 2px;"><b>5.0</b></td><td>a. Permit Review</td></tr> <tr><td style="border: 1px solid black; padding: 2px;"><b>3.0</b></td><td>b. Site Visit Time</td></tr> <tr><td style="border: 1px solid black; padding: 2px;"><b>14.0</b></td><td>c. Travel Time</td></tr> <tr><td style="border: 1px solid black; padding: 2px;"><b>6.0</b></td><td>d. Report Writing</td></tr> </table>	<b>5.0</b>	a. Permit Review	<b>3.0</b>	b. Site Visit Time	<b>14.0</b>	c. Travel Time	<b>6.0</b>	d. Report Writing	<p><b>26. Signature Block</b></p> <p><b>THOMAS MEDLIN</b> Digitally signed by THOMAS MEDLIN <small>Date: 2018.12.12 13:37:36 -07'00'</small></p> <p align="center">Signature:</p> <p align="center"><b>Thomas Medlin, ID#562</b></p> <p align="center">Inspector's Name:</p> <p>Date: <b>12/12/2018</b></p>	<p><b>27. Reviewing Official:</b></p> <p><b>HOWARD STRAND</b> Digitally signed by HOWARD STRAND <small>Date: 2018.12.12 14:07:24 -07'00'</small></p> <p align="center">Signature:</p> <p align="center"><b>Howard Strand</b></p> <p align="center">Reviewer's Name:</p> <p>Date: <b>12/12/2018</b></p>
<b>5.0</b>	a. Permit Review									
<b>3.0</b>	b. Site Visit Time									
<b>14.0</b>	c. Travel Time									
<b>6.0</b>	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**

