



2015/019 Incoming

# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING

### Mine Site Evaluation State Program



DIV. OF OIL, GAS & MINING

RECEIVED  
OCT 21 2010

<p>1. Permittee/Person <b>PACIFICORP</b></p> <p>2. Address <b>P.O. BOX 310</b></p> <p>3. City <b>Huntington</b></p> <p>4. State <b>UT</b></p> <p>5. Zip Code <b>84528</b></p> <p>6. Phone Number <b>(801) 653-2312</b></p> <p>7. Operator Name, if Different than Permittee <b>ENERGY WEST MINING</b></p> <p>8. Mine Name <b>COTTONWOOD / WILBERG</b></p>	<p>9. Permit Number <b>UT-015-019</b></p> <p>10. Permit Type <b>PP</b></p> <p>11. Field Visit Date <b>08/31/2010</b> <small>mm - dd - yyyy</small></p> <p>12. Purpose <b>OB3</b></p> <p>13. SRA Present <b>Y</b></p> <p>14. Permit Status <b>IN</b></p> <p>15. Site Status <b>P1</b></p> <p>16. Facility Type <b>ABDEF</b></p> <p>17. OSM Office # <b>140</b></p> <p>18. CCID # <b>[ ]</b></p> <p>19. Land Code <b>S</b></p> <p>20. M.S.H.A ID # <b>42-00080</b></p> <p>21. State Abrev. <b>UT</b></p> <p>22. County Name <b>EMERY</b></p> <p>23. AVS Permittee Entity ID Number <b>118429</b></p> <p>24. State Office <b>[ ]</b></p>
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<p>25. Hours</p> <p><b>4.0</b> a. Permit Review</p> <p><b>5.0</b> b. Site Visit Time</p> <p><b>12.0</b> c. Travel Time</p> <p><b>4.0</b> d. Report Writing</p>	<p>26. Signature Block</p> <p style="text-align: center;"><i>Christine Belka</i></p> <p style="text-align: center;">Signature: <b>Christine Belka ID # 182</b></p> <p style="text-align: center;">Printed Name: <b>[ ]</b></p> <p>Date: <b>09/15/2010</b></p>	<p>27. Reviewing Official:</p> <p style="text-align: center;"><i>J. Fisher</i></p> <p style="text-align: center;">Signature: <b>[ ]</b></p> <p>Review Date: <b>9/16/2010</b> <small>mm - dd - yyyy</small></p> <p>Is Supplemental MSE Page Used Y/N <b>Y</b></p>
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**Permit Type — Item 10** IP = Interim Program, PP = Permanent Program, NP = No Permit

**Purpose Type Codes Item 12**

Oxx... Oversight	RFx... Reclamation Fees	CCR... Citizen Complaint Referral (non site visit)
Axx... Assistance	Fxx... Federal Actions	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**

<p>A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.</p> <p>IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.</p> <p>BR... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)</p>	<p>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)</p> <p>AB1... Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.</p> <p>AB2... Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.</p> <p>AB3... Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.</p> <p>NA... Not Applicable: When site is unpermitted.</p>
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**Site Status Codes — Item 15**

<p>ND... No Disturbance: No coal mining and reclamation operations have been started.</p> <p>EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.</p> <p>AP... Active Coal Producing: Coal surface mining activities are occurring.</p> <p>AN... Active Non-Producing: Active non-producing facility such as tipple or preparation plant.</p> <p>NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.</p>	<p>MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.</p> <p>TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).</p> <p>P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.</p> <p>P2... Phase II Release: At least Phase II bond release for the entire permitted area.</p> <p>P3... Phase III Release: Reclamation completed and the RA has released all bond.</p>	<p>NS... Non-Site Visit: Status of site not determined.</p> <p>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.</p> <p>FR... Forfeited and Reclaimed: Forfeiture reclamation completed.</p> <p>FO... Abandoned Site: Abandoned site that is permitted but there is no bond.</p> <p>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.</p>
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**Facility Type Codes — Item 16**

<p>A... Surface</p> <p>B... Underground</p> <p>C... Preparation Plant</p>	<p>D... Ancillary (Haulroad, Conveyor, and/or Rails)</p> <p>E... Refuse and/or Impoundment</p> <p>F... Loading Facility and/or Tipple</p> <p>G... Stockpiles</p>	<p>H... Exploration Permits</p> <p>I... Notice of Intent to Explore</p> <p>J... Exempt 16 and 2/3</p> <p>K... Government Financed Construction Exemption</p> <p>L... Remaining site permitted under 30 CFR 785.25</p>
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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 08/31/2010

