

0006

OK C/015/019 Incoming #2964



Energy West Mining Company
P. O. Box 310
15 No Main Street
Huntington, Utah 84528

April 16, 2008

Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Subj: Application for Phase II and Phase III Bond Release of the Cottonwood/Wilberg "Old" Waste Rock Site, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019, Emery County, Utah

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West"), as mine operator, hereby submits an application for Phase II and Phase III bond release of the Cottonwood/Wilberg "old" waste rock site. The said area covered by the bond is approximately 13.81 acres and is located in Township 17 South, Range 7 East, Section 34, NE1/4 SE1/4 and Section 35, E1/2 SW1/4. This area has met the regulations of the R645 Utah Coal Rules in regards to Phase II and III bond release (R645-301-880.310).

The information included with this application provides documentation as required by Directive Number: Tech-006 and the R645-301-800 Utah Coal Regulations. This information is included as Attachments 1 through 7 and as follows:

General Information for Bond Release

- Attachment 1: Notarized Signature
- Attachment 2: Draft Letters to Interested Parties
- Attachment 3: Draft Newspaper Advertisement
- Attachment 4: Legal Description and Site Map
- Attachment 5: Reclamation Treatments Utilized
- Attachment 6: Cottonwood/Wilberg Mine "Old" Waste Rock Site General History of Mining and Reclamation Activities and Bond Release Procedures
- Attachment 7: Current Total Bond Amount and Incremental Amount Requested for Release

Information for Phase II Bond Release

- Attachment 8: Vegetation Analysis for Last Two Years of Responsibility
- Attachment 9: Demonstration that Area is Not Contributing Suspended Solids Outside Permit Area

Information for Phase III Bond Release

- Attachment 10: Demonstration that Responsibility Period has been Met
- Attachment 11: Demonstration that Post Mining Land Use has been Achieved
- Attachment 12: Remaining Structures to be Removed

File in:
 C/015/0019. 2008. *Incoming*
 Refer to:
 Confidential
 Shelf
 Expandable
 Date *4/16/08* For additional information

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When Phase III Bond Release procedures are complete and application approved, on-site fences, signs, etc. will be removed, and the Cottonwood Mine MRP and Legal/Financial Volumes will be revised to reflect the changes to the mining and reclamation permit. The required C1 form is included with this application. Additional information for this site can be reviewed in the application for Phase I Bond Release contained in your files. If you have any questions or concerns regarding the enclosed information, please contact Dennis Oakley at 435-687-4825.

Sincerely,



Ken Fleck

Geology and Environmental Affairs Manager

Enclosures: C1 Form
Attachments 1 through 12

Cc: Scott Child w/o attachments (Interwest Mining Company)
Kent Hoffman (BLM – Salt Lake City)
Roger Bankert (BLM – Price)
file

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Cottonwood/Wilberg Mine

Permit Number: C/015/0019

Title: Application for Phase II and Phase III Bond Release of the Cottonwood/Wilberg "Old" Waste Rock Site, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019, Emery County, Utah

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Kenneth Fleck
Print Name

Kenneth S. Fleck
Sign Name, Position, Date

Manager of Environmental Affairs 4/21/08

Subscribed and sworn to before me this 21st day of APRIL, 2008

Notary Public

My commission Expires:

Attest: State of

County of

UTAH, 2008

EMERY } ss:



For Office Use Only:

Assigned Tracking Number:

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