<p><b>A</b> Active: Coal mining activities occurring or permitted but not yet disturbed.</p> <p><b>IN</b> Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit): Coal mining completed and reclamation activities initiated.</p> <p><b>BR</b> Bond Release: Reclamation completed and State Regulatory Authority(RA) has released all of the bond (Phase III Release).</p>	<p><b>AB</b> 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).</p> <p><b>AB1</b> Bond Forfeiture: Bond forfeiture officially in process or completed and reclamation in progress or not yet commenced.</p> <p><b>AB2</b> Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.</p> <p><b>AB3</b> Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.</p> <p><b>NA</b> Not Applicable: When site is unpermitted.</p>
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<p><b>Site Status - Item 15</b></p> <p><b>ND</b> No Disturbance: No coal mining and reclamation operations have been started.</p> <p><b>EX</b> Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.</p> <p><b>AP</b> Active Coal Producing: Coal surface mining activities are occurring.</p> <p><b>AN</b> Active Non-Producing: Active non-producing facility such as tippel or preparation plant.</p> <p><b>NM</b> No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.</p>	<p><b>MC</b> Mining Complete: No mining activity on site, site regraded and awaiting bond release.</p> <p><b>TC</b> Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817:13(b).</p> <p><b>P1</b> Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.</p> <p><b>P2</b> Phase II Release: At least Phase II bond release for the entire permitted area.</p> <p><b>P3</b> Phase III Release: Reclamation completed and the RA has released all bond.</p>	<p><b>NS</b> Non-Site Visit: Status of site not determined.</p> <p><b>FP</b> 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.</p> <p><b>FR</b> Forfeited and Reclaimed: Forfeiture reclamation completed.</p> <p><b>FO</b> Abandoned Site: Abandoned site that is permitted but there is no bond.</p> <p><b>WC</b> Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.</p>
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<p><b>Facility Type Codes - Item 16</b></p> <p><b>A....</b>Surface</p> <p><b>B....</b>Underground</p> <p><b>C....</b>Preparation Plant</p>	<p><b>D....</b>Ancillary (Haulroad, Conveyor, and/or Rails)</p> <p><b>E....</b>Refuse and/or Impoundment</p> <p><b>F....</b>Loading Facility and/or Tlpple</p> <p><b>G....</b>Stockpiles</p>	<p><b>H....</b>Exploration Permits</p> <p><b>I....</b>Notice of Intent to Explore</p> <p><b>J....</b>Exempt 16 and 2/3</p>	<p><b>K....</b>Government Financed Construction Exemption</p> <p><b>L....</b>Remining site permitted under 30 CFR 785.25</p>
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**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	C/015/0018	Field Visit Date	11/27/2018	<b>State Program Continuation Page</b>
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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><b>A. Administrative</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Mining within Valid Permit</li> <li>2. <input type="checkbox"/> Mining within Bonded Area</li> <li>3. <input type="checkbox"/> Terms &amp; Conditions of Permit</li> <li>4. <input type="checkbox"/> Liability Insurance</li> <li>5. <input type="checkbox"/> Ownership and Control</li> <li>6. <input type="checkbox"/> Temporary Cessation</li> <li>7. <input type="checkbox"/> AML Rec. Fees - Non-Respondent</li> <li>8. <input type="checkbox"/> AML Rec. Fees - Failure to Pay</li> </ol> <p><b>B. Hydrologic Balance</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Drainage Control</li> <li>2. <input type="checkbox"/> Inspections &amp; Certifications</li> <li>3. <input type="checkbox"/> Siltation Structures</li> <li>4. <input type="checkbox"/> Discharge Structures</li> <li>5. <input type="checkbox"/> Diversions</li> <li>6. <input type="checkbox"/> Effluent Limits</li> <li>7. <input type="checkbox"/> Ground Water Monitoring</li> <li>8. <input type="checkbox"/> Surface Water Monitoring</li> <li>9. <input type="checkbox"/> Drainage - Acid-Toxic Materials</li> <li>10. <input type="checkbox"/> Impoundments</li> <li>11. <input type="checkbox"/> Stream Buffer Zones</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Removal</li> <li>2. <input type="checkbox"/> Substitute Materials</li> <li>3. <input type="checkbox"/> Storage and Protection</li> <li>4. <input type="checkbox"/> Redistribution</li> </ol>	<p><b>D. Backfilling &amp; Grading</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Exposed Openings</li> <li>2. <input type="checkbox"/> Contemporaneous Reclamation</li> <li>3. <input type="checkbox"/> Approximate Original Contour</li> <li>4. <input type="checkbox"/> Highwall Elimination</li> <li>5. <input type="checkbox"/> Steep Slopes (includes downslope)</li> <li>6. <input type="checkbox"/> Handling of Acid and Toxic Materials</li> <li>7. <input type="checkbox"/> Stabilization (rills and gullies)</li> </ol> <p><b>E. Excess Spoil Disposal</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Placement</li> <li>2. <input type="checkbox"/> Drainage Control</li> <li>3. <input type="checkbox"/> Surface Stabilization</li> <li>4. <input type="checkbox"/> Inspections &amp; Certifications</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Drainage Control</li> <li>2. <input type="checkbox"/> Surface Stabilization</li> <li>3. <input type="checkbox"/> Placement</li> <li>4. <input type="checkbox"/> Inspections &amp; Certifications</li> <li>5. <input type="checkbox"/> Impounding Structures</li> </ol> <p><b>G. Use of Explosives</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Blaster Certification</li> <li>2. <input type="checkbox"/> Distance Prohibitions</li> <li>3. <input type="checkbox"/> Blast Survey/Schedule</li> <li>4. <input type="checkbox"/> Warnings &amp; Records</li> <li>5. <input type="checkbox"/> Control of Adverse Effects</li> </ol>	<p><b>H. <input type="checkbox"/> Subsidence Control Plan</b></p> <p><b>I. Roads</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Road Construction</li> <li>2. <input type="checkbox"/> Certification</li> <li>3. <input type="checkbox"/> Drainage</li> <li>4. <input type="checkbox"/> Surfacing and Maintenance</li> <li>5. <input type="checkbox"/> Reclamation</li> </ol> <p><b>J. Signs &amp; Markers</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Signs</li> <li>2. <input type="checkbox"/> Markers</li> </ol> <p><b>K. <input type="checkbox"/> Distance Prohibitions</b></p> <p><b>L. Revegetation</b></p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Vegetative Cover</li> <li>2. <input type="checkbox"/> Timing</li> </ol> <p><b>M. <u>1</u> Postmining Land Use</b></p> <p><b>N. Other</b></p> <p>General Performance Category</p> <p>_____</p> <p>_____</p> <p>_____</p>
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### Performance Standard Categories 30 CFR Counterparts