Continuation Page

### 28. Performance Standard Categories

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

- |  |  |   |         |                  |             |                  |          |                  |
|--|--|---|---------|------------------|-------------|------------------|----------|------------------|
| <p><b>A. Administrative</b></p> <ol style="list-style-type: none"> <li>1. ___ Mining within Valid Permit</li> <li>2. ___ Mining within Bonded Area</li> <li>3. ___ Terms &amp; Conditions of Permit</li> <li>4. ___ Liability Insurance</li> <li>5. ___ Ownership and Control</li> <li>6. ___ Temporary Cessation</li> <li>7. ___ AML Rec. Fees -- Non-Respondent</li> <li>8. ___ AML Rec. Fees -- Failure to Pay</li> </ol> <p><b>B. Hydrologic Balance</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. ___ Inspections &amp; Certifications</li> <li>3. ___ Siltation Structures</li> <li>4. <u>1</u> Discharge Structures</li> <li>5. <u>1</u> Diversions</li> <li>6. ___ Effluent Limits</li> <li>7. ___ Ground Water Monitoring</li> <li>8. ___ Surface Water Monitoring</li> <li>9. ___ Drainage -- Acid-Toxic Materials</li> <li>10. ___ Impoundments</li> <li>11. ___ Stream Buffer Zones</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b></p> <ol style="list-style-type: none"> <li>1. ___ Removal</li> <li>2. ___ Substitute Materials</li> <li>3. ___ Storage and Protection</li> <li>4. <u>1</u> Redistribution</li> </ol> | <p><b>D. Backfilling &amp; Grading</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Exposed Openings</li> <li>2. <u>1</u> Contemporaneous Reclamation</li> <li>3. <u>1</u> Approximate Original Contour</li> <li>4. <u>1</u> Highwall Elimination</li> <li>5. <u>1</u> Steep Slopes (includes downslope)</li> <li>6. <u>1</u> Handling of Acid &amp; Toxic Materials</li> <li>7. <u>1</u> Stabilization (rills and gullies)</li> </ol> <p><b>E. Excess Spoil Disposal</b></p> <ol style="list-style-type: none"> <li>1. ___ Placement</li> <li>2. ___ Drainage Control</li> <li>3. ___ Surface Stabilization</li> <li>4. ___ Inspections &amp; Certifications</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b></p> <ol style="list-style-type: none"> <li>1. ___ Drainage Control</li> <li>2. ___ Surface Stabilization</li> <li>3. ___ Placement</li> <li>4. ___ Inspections and Certifications</li> <li>5. ___ Impounding Structures</li> </ol> <p><b>G. Use Of Explosives</b></p> <ol style="list-style-type: none"> <li>1. ___ Blaster Certification</li> <li>2. ___ Distance Prohibitions</li> <li>3. ___ Blast Survey/Schedule</li> <li>4. ___ Warnings &amp; Records</li> <li>5. ___ Control of Adverse Effects</li> </ol> | <p><b>H. ___ Subsidence Control Plan</b></p> <p><b>I. Roads</b></p> <ol style="list-style-type: none"> <li>1. ___ Road Construction</li> <li>2. ___ Certification</li> <li>3. ___ Drainage</li> <li>4. ___ Surfacing and Maintenance</li> <li>5. ___ Reclamation</li> </ol> <p><b>J. Signs &amp; Markers</b></p> <ol style="list-style-type: none"> <li>1. ___ Signs</li> <li>2. ___ Markers</li> </ol> <p><b>K. ___ Distance Prohibitions</b></p> <p><b>L. Revegetation</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Vegetative Cover</li> <li>2. <u>1</u> Timing</li> </ol> <p><b>M. <u>1</u> Postmining Land Use</b></p> <p><b>N. Other</b></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">General</td> <td style="width: 40%; text-align: right;">___ ___ 1) _____</td> </tr> <tr> <td>Performance</td> <td style="text-align: right;">___ ___ 2) _____</td> </tr> <tr> <td>Category</td> <td style="text-align: right;">___ ___ 3) _____</td> </tr> </table> | General | ___ ___ 1) _____ | Performance | ___ ___ 2) _____ | Category | ___ ___ 3) _____ |
| General  | ___ ___ 1) _____   |   |         |                  |             |                  |          |                  |
| Performance  | ___ ___ 2) _____   |   |         |                  |             |                  |          |                  |
| Category   | ___ ___ 3) _____   |   |         |                  |             |                  |          |                  |

