



**GARY R. HERBERT**  
Governor  
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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

**MICHAEL R. STYLER**  
Executive Director

### Division of Oil, Gas and Mining

**JOHN R. BAZA**  
Division Director

# Inspection Report

Permit Number:	C0150019
Inspection Type:	COMPLETE
Inspection Date:	Wednesday, May 26, 2010
Start Date/Time:	5/26/2010 10:15:00 AM
End Date/Time:	5/26/2010 12:15:00 PM
Last Inspection:	Thursday, March 11, 2010

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

Inspector: Pete Hess, Environmental Scientist III

Weather: Warm; 50's to 60's F. Partly sunny.

InspectionID Report Number: 2373

Accepted by: jhelfric  
6/21/2010

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

4,128.43	<b>Total Permitted</b>
51.05	<b>Total Disturbed</b>
13.81	<b>Phase I</b>
13.81	<b>Phase II</b>
13.81	<b>Phase III</b>

#### 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 Cottonwood / Wilberg mine site remains in temporary cessation status.

The Permittee is current relative to the permit condition requiring the electronic submittal of quarterly water monitoring data.

Site conditions are virtually unchanged.

Inspector's Signature:

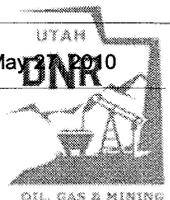
Date

Thursday, May 27, 2010

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

The North and South ponds, and the waste rock site pond were inspected for the first quarter of 2010 on March 31, 2010 by John Christensen, P.E., and Richard Cullum, Registered Land Surveyor. No signs of structural weakness or other hazards were observed on 3/31. Mr. Davis remains current on the required 30 day inspection frequency for the North and South ponds, which are MSHA ponds. As observed this day, the South pond and the waste rock pond were dry; the North pond contained a small pool of water next to the stand pipe. No compliance issues were observed.

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

The submitted fourth quarter 2009 water monitoring data for the Cottonwood / Wilberg Mine permit area has been uploaded into the DOGM permanent data base. There was no flow in either the left or right forks of Grimes Wash this day.

#### **7. Coal Mine Waste, Refuse Piles, Impoundments**

The Permittee's qualified representative, Mr. John Christensen, P.E., conducted the first quarter 2010 waste rock pile inspections for the active site, as well as the reclaimed waste rock site on March 29, 2010. The active site remains dormant, as the only material being placed here is pond clean out material from the Trail Mountain and Cottonwood Mines. The Permittee has made the decision to continue to inspect the old (reclaimed) waste rock site until MSHA acknowledges that this refuse site has been abandoned, (See 30 CFR 77.215-4, Refuse Piles; Abandonment). The pile has received a Phase III bond release from the Division for the six refuse disposal cells. The inspection reports for both refuse disposal areas received a P.E. certification from Mr. Christensen on March 31, 2010.

#### **9. Protection of Fish, Wildlife and Related Environmental Issues**

The tamarisk trees which were sprayed last year appear to have died from the herbicide application. The Permittee is not intending to spray again this year.

#### **21. Bonding and Insurance**

The current general liability insurance coverage remains in effect through August 28, 2010. The amount of reclamation bond currently in place is \$ 3,252,000. This surety is provided by the Travelers Casualty and Surety Company of America (bond # 1037771497). The Travelers has an A.M. Best rating of "A+", as of March 31, 2010.