



0008

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



copy
01/15/2004

1. Permittee/Person PACIFICORP		9. Permit Number UT-015-019	10. Permit Type PP
2. Address PO BOX 310		11. Field Visit Date 12/16/2003 mm - dd - yyyy	12. Purpose O
3. City Huntington	4. State UT	13. SRA Present Y	14. Permit Status IN
5. Zip Code 84528	6. Phone Number (435) 687-9821	15. Site Status TC	16. Facility Type ABDEF
7. Operator Name, if Different than Permittee ENERGY WEST MINING		17. OSM Office # 140	18. CCID #
8. Mine Name COTTONWOOD/WILBERG		19. Land Code F	20. M.S.H.A ID # 42-00080
		21. State Abrev. UT	22. County Name EMERY
		23. AVS Permittee Entity ID Number 118429	24. State Office

25. Hours	26. Signature Block	27. Reviewing Official:
8.0 a. Permit Review	<i>Henry Austin</i> Signature: 01/7/04	<i>J. Fulton</i> Signature:
4.0 b. Site Visit Time	HENRY AUSTIN ID # 116	Review Date: 1/8/04 mm - dd - yyyy
10.0 c. Travel Time	Printed Name:	Is Supplemental MSE Page Used Y/N Y
2.0 d. Report Writing	Date: 01/07/2004	

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

Purpose Type Codes Item 12
 Oxx.... Oversight
 Axx.... Assistance
 RFX.... Reclamation Fees
 Fxx.... Federal Actions
 CCR.... Citizen Complaint Referral (non site visit)
 CC..... Citizen Complaint (initial site visit)
 CCF.... Citizen Complaint Follow-up

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

Permit Status — Item 14
 A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.
 IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.
 BR.... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release).
 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)
 AB1.. Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.
 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 Codes — Item 15
 ND... No Disturbance: No coal mining and reclamation operations have been started.
 EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.
 AP... Active Coal Producing: Coal surface mining activities are occurring.
 AN... Active Non-Producing: Active non-producing facility such as tipple or preparation plant.
 NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.
 MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.
 TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).
 P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.
 P2... Phase II Release: At least Phase II bond release for the entire permitted area.
 P3... Phase III Release: Reclamation completed and the RA has released all bond.
 NS.. Non-Site Visit: Status of site not determined.
 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.
 FR.. Forfeited and Reclaimed: Forfeiture reclamation completed.
 FO.. Abandoned Site: Abandoned site that is permitted but there is no 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
 B... Underground
 C... Preparation Plant
 D... Ancillary (Haulroad, Conveyor, and/or Rails)
 E... Refuse and/or Impoundment
 F... Loading Facility and/or Tipple
 G... Stockpiles
 H... Exploration Permits
 I... Notice of Intent to Explore
 J... Exempt 16 and 2/3
 K... Government Financed Construction Exemption
 L... Remaining site permitted under 30 CFR 785.25

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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