### Performance Standard Categories 30 CFR Counterpart

<p><b>A. Administrative.....(816/817.71-74)</b></p> <ol style="list-style-type: none"> <li>1. Valid Permit.....773.11</li> <li>2. Mining within Bonded Area.....773.11</li> <li>3. Terms &amp; Conditions of Permit.....773.17</li> <li>4. Liability Insurance.....800.60</li> <li>5. Ownership and Control.....778.13</li> <li>6. Temporary Cessation.....842.11(e) &amp; 816/817.131</li> <li>7. AML Rec. Fees -- Non-Respondant.....870.15(b)</li> <li>8. AML Rec. Fees -- Failure to Pay.....870.15(a)</li> </ol> <p><b>B. Hydrologic Balance.....(816/817.41-57)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....45</li> <li>2. Inspections &amp; Certifications.....49(a)(10)</li> <li>3. Siltation Structures.....46</li> <li>4. Discharge Structures.....47</li> <li>5. Diversions.....43</li> <li>6. Effluent Limits.....42</li> <li>7. Ground Water Monitoring.....41(c)</li> <li>8. Surface Water Monitoring.....41(e)</li> <li>9. Drainage--Acid - Toxic Materials.....41(f)</li> <li>10. Impoundments.....49</li> <li>11. Stream Buffer Zones.....57</li> </ol> <p><b>C. Topsoil &amp; Subsoil.....(816/817.22)</b></p> <ol style="list-style-type: none"> <li>1. Removal.....22(a)</li> <li>2. Substitute Materials.....22(c)</li> <li>3. Storage and Protection.....22(c)</li> <li>4. Redistribution.....22(d)</li> </ol> <p><b>D. Backfilling &amp; Grading.....(816/817.95-107)</b></p> <ol style="list-style-type: none"> <li>1. Exposed Openings.....816/817.13, 14, 15, &amp; 823.11 &amp; 21</li> <li>2. Contemporaneous Reclamation.....100</li> <li>3. Approximate Original Contour.....102(a)(1)</li> <li>4. Highwall Elimination.....102(a)(2)</li> <li>5. Steep Slopes (includes downslope).....107</li> <li>6. Handling of Acid &amp; Toxic Materials.....102(c)</li> <li>7. Stabilization (rills and gullies).....95(b)</li> </ol>	<p><b>E. Excess Spoil Disposal.....(816/817.71-74)</b></p> <ol style="list-style-type: none"> <li>1. Placement.....71(e)</li> <li>2. Drainage Control.....71(f)</li> <li>3. Surface Stabilization.....71(g)</li> <li>4. Inspections &amp; Certifications.....71(h)</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments) .....(816/817.81-84)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....83(a)</li> <li>2. Surface Stabilization.....83(b)</li> <li>3. Placement.....83(c)</li> <li>4. Inspections and Certifications.....83(d)</li> <li>5. Impounding Structures.....84</li> </ol> <p><b>G. Use of Explosives.....(816/817.61-68)</b></p> <ol style="list-style-type: none"> <li>1. Blaster Certification.....61(c)</li> <li>2. Distance Prohibitions.....61(d)</li> <li>3. Blast Survey/Schedule.....62-64</li> <li>4. Warnings &amp; Records.....66 &amp; 68</li> <li>5. Control of Adverse Effects.....67</li> </ol> <p><b>H. Subsidence Control Plan.....(817.121-122)</b></p> <p><b>I. Roads.....(816/817.150-151)</b></p> <ol style="list-style-type: none"> <li>1. Road Construction.....150(c)</li> <li>2. Certification.....151(a)</li> <li>3. Drainage.....150(b)-151(d)</li> <li>4. Surfacing and Maintenance.....150(e)-151(d)</li> <li>5. Reclamation.....150(f)</li> </ol> <p><b>J. Signs &amp; Markers .....(816/817.11)</b></p> <ol style="list-style-type: none"> <li>1. Signs.....11(a),(b),&amp;(c)</li> <li>2. Markers.....11(a),(b),(d),(e),&amp;(f)</li> </ol> <p><b>K. Distance Prohibitions.....(761.11)</b></p> <p><b>L. Revegetation.....(816/817.111-116)</b></p> <ol style="list-style-type: none"> <li>1. Vegetative Cover.....111 &amp; 116</li> <li>2. Timing.....113</li> </ol> <p><b>M. Postmining Land Use.....(816/817.133)</b></p>
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## Cottonwood / Wilberg Phase II & III Bond Release Inspection