<p><b>A. Administrative</b> ..... 773.11</p> <ol style="list-style-type: none"> <li>1. Valid Permit ..... 773.11</li> <li>2. Mining within Bonded Area ..... 773.11</li> <li>3. Terms &amp; Conditions of Permit ..... 773.17</li> <li>4. Liability Insurance ..... 800.60</li> <li>5. Ownership and Control ..... 778.13</li> <li>6. Temporary Cessation ..... §42.11(e) &amp; §16/817.131</li> <li>7. AML Rec. Fees - Non-Respondent ..... §70.15(b)</li> <li>8. AML Rec. Fees - Failure to Pay ..... §70.15(a)</li> </ol> <p><b>B. Hydrologic Balance</b> ..... (816/817.41-57)</p> <ol style="list-style-type: none"> <li>1. Drainage Control ..... 45</li> <li>2. Inspections &amp; Certifications ..... 49(a)(10)</li> <li>3. Siltation Structures ..... 46</li> <li>4. Discharge Structures ..... 47</li> <li>5. Diversions ..... 43</li> <li>6. Effluent Limits ..... 42</li> <li>7. Ground Water Monitoring ..... 41(c)</li> <li>8. Surface Water Monitoring ..... 41(e)</li> <li>9. Drainage--Acid - Toxic Materials ..... 41(f)</li> <li>10. Impoundments ..... 49</li> <li>11. Stream Buffer Zones ..... 57</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b> ..... (816/817.22)</p> <ol style="list-style-type: none"> <li>1. Removal ..... 22(a)</li> <li>2. Substitute Materials ..... 22(c)</li> <li>3. Storage and Protection ..... 22(c)</li> <li>4. Redistribution ..... 22(d)</li> </ol> <p><b>D. Backfilling &amp; Grading</b> ..... 816/817.95-107)</p> <ol style="list-style-type: none"> <li>1. Exposed Openings ..... §16/817.13, 14, 15, &amp; §23.11 &amp; 21</li> <li>2. Contemporaneous Reclamation ..... 100</li> <li>3. Approximate Original Contour ..... 102(a)(1)</li> <li>4. Highwall Elimination ..... 102(a)(2)</li> <li>5. Steep Slopes (includes downslope) ..... 107</li> <li>6. Handling of Acid &amp; Toxic Materials ..... 102(c)</li> <li>7. Stabilization (rills and gullies) ..... 95(b)</li> </ol>	<p><b>E. Excess Spoil Disposal</b> ..... (816/817.71-74)</p> <ol style="list-style-type: none"> <li>1. Placement ..... 71(e)</li> <li>2. Drainage Control ..... 71(f)</li> <li>3. Surface Stabilization ..... 71(g)</li> <li>4. Inspections &amp; Certifications ..... 71(h)</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b> ..... 816/817.81-84)</p> <ol style="list-style-type: none"> <li>1. Drainage Control ..... 83(a)</li> <li>2. Surface Stabilization ..... 83(b)</li> <li>3. Placement ..... 83(c)</li> <li>4. Inspections and Certifications ..... 83(d)</li> <li>5. Impounding Structures ..... 84</li> </ol> <p><b>G. Use of Explosives</b> ..... (816/817.61-68)</p> <ol style="list-style-type: none"> <li>1. Blaster Certification ..... 61(c)</li> <li>2. Distance Prohibitions ..... 61(d)</li> <li>3. Blast Survey/Schedule ..... 62-64</li> <li>4. Warnings &amp; Records ..... 66 &amp; 68</li> <li>5. Control of Adverse Effects ..... 67</li> </ol> <p><b>H. Subsidence Control Plan</b> ..... (817.121-122)</p> <p><b>I. Roads</b> ..... (816/817.150-151)</p> <ol style="list-style-type: none"> <li>1. Road Construction ..... 150(c)</li> <li>2. Certification ..... 151(a)</li> <li>3. Drainage ..... 150(b)-151(d)</li> <li>4. Surfacing and Maintenance ..... 150(e)-151(d)</li> <li>5. Reclamation ..... 150(f)</li> </ol> <p><b>J. Signs &amp; Markers</b> ..... 816/817.11)</p> <ol style="list-style-type: none"> <li>1. Signs ..... 11(a),(b),&amp;(c)</li> <li>2. Markers ..... 11(a),(b),(d),(e),&amp;(f)</li> </ol> <p><b>K. Distance Prohibitions</b> ..... (761.11)</p> <p><b>L. Revegetation</b> ..... (816/817.111-116)</p> <ol style="list-style-type: none"> <li>1. Vegetative Cover ..... 111 &amp; 116</li> <li>2. Timing ..... 113</li> </ol> <p><b>M. Postmining Land Use</b> ..... (816/817.133)</p>
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## **Denver Field Branch Bond Release Evaluation Report**

