



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# 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:	BOND RELEASE
Inspection Date:	Tuesday, August 31, 2010
Start Date/Time:	8/31/2010 9:00:00 AM
End Date/Time:	8/31/2010 3:00:00 PM
Last Inspection:	Tuesday, August 24, 2010

Inspector: Pete Hess

Weather: Clear, cool; 80's F.

InspectionID Report Number: 2480

Accepted by: dhaddock  
9/15/2010

Representatives Present During the Inspection:	
OGM	Pete Hess
OGM	Daron Haddock
	Christine Belka
Company	Guy Davis
Company	Dennis Oakley
Company	Dennis Oakley
OGM	Ingrid Campbell

Permittee: **ENERGY WEST MINING CO**  
 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 purpose of today's inspections was to evaluate the reclamation at two locations; the Cottonwood Fan Portal, and the Miller Canyon Portals (side Canyon off of Cottonwood Canyon). The Permittee submitted a Phase II and Phase III application for bond release for the Miller Canyon portals on July 19, 2010 (Task ID # 3594). The Cottonwood Fan Portal Phase II and Phase III application for release was received by the Division on August 3, 2010 (Task ID # 3600). The Cottonwood / Fan Portal area consists of 7.47 acres of disturbance. The Miller Canyon portals amount to 0.02 acres of disturbance.

The following individuals were also in attendance at today's bond release inspections; Mr. Vaughn Hughes and Ms. Sue Wiler of the BLM; Mr. Paul Taylor and Mr. Kyle Kingsbury of the Church of Jesus Christ of Latter Day Saints (surface owners at Fan Portal area), Ms. Christy Hulsman of the Office of Surface Mining / Denver, Colorado, Mr. Russ Leclere of the USEPA; Mr. Joe DiBenedetto of the Manti-LaSal NF; Dennis Oakley, Guy Davis and Ken Fleck represented the Permittee.

No issues were identified by any of the attending agencies for either of the reclamation sites.

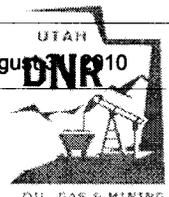
Inspector's Signature: \_\_\_\_\_

Pete Hess,

Inspector ID Number: 46

Date

Tuesday, August 31, 2010



**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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input 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.a Hydrologic Balance: Diversions**

The diversions at the Fan Portal are well vegetated and show no sign of erosive action. They appear capable of functioning as designed.

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

The revegetation of the Cottonwood Fan Portal appears to be very good. The Phase II / III application contains a report of this area by Dr. Patrick Collins of Mt. Nebo Scientific.

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

The post-mining land use for both areas is wildlife and grazing. The vegetation on the Fan Portal appears to be sufficient to support those land uses.

#### **12. Backfilling And Grading**

The re-shaping of the slope at the fan portal is stable and appears to be adequate to meet requirements of approximate original contour. No slumps or signs of erosive action were visible.

#### **13. Revegetation**

Miller Canyon Portals: Reclamation was completed in 1999 with helicopter assistance. The final two consecutive years of vegetation monitoring were conducted by Mt. Nebo Scientific in 2008 and 2009. From the vantage point on the other side of the canyon, it appeared that the portal areas were well vegetated and stable from erosion. Much of the vegetation was supported by water seeping from the portals. Large boulders were also configured around the portals to promote stability and wildlife habitat. Cottonwood Fan Portal: This area was reclaimed in two parts. The lower part was completely reclaimed in 1981 and the upper part was reclaimed in 1998. The lower part had obviously older vegetation established but both had adequate cover and no serious erosion problems were evident. The area was dominated by native, desirable vegetation including artemisia tridentata, Atriplex species, Aster foliaceus, Achillea millefolium, penstemon, bromus inermis, and elymus species. The two consecutive years vegetation monitoring reports will be reviewed for the bond release application submitted by the permittee to the Division.

#### **14. Subsidence Control**

Both of the reclamation areas are at the outcrop of the Hiawatha coal seam; no secondary extraction was practised adjacent to either of these areas. Subsidence is not an issue.

#### **15. Cessation of Operations**

Both the Cottonwood Fan Portal and the Miller Canyon Portals were reclaimed prior to 2001, which was the year mining activities ceased at the Cottonwood / Wilberg Mine. This site is in temporary cessation status.

Permit Number: C0150019  
Inspection Type: BOND RELEASE  
Inspection Date: Tuesday, August 31, 2010

**21. Bonding and Insurance**

The Permittee has asked for an incremental bond release for the Cottonwood Fan Portal area in the amount of \$ 109,791.00. No issues were identified during the August 31, 2010 inspection. No bond release amount was applied for for the Phase II and Phase III release of the Miller canyon portal area.