



## State of Utah

Department of  
Natural ResourcesMICHAEL R. STYLER  
Executive DirectorDivision of  
Oil, Gas & MiningJOHN R. BAZA  
Division DirectorJON M. HUNTSMAN, JR.  
GovernorGARY 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:	Thursday, September 06, 2007
Start Date/Time:	9/6/2007 8:30:00 AM
End Date/Time:	9/6/2007 1:00:00 PM
Last Inspection:	Monday, June 04, 2007

Inspector: Pete Hess, Environmental Scientist IIIWeather: Sunny; cooler, 70's to 80's F.InspectionID Report Number: 1394Accepted by: dhaddock  
9/13/2007

JK

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

6,286.20	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 notified the Division on June 27, 2007 that the first quarter of 2007 water monitoring information for all of the Energy West permit areas was in the EDI pipeline and same was acceptable for uploading. The Permittee continues to meet the Special Condition of the State permit which requires that quarterly water monitoring data be submitted in an electronic form.

There are no pending compliance actions for the Cottonwood / Wilberg Mines permit area.

The site remains in temporary cessation status.

The Emery County area received intense thunderstorm events on September 4 and 5, 2007.

Inspector's Signature:

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

Date

Friday, September 07, 2007

**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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Second quarter 2007 impoundment inspections for the North and South ponds and the waste rock site pond were performed by the Permittee's qualified individuals on June 18, 2007. There were no signs of instability or structural weakness noted for any of the ponds inspected either on June 18, 2007 or during today's field inspection. All ponds were observed as dry on 6/18. All ponds have at least 0.19 acre feet of sediment storage capacity remaining. Both the North and South ponds contained water this day; the waste rock pond had a damp bottom. There were no compliance issues noted. Mr. John Christensen, P.E., certified these impoundment inspection reports on July 20, 2007.

#### **4.d Hydrologic Balance: Water Monitoring**

Cottonwood Creek was flowing this day.

#### **4.e Hydrologic Balance: Effluent Limitations**

The Permittee has applied for "inactive and unstaffed site" waiver for the Cottonwood/Wilberg Mine which is relative to the storm water monitoring requirements within the UPDES permit as required by the Utah Division of Water Quality. UPDES permit renewals were being prepared by that agency for public notice as of July 30, 2007.

#### **5. Explosives**

The general liability insurance coverage for this site provides for damage incurred from the use of explosives (XCU). There are no explosives or detonators in storage at this site.

#### **13. Revegetation**

Dr. Patrick Collins of Mt. Nebo Scientific was observed conducting a vegetation survey on the slopes inside the Cottonwood fan portal disturbed area.

#### **19. AVS Check**

The Division notified the Permittee on May 31, 2007 that some AML audit violations had been identified in an evaluation report from the OSM AVS system. The Permittee is still evaluating what procedure they intend to implement through their corporate lawyers to address these violations. The Permittee feels that finalization of this issue will happen in the near future.

## **21. Bonding and Insurance**

The Permittee has renewed the general liability insurance coverage for all of the Energy West Mining Company Mines. Previous coverage was due to expire on August 28, 2007. Current coverage is good until August 28, 2008. As noted above, coverage for damage incurred from the use of explosives is provided. Coverage amounts for the general aggregate and each occurrence categories exceed the amounts required under the R645 Coal Mining Rules. As a result of the Division's midterm review of the permit, Energy West Mining Company updated the reclamation agreement for the site; this included an increase in the reclamation rider bond for this site from \$3,082,587 to to \$3,252,000 (Exhibit "B") as well as revised Exhibits "A" (Bonded Area Legal Descriptions) and Exhibit "D" (the stipulation to Revise the Reclamation Agreement).