Utah Permit ID # C-015-0019

August 31, 2010 9:00 – 1:45

Weather conditions: clear, sunny, warm, dry

### Participants:

Pete Hess, Division of Oil, Gas and Mining (DOGM)

Daron Haddock, DOGM

Jim Smith, DOGM

Ingrid Campbell, DOGM

Ken Fleck, Energy West Mining (EWM)

Dennis Oakley, (EWM)

Guy Davis, EWM

Paul Taylor, Latter Day Saints Church (LDSC)

Kyle Kingsbury, LDSC

Joe DiBenedetto, US Forest Service - Manti-LaSal

Sue Wiler, Bureau of Land Management (BLM)

Vaughn Huges, BLM – Price

Russ Leclare, Environmental Protection Agency – Denver

Christy Hulsman, Office of Surface Mining – Denver (OSM)

Christine Belka, OSM (OSM Badge ID #182)

This was a phase II & III bond release inspection of two parcels of land at the Cottonwood / Wilberg mine. Liability release is sought on the Miller Canyon Portals (approximately 0.02 ac) and liability / bond release is sought for the Cottonwood / Wilberg Fan Portal Area (approximately 7.46 ac). While the surface was disturbed at the fan portal area, the portals were never actually established. This bond release is being processed by DOGM under Task ID numbers 3594 and 3600.

### Cottonwood / Wilberg Fan Portal Area:

The fan portal area includes a reclaimed road which passes by the Johnsonville Abandoned Mine Lands (AML) project area. The AML closures remain intact and are excluded from any Energy West Mining (EWM) liability.

The road and benched portal area are stable and well-vegetated. The vegetation monitoring report indicated that this area exceeded the reference area for total living cover, density and production. Visual inspection of the site indicates this to be true.

Five French drains were installed throughout the portal area due to several seeps in the vicinity. A seep was flowing during the inspection, but it was unclear if it was emanating from a French drain location or directly above one. Drain locations blend into the landscape and are not marked.

Animal droppings indicate the site is serving its post-mining land use of wildlife / grazing habitat.

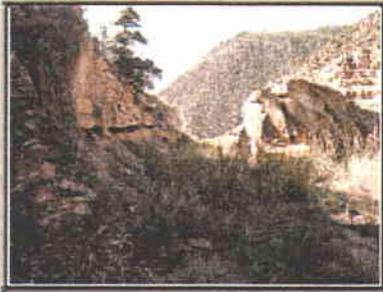
Miller Canyon Portals:

The Miller Canyon Portal area was observed from across the canyon. Because these were breakout portals established from the inside, access to the site is difficult and dangerous without helicopter support. The portals have been sealed and revegetated. Seeps in the portal area help support the vegetation.

An owl was observed in the canyon.

Bond Release Concerns:

This would only be a liability release for the Miller Canyon portals because no bond was held for that area. The reclamation required helicopter support to bring backfill material to the site (very expensive reclamation work). Mine staff indicated that the Cottonwood / Wilberg fan portal area cost significantly more to reclaim than what is held in bond. These facts may indicate that the bond held for the mine could be inadequate to cover the costs of remaining reclamation in the event of a bond forfeiture. I recommend that DOGM compare the amount of bond currently held against the anticipated costs of remaining reclamation before releasing any bond. However, both sites meet the requirements of R645-301-880 for bond release (backfilling and regrading work is complete, revegetation is successful, slopes are stable, liability period is complete).



*Fig. 1 – Reclaimed haul road adjacent to the Johnsonville Abandoned Mine Lands (AML) project area*



*Fig. 2 – AML portal closure; not part of bond release area*



*Fig. 3 – Reclaimed bench, fan portal area*



*Fig. 4 – Natural seep on the reclaimed fan portal area; seep may have been flowing from one of the constructed French drains. French drains were not flagged.*



Fig. 5 - A portion of the reclaimed fan portal area. Large sage brush (center of photo) is growing on earlier reclamation, along an established ditch channel.



Fig. 6 - Established ditch in older reclamation.



Fig. 7 - The reclaimed fan portal area which has met final reclamation standards



Fig. 8 - Area around portal 3 of the Miller Canyon break-out portals



Fig. 9 – Area around portal 3 of the Miller Canyon break-out portals



Location of Building Mat L

Fig. 10 – Area around portal 2 of the Miller Canyon break-out portals



Fig. 11 – The Miller Canyon portal break-out area. Portals 1-3 (from right to left). Reclamation blends with surrounding areas.