Permittee: PacifiCorp  
Site: Deer Creek Mine / Rilda Canyon Left Fork Facilities  
Permit No: C/015/0018  
Date of Inspection: November 27, 2018  
Inspection Type: Phase III bond release  
Weather: Overcast and cool with snow-covered ground conditions  
Operator Representative(s): Ken Fleck and Chuck Semborski  
County Officials(s): Ray Petersen  
State Official(s): Priscilla Burton, Steve Christensen, Dana Dean, Justin Eatchel, Daron Haddock, and Keenan Storrar (Division of Oil, Gas and Mining). TJ Cook, Division of Wildlife Resources  
BLM Official(s): Rebecca Anderson and Andrea Johnson  
USFS Official(s): Jeff Salow  
OSMRE Official(s): Tom Medlin (#562)

### **Background**

This was a Phase III / termination of jurisdiction bond release inspection at the 2.33 acre Deer Creek Mine, Rilda Canyon Left Fork Facilities area in Emery County, Utah. PacifiCorp, in coordination with the landowner, US Forest Service (USFS) has proposed a post-mining land use change from wildlife habitat to debris catchment basin in response to the Trail Mountain Fire of June, 2018. The Trail Mountain Fire began as a prescribed burn initiated by the USFS; the fire escaped containment and engulfed Rilda Canyon as reclamation activities contracted by PacifiCorp were taking place. Unmitigated debris flows caused by the denuded landscape would threaten North Emery Water Users Special Service District municipal water supplies in Rilda Canyon. The USFS has agreed to assume all responsibility for the 2.33 acre Left Fork Facilities area and access road within the Deer Creek Mine permit. The USFS has constructed and will maintain a debris catchment basin designed to protect the North Emery Water Users Special Service District supplies from debris flow impacts. The Utah Division of Oil, Gas and Mining (DOG M) found PacifiCorp's bond release application administratively complete on November 6, 2018.

The parcel proposed for release lies within NE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 29, Township 16S, Range 7E, Great Salt Lake Base and Meridian.

Notification of the proposed bond release was posted in the ETV News Progress for four consecutive weeks beginning November 14 and ending December 5, 2018. PacifiCorp currently posts a surety bond in the amount of \$3,374,000 which covers the entire Deer Creek Mine including the Rilda Canyon Left Fork Facilities area. With this application, PacifiCorp requests reclamation liability release for the Rilda Canyon Left Fork Facilities area only, and no reduction in the bond amount.

Utah outlines the requirements for Phase III bond release at R645-301-880.330. For Phase III bond release, the operator "has completed successfully all surface coal mining and reclamation

operations.”

### **Findings and observations**

On November 27, 2018 the evaluation Team met at the PacifiCorp office in Huntington to discuss the history of the site, the Trail Mountain Fire’s impacts to the canyon, and post-mining land use change. Following this, the Team proceeded to the Rilda Canyon Left Fork Facilities area to evaluate the debris catchment basin constructed in July, 2018.

Though the site was covered in about eight inches of snow, the extent of the debris basin was discernible. See Figures 1 - 3. Space available for construction of the debris basin was limited by the narrow confines of the canyon, but the structure appeared robust in its construction and dimensions. Nevertheless, it is likely the catchment basin will require frequent maintenance and sediment removal by the USFS to continue to protect the North Emery Water Users Special Service District. The frequency and intensity of precipitation events in the coming years will be determinative of the rate at which the watershed stabilizes and sediment deposition decreases. The Team noted the basin had been partially cleaned out at least once since its construction in July.

### **Conclusion and recommendations**

In light of the threat posed to the North Emery Water Users Special Service District, the post-mining land use change to debris catchment basin is appropriate and necessary. In accordance with R645-301-413.120, the debris catchment basin constructed within the Rilda Canyon Left Fork Facilities disturbed area supports a higher or better post-mining land use than wildlife habitat. DOGM should terminate jurisdiction over the 2.33 acre parcel evaluated this day, releasing PacifiCorp from its reclamation liability and facilitating the USFS’s future management responsibilities and objectives as landowner.

**Photos →**



Figure 1. Team members evaluating the debris catchment basin.



Figure 2. Debris catchment basin, looking down-canyon.



Figure 3. Team members evaluating the debris catchment basin.