



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:	Thursday, December 06, 2007
Start Date/Time:	12/6/2007 8:42:00 AM
End Date/Time:	12/6/2007 11:30:00 AM
Last Inspection:	Thursday, September 06, 2007

Inspector: Pete Hess, Environmental Scientist III

Weather: Overcast; 30's to 40's F.

InspectionID Report Number: 1488

Accepted by: dhaddock *JH*
12/21/2007

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 is current relative to the required electronic submittal of surface and ground water monitoring information for the Cottonwood / Wilberg Mines lease area. Third quarter 2007 data is currently being entered into the data base pipeline; all data entry is due by December 31, 2007.

There has been no change in the temporary cessation status for the site.

There is no activity occurring at the Mine site, the Cottonwood fan portal, or the associated waste rock sites.

There are no pending compliance actions at this site.

The completion of the mid-term permit review is pending.

Much of the disturbed area is snow covered, including access roads.

Inspector's Signature:

Pete Hess

Date Thursday, December 06, 2007

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.

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 checked="" 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 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 checked="" 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 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The Utah Division of Water Quality renewed the UPDES permit for the four permitted outfalls associated with the Cottonwood / Wilberg site on October 1, 2007. The permit term begins on November 1, 2007, with expiration on October 31, 2012.

4.a Hydrologic Balance: Diversions

The Permittee has increased the effective freeboard of the berm located above the binwall at the Mine site. This berm directs flow volumes on the road past the binwall area such that it can flow to the North pond. Although much of this site is snow covered, it appears that the remainder of the diversions at the Mine were capable of functioning as designed.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The Permittees qualified personnel completed the third quarter of 2007 impoundment inspections for the North and South ponds, and the waste rock site (active site) pond on September 10, 2007. There were no signs of instability, weakness or other hazards noted by Mr. John Christensen, P.E., or Mr. Rick Cullum, Utah registered land surveyor. All three ponds have sediment storage capacity remaining. Mr. Davis conducted the required inspections for the North and South MSHA ponds on this day (30 day frequency to meet 30 CFR 77.216-3(a)(3)). The bottom of the North pond was snow covered; the bottom of the South contained frozen snow melt. There were no compliance issues noted this day for either the North or South pond. Access to the waste rock pond was not possible due to snow depths and saturated soil conditions.

4.d Hydrologic Balance: Water Monitoring

The Permittee is in the process of entering third quarter of 2007 surface and ground water data into the Division EDI pipeline.

4.e Hydrologic Balance: Effluent Limitations

The Permittee has received a renewal to the UPDES permit for the four outfalls associated with the Cottonwood / Wilberg Mine disturbed areas from the Utah Division of Water Quality. The new permit became effective November 1, 2007 and same will run through October 31, 2012. The Division of Water Quality has lowered the effluent parameter maximum for total iron in the new permit to 1.0 mg/l. The Permittee has not had difficulty with total iron exceedances relative to the Cottonwood / Wilberg Mine discharge points.

7. Coal Mine Waste, Refuse Piles, Impoundments

The third quarter 2007 waste rock pile inspections for the reclaimed site as well as the active site were conducted by the Permittee's qualified personnel on September 10, 2007. Both reports received the required P.E. certification by Mr. John Christensen on October 31, 2007. This site is no longer receiving coarse material from the Des-Bee-Dove, Cottonwood / Wilberg, or the Trail Mountain Mines. Only pond cleanout material is placed. The site was snow covered this day, and ground conditions were soft.

9. Protection of Fish, Wildlife and Related Environmental Issues

The snow covered road to the active waste rock site showed numerous signs of deer, rabbit and bird activity.

16.a Roads: Construction, Maintenance, Surfacing

Access to the portal areas of the Cottonwood and Wilberg Mines was not possible this day due to snow depths.

19. AVS Check

A request made by the Division to the OSM AVS system in May of 2007 revealed two outstanding violations in Pennsylvania. According to Energy West, MidAmerican Energy Holdings Company is still trying to determine if they want to pay the assessed fines or litigate the matter. This was noted during the mid-term permit review for the site.

20. Air Quality Permit

There are no activities occurring within any of the Cottonwood - Wilberg disturbed areas which generate fugitive dust.

21. Bonding and Insurance

As part of the Division mid-term permit review, the Permittee was required to increase the amount of the reclamation bond from \$ 3,082,587 to \$ 3,252,000. This was submitted and approved by the Division as Task ID # 2830 on October 4, 2007.

22. Other

A new, heavy duty gate has been installed at the road junction off the County road (access parallels the northwest side of the reclaimed waste rock facility). Signs on the gate state "no trespassing" and / or "authorized persons only" yet the company or person(s) implementing this gate with the intent to bar access on the road is not stated. Mr. Davis made note of this, as he was unaware of the installation. The gate was open when observed.