



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:		
Company	Guy Davis	Environmental Scientist
OGM	Pete Hess	Environmental Scientist III

Inspection Report

Permit Number:	C0150019
Inspection Type:	COMPLETE
Inspection Date:	Monday, June 27, 2005
Start Date/Time:	6/27/2005 9:55:00 AM
End Date/Time:	6/27/2005 3:15:00 PM
Last Inspection:	Friday, March 18, 2005

Inspector: Pete Hess, Environmental Scientist III
Weather: Sunny, clear; highs should be in the 80's F.
InspectionID Report Number: 653

Accepted by: whedberg
7/5/2005

Permittee: **PACIFICORP**
Operator: **ENERGY WEST MINING CO**
Site: **COTTONWOOD/ WILBERG**
Address: **PO BOX 310, HUNTINGTON UT 84528**
County: **EMERY**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages	
6,886.88	Total Permitted
62.82	Total Disturbed
	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:

The Permittee continues to meet the Special Permit Condition included in Attachment "A" of the current State permit, which requires that all surface and ground water monitoring information be submitted quarterly in an electronic form to the Division EDI site. The Permittee indicated during today's inspection that the first quarter 2005 water monitoring information for the Cottonwood / Wilberg Mine permit area was in the Division pipeline and that the required notification to the Division that all of the information was approved and could be uploaded into the Division EDI had been sent.

There are no compliance actions currently pending in the Cottonwood / Wilberg Mine permit area.

Inspector's Signature _____ **Date** Thursday, June 30, 2005
Pete Hess, Environmental Scientist III
Inspector ID Number: 46

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.
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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The Cottonwood / Wilberg Mine remains in temporary cessation status.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The Permittee's qualified representatives conducted the first quarter of 2005 impoundment inspections for the North and South ponds and the waste rock pond on March 14. All ponds had adequate sediment storage capacity remaining; there were no signs of instability reported during those inspections. Similarly, there were no compliance issues noted during today's inspection. Mr. John Christensen, P.E., certified the inspections reports for the ponds on April 8, 2005. Mr. Rick Cullum co-signed same.

4.c Hydrologic Balance: Other Sediment Control Measures

Mr. Davis notified the DOGM PFO inspector on May 23, 2005 that the silt fences which were noted during the March 18, 2005 inspection as being in need of repair had been corrected (work completed at the end of April 2005). These included the silt fence on the east slope above the active waste rock pad where the fabric had been pulled from the ground by the wind, and the silt fence surrounding the topsoil pile at the waste rock site access gate. The Permittee has installed a new silt fence at the guard station ASCA to effectively treat the disturbed area runoff in this area. The silt fences which have been installed along the toe of the Cottonwood Fan Portal slope are probably not performing very much, due to the fact that the vegetation which exists above them is quite dense. Mr. Davis indicated that it is the Permittee's intent to have Dr. Patrick Collins of Mt. Nebo Scientific evaluate the vegetation in 2005 in order to determine if it will be possible to remove these fences. The Cottonwood Fan Portal area appears to be stable.

4.d Hydrologic Balance: Water Monitoring

The Division notified the Permittee on June 13, 2005 that the remaining samples had been received and uploaded and that the Permittee had reported quantities for all parameters for all required surface and ground water monitoring points for the first quarter of 2005. The Permittee's summer help intern is in the process of inserting second quarter 2005 water monitoring information into the Division "pipeline". The drainage / waterfall at mine site was flowing this day.

7. Coal Mine Waste, Refuse Piles, Impoundments

The Permittee's qualified persons conducted the first quarter 2005 waste rock site inspection on March 14, 2005. There were no signs of instability noted for any the disposal area, as reported by Messrs. John Christensen, P.E., and Rick Cullum, registered land surveyor. As both the Cottonwood / Wilberg Mine and the Trail Mountain Mine are in temporary cessation status, the only material which is disposed of at the waste rock site is sediment pond cleanout material. The active lift has been leveled and compacted for quite some time. Noncoal waste was not visible during today's site inspection. The access road / ditch located on the north side of the subsoil storage pile needs to be graded toward the ditch which runs parallel with its toe. Mr. Davis agreed to have this done. There are no changes in the condition of the reclaimed waste rock site.

16.a Roads: Construction, Maintenance, Surfacing

The asphalt paving material on the road grade above the tipple coal storage pad has developed cracks which parallel the roadway. It appears that water may be entering these cracks and washing the finer particles in the road base, such that this road is being weakened. This is not a problem yet, as no heavy trucks are using the road. The Permittee will monitor the road surface and make repairs dependent on severity and need. It was suggested that the Permittee warn approaching vehicles by some means of the road surface deterioration.

16.b Roads: Drainage Controls

The Permittee has performed extensive cleaning of the paved roads within the mine site disturbed area, which were heavily littered with rock debris from the spring freeze / thaw cycles. Similarly, diversions paralleling the same roads have had the rock debris removed such that they can function to design capacity.

19. AVS Check

The Division performed an evaluation of the ownership and control information contained in the OSM Applicant Violator System for the PacifiCorp holdings on May 26, 2005. The report indicated that there were no violations retrieved by the system; also, the current organizational family tree (OFT) indicates that the most recent changes in corporate personnel occurred in 2003. Those changes involved the addition of Andrew P. Haller as a Director, Stan K. Watters as a Senior Vice President, and Mr. Richard D. Peach as a Director and Chief Financial Officer.

21. Bonding and Insurance

The Division received renewed / updated general liability insurance information for this PacifiCorp owned site on March 29, 2005. The renewed coverage remains in effect until April 1, 2006. All coverage amounts for General aggregate and each occurrence are adequate; coverage for damage incurred from the use of explosives, or coal extraction (subsidence) is provided. Associated Electric and Gas Services, LTD. is the company affording coverage for policy number UO614A1A05.