State Program

Permittee/ Person **PACIFICORP**

Permit Number **UT-015-019**

Field Visit Date **12/16/2003**

Continuation Page

28. Performance Standard Categories

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

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| <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. <u>1</u> Liability Insurance 5. <u>1</u> Ownership and Control 6. <u>1</u> Temporary Cessation 7. <u>1</u> AML Rec. Fees -- Non-Respondent 8. <u>1</u> AML Rec. Fees -- Failure to Pay <p>B. Hydrologic Balance</p> <ol style="list-style-type: none"> 1. <u>1</u> Drainage Control 2. <u>1</u> Inspections & Certifications 3. <u>1</u> Siltation Structures 4. <u>1</u> Discharge Structures 5. <u>1</u> Diversions 6. <u>1</u> Effluent Limits 7. <u>1</u> Ground Water Monitoring 8. <u>1</u> Surface Water Monitoring 9. <u>3</u> Drainage -- Acid-Toxic Materials 10. <u>1</u> Impoundments 11. <u>3</u> Stream Buffer Zones <p>C. Topsoil & Subsoil</p> <ol style="list-style-type: none"> 1. <u>1</u> Removal 2. <u>1</u> Substitute Materials 3. <u>1</u> Storage and Protection 4. <u>1</u> Redistribution | <p>D. Backfilling & Grading</p> <ol style="list-style-type: none"> 1. <u>1</u> Exposed Openings 2. <u>1</u> Contemporaneous Reclamation 3. <u>1</u> Approximate Original Contour 4. <u>1</u> Highwall Elimination 5. <u>3</u> Steep Slopes (includes downslope) 6. <u>3</u> Handling of Acid & Toxic Materials 7. <u>1</u> Stabilization (rills and gullies) <p>E. Excess Spoil Disposal</p> <ol style="list-style-type: none"> 1. <u>3</u> Placement 2. <u>3</u> Drainage Control 3. <u>3</u> Surface Stabilization 4. <u>3</u> Inspections & Certifications <p>F. Coal Mine Waste (Refuse Piles/Impoundments)</p> <ol style="list-style-type: none"> 1. <u>1</u> Drainage Control 2. <u>1</u> Surface Stabilization 3. <u>1</u> Placement 4. <u>1</u> Inspections and Certifications 5. <u>1</u> Impounding Structures <p>G. Use Of Explosives</p> <ol style="list-style-type: none"> 1. <u>3</u> Blaster Certification 2. <u>3</u> Distance Prohibitions 3. <u>3</u> Blast Survey/Schedule 4. <u>3</u> Warnings & Records 5. <u>3</u> Control of Adverse Effects | <p>H. <u>1</u> Subsidence Control Plan</p> <p>I. Roads</p> <ol style="list-style-type: none"> 1. <u>1</u> Road Construction 2. <u>1</u> Certification 3. <u>1</u> Drainage 4. <u>1</u> Surfacing and Maintenance 5. <u>1</u> Reclamation <p>J. Signs & Markers</p> <ol style="list-style-type: none"> 1. <u>1</u> Signs 2. <u>1</u> Markers <p>K. <u>1</u> Distance Prohibitions</p> <p>L. Revegetation</p> <ol style="list-style-type: none"> 1. <u>1</u> Vegetative Cover 2. <u>1</u> Timing <p>M. <u>1</u> Postmining Land Use</p> <p>N. Other</p> <table border="0" style="width: 100%;"> <tr> <td style="text-align: right;">General</td> <td style="width: 20px;"></td> </tr> <tr> <td style="text-align: right;">Performance</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: right;">Category</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">___</td> <td style="text-align: center;">___</td> <td style="text-align: center;">1)</td> <td colspan="6">_____</td> </tr> <tr> <td></td> <td style="text-align: center;">___</td> <td style="text-align: center;">___</td> <td style="text-align: center;">2)</td> <td colspan="6">_____</td> </tr> <tr> <td></td> <td style="text-align: center;">___</td> <td style="text-align: center;">___</td> <td style="text-align: center;">3)</td> <td colspan="6">_____</td> </tr> </table> | General | | | | | | | | | | Performance | | | | | | | | | | Category | | | | | | | | | | | ___ | ___ | 1) | _____ | | | | | | | ___ | ___ | 2) | _____ | | | | | | | ___ | ___ | 3) | _____ | | | | | |
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Performance Standard Categories 30 CFR Counterpart

<p>A. Administrative.....</p> <ol style="list-style-type: none"> 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.....842.11(e) & 816/817.131 7. AML Rec. Fees -- Non-Respondent.....870.15(b) 8. AML Rec. Fees -- Failure to Pay.....870.15(a) <p>B. Hydrologic Balance.....(816/817.41-57)</p> <ol style="list-style-type: none"> 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>C. Topsoil & Subsoil.....(816/817.22)</p> <ol style="list-style-type: none"> 1. Removal.....22(a) 2. Substitute Materials.....22(c) 3. Storage and Protection.....22(c) 4. Redistribution.....22(d) <p>D. Backfilling & Grading.....(816/817.95-107)</p> <ol style="list-style-type: none"> 1. Exposed Openings.....816/817.13, 14, 15, & 823.11 & 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>E. Excess Spoil Disposal.....(816/817.71-74)</p> <ol style="list-style-type: none"> 1. Placement.....71(e) 2. Drainage Control.....71(f) 3. Surface Stabilization.....71(g) 4. Inspections & Certifications.....71(h) <p>F. Coal Mine Waste (Refuse Piles/Impoundments)(816/817.81-84)</p> <ol style="list-style-type: none"> 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>G. Use of Explosives.....(816/817.61-68)</p> <ol style="list-style-type: none"> 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>H. Subsidence Control Plan.....(817.121-122)</p> <p>I. Roads.....(816/817.150-151)</p> <ol style="list-style-type: none"> 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>J. Signs & Markers(816/817.11)</p> <ol style="list-style-type: none"> 1. Signs.....11(a),(b),&(c) 2. Markers.....11(a),(b),(d),(e),&(f) <p>K. Distance Prohibitions.....(761.11)</p> <p>L. Revegetation.....(816/817.111-116)</p> <ol style="list-style-type: none"> 1. Vegetative Cover.....111 & 116 2. Timing.....113 <p>M. Postmining Land Use.....(816/817.133)</p>
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January 6, 2004

