

0009



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

10/27 OK

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

June 28, 2002

TO: Internal File
THRU: Joe Helfrich, Team Lead *[Signature]*
FROM: Wayne H. Western, Reclamation Specialist III/Engineering *WHW*
RE: Midterm Permit Review, PacifiCorp, Cottonwood/Wilberg Mine, C/015/019-MT02

SUMMARY:

As part of the midterm, review for the Cottonwood/Wilberg mine the Division reviewed the reclamation bond amount. The Division found that the bond amount is adequate.

TECHNICAL ANALYSIS:

RECLAMATION PLAN

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR Sec. 800; R645-301-800, et seq.

Analysis:

Determination of bond amount

As part of the midterm, review the Division reviewed the reclamation cost estimate for the Cottonwood/Wilberg mine. The current bond amount for the Cottonwood/Wilberg mine is \$3,082,587 dollars. The reclamation amount has been escalated to 2005. The reclamation cost estimate is based on the Division's cost estimate. The Division reviewed the MRP and found that no actions took place that would require a change in the bond amount.

The Division is currently reviewing the bond calculations for all mines. The Division will standardize all bond calculations. Later this year, the standardization process will be done for all mines controlled by PacifiCorp. As part of the standardization, process the bond amount may be adjusted.

TECHNICAL MEMO

Findings:

The Permittee has met the minimum requirements of the bonding section of the regulations.

RECOMENDATIONS:

The Division should consider the reclamation bond adequate for the purpose of the midterm review. The Division should review the bond amount later this year when the bond calculations are standardized.

O:\015019.CWW\FINAL\whwMT02.doc



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

June 27, 2002

TO: Internal File

THRU: Daron R. Haddock, Permit Supervisor 

FROM: Joseph C. Helfrich, Sr. Reclamation Specialist 

RE: Midterm Permit Review, PacifiCorp, Cottonwood/Wilberg Mine, C/015/019-MT02

SUMMARY:

The midterm review for the Cottonwood/Wilberg Mine was initiated by way of Division correspondence to Chuck Semborski, Environmental Supervisor on March 26, 2002. The following items were chosen for review:

1. An AVS check to ensure that Ownership and Control information is current and correct.
2. A review of the plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee-initiated plan changes are appropriately incorporated into the plan document.
3. A review of the applicable portions of the permit to ensure that the plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
4. A review of the bond to ensure that it is in order and that the cost estimate is accurate and is escalated to the appropriate year dollars.
5. The Division will conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness of operational, reclamation, and contemporaneous reclamation practices.

This memo will address items one and two.

TECHNICAL MEMO

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30CFR773.22; 30CFR778.13; R645-301-112

Analysis:

Volume one of the MRP contains ownership and control information dated 1996. The 2000 annual report is somewhat more current with ownership and control information from 1999-2000.

Findings:

R645-301-112, Volume one of the MRP needs to include the current ownership and control information

VIOLATION INFORMATION

Regulatory Reference: 30CFR773.15(b); 30CFR773.23; 30CFR778.14; R645-300-132; R645-301-113

Analysis:

There are no outstanding notice of violation abatement plans for the Cottonwood/Wilberg facility. There have been no coal mining and reclamation operations in the name of Pacificorp revoked or suspended nor has there been a performance bond forfeited in the five years preceding this review.

Findings:

The Cottonwood/Wilberg facility has met the regulatory requirements for this portion (item #2) of the midterm review.

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT APPROVAL

Regulatory References: 30 CFR773.17; R645-300-140; R645-300-145.

Analysis:

The permit was renewed on August 10, 1999 and expires July 6, 2004. One stipulation is attached to the permit. The stipulation requires water-monitoring data to be submitted electronically into the Division's Water Quality Database. Alyson Boye has nearly completed the backlog of data entry.

Findings:

There are no special conditions or stipulations attached to the current permit. The permittee-initiated plan changes have been incorporated into the plan document. The Cottonwood/Wilberg facility has met the regulatory requirements for this portion (item#2) of the midterm review.

RECOMMENDATION:

Energy West Mining Co. should update the ownership and control information in Volume one of the MRP Prior to approval of the midterm review.