PacifiCorp
P.O. Box 310
Huntington, UT 84528

Cottonwood/Wilberg Mine
December 16, 2003
Complete, oversight inspection

Participants:

Guy Davis, PacifiCorp
Joe Helfrich, Utah Division of Oil, Gas and Mining (DOGM)
Henry Austin, Office of Surface Mining (OSM)

I participated in a complete, oversight inspection of the Cottonwood/Wilberg Mine on December 16, 2003, with the above. Weather conditions were cold with snow flurries beginning this week and snow cover on most slopes. Ground conditions were frozen, melting snow on sunny slopes, but little actual surface water runoff in ditches and roadways. The primary purpose of this inspection was to evaluate offsite impacts, and the DOGM/OSM Evaluation Team selected this mine site for evaluation. No offsite impacts were observed on the ground during the mine site inspection, and none were documented as a result of reviewing environmental monitoring records.

Prior to the inspection I reviewed permitting records in OSM's Denver, CO, library, and at the DOGM public records reviewing area in Salt Lake City, UT. Records reviewed included: March, 1998 Cottonwood Fan Portal (CFP) Volume 11 reclamation plan-hydrology; 10/17/2001, DOGM final approval of temporary cessation of operations at the Cottonwood/Wilberg Mine; January 23, 2002, final approval of mine water discharge at Cottonwood/Wilberg Mine; February 27, 2002, updates to the reclamation plan for Phase 1 bond release (fan portal); July 25, 2002, final approval of Phase 1 bond release at Miller Canyon; February 18, 2003, final approval of midterm permit review; March 26, 2003, approval of revised permit area boundary maps; April 4, 2003 final approval of the surface facility map for the mine; and the January 10, 2003, operation plan/hydrology information from the DOGM midterm technical analysis (Midterm review information and technical analysis reviewed at DOGM's offices. The Fan-Portal reclamation area of approx. 8.4 acres & the ASCA associated with the area is discussed in the midterm on page 9). Other records review at DOGM's offices included: June 6, 2003, DOGM signed replacement bonds letter to Energy West Mining; July 7 & October 7, 2003, Energy West engineering certifications for the two waste rock sites; and the March 8, 2002, Hydrologic Monitoring Program requirements, Volume 9, Appendix A. The above concluded my office records review.

Mr. Helfrich conducted a thorough records review at the Energy West Mining offices, and Mr. Davis helped us organize, review, and document required permitting info. and environmental monitoring records. Records / permitting documents reviewed included:

Cottonwood/Wilberg Mine; Pg. 2

The current DOGM Permit term expires on July 6, 2004. UPDES monthly monitoring and reporting info. is current and in order, liability insurance is current through April 4, 2004, sediment pond inspections and annual recertifications (including the MSHA impoundment criteria) are current and in compliance, annual hydrology and reclamation reports have been submitted to DOGM as required, and the bond is held by St. Paul Fire & Marine in the amount of \$3,082,587. This concluded our records review.

We inspected all disturbance areas associated with the major mine facilities areas, with the exception of subsidence areas and other remote facilities above the mine workings. We made observations and/or stops at the following locations: mine entrance area ASCA's were inspected and are well maintained and functional, south sediment pond where we discussed the spillway reconstruction that has been completed and was due to storm runoff erosional damage; this pond was also cleaned out in 2003, the north sediment pond, Wilberg Mine former fan portal area and benches/ASCA associated with this area, we briefly discussed the 9th East Portal reclamation up the canyon from this former fan location, we inspected the new Cottonwood waste pile site and associated sediment pond and topsoil-subsoil stockpiles (the lower terrace outcrops of the waste pile are contemporaneously reclaimed and look good given the south facing slopes, low moisture, etc.), we inspected the Cottonwood Fan Portal reclamation area (approx. 8.4 acres) which looked stable. We discussed the approved sediment control plan here (ASCA) and the Phase I bond release application that is currently being processed by DOGM. The rock gabion structures in the adjacent roadside ditches have functioned well and are full of sediment. No noteworthy erosion was evident, the slopes were partially snow covered. The seep at the reclamation area (that has been approved as a UPDES outfall) was evident and frozen basically. This concluded our field inspection.

The permittee should be commended for doing an exceptionally good job of securing all open portals, removing all unnecessary storage yard equipment and scrap piles, stabilizing the waste pile, maintaining roads and ditches, and providing a secure environment during this temporary cessation period.

Please address any questions concerning this inspection report to Henry Austin at haustin@osmre.gov or to (303) 844-1400 x1466.