



# 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, June 05, 2013
Start Date/Time:	6/5/2013 10:30:00 AM
End Date/Time:	6/5/2013 11:30:00 AM
Last Inspection:	Monday, March 18, 2013

Representatives Present During the Inspection:	
OGM	Kenneth Hoffman
Company	Guy Davis

Inspector: Kenneth Hoffman

Weather: Clear and sunny

InspectionID Report Number: 3523

Accepted by: jhelfric  
6/26/2013

Permitee: **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

4,114.18	<b>Total Permitted</b>
45.27	<b>Total Disturbed</b>
21.29	<b>Phase I</b>
21.29	<b>Phase II</b>
21.29	<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 remains in temporary cessation status; there is no activity at the site. All electrical power has been disconnected and there are no reclamation activities occurring.

Inspector's Signature:

Date: Tuesday, June 25, 2013

Kenneth Hoffman,

Inspector ID Number: 66

Note: This inspection report is an official record of compliance with the regulatory program of the Division of Oil, Gas and Mining. telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



**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 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 checked="" 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 checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 Permittee is still in the process of the UPDES permit renewal.

### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The fourth quarter 2012 impoundment inspections for the North and South ponds, as well as the active waste rock site pond were completed by Mr. Mark Reynolds, P.E. and Mr. Rick Cullum, Utah registered land surveyor on December 7, 2012. There were no signs of structural hazard or signs of instability identified for any of the impoundments. Both the North and South ponds were reported as having sufficient remaining sediment storage capacity below the 60 % cleanout elevation. The waste rock pond was reported as having sufficient remain storage capacity. All spillways and inlet ditches were reported as capable of functioning as designed. As observed this day, the South pond was mostly dry with about 6 inches of water in the bottom, and the North pond had a foot or two of water in it. The waste rock pond was dry. Mr. Davis indicated that the first Quarter 2013 impoundment inspections had been completed as of this day, but the engineering reports had not been completed. The monthly inspections for the North and South ponds (MSHA ponds) were current, with the last being completed on February 2013. No issues were identified. Mr. Davis is the MSHA certified impoundment inspector for the Permittee.

### **4.c Hydrologic Balance: Other Sediment Control Measures**

At the upper belt area, one silt fence has been repaired and excellor logs have been added at the base. In addition, the silt fence above the active waste rock site pond has been cleaned out and silt fence maintenance has been conducted.

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

The Permittee is currently entering First Quarter of 2013 water monitoring data into the DOGM electronic database pipeline. All data is due by June 30, 2013. However, due to a Division electronic database problem this due date has been extended until the problem can be corrected.

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

The current UPDES permit expired October 31, 2012. The Permittee submitted an application for renewal on February 15, 2012 to the Utah DWQ. All of the Permittees UPDES permits come due at the same time. DWQ is still working on the process.

## **5. Explosives**

There are no explosives or detonators in storage at the Cottonwood / Wilberg Mine. 2 magazines are permanently mounted adjacent to the Wilberg Fan installation; these have not been used for many years and are empty. All active storage for explosive materials occurs at the Central Warehouse location near Orangeville.

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

Mr. Mark Reynolds, Utah registered professional engineer, conducted the Fourth Quarter of 2012 waste rock pile inspections of the active waste rock and the reclaimed waste rock pile on December 7, 2012. No hazards were identified. No material is being placed on the "active" pile at this time, with the exception of pond cleanout material from the 3 Cottonwood / Wilberg ponds and the Trail Mountain mine site pond. The last material placed occurred in June of 2012 when the Trail Mountain mine site sediment pond was cleaned. The material has dried; spreading and compaction needs to be completed. The Permittee continues to inspect the reclaimed waste rock pile (old site); to date, MSHA has not acknowledged that the refuse disposal facility has been reclaimed. The disturbed area at this site (Federal lease # U-37642) contains areas for soil storage and rock storage, and this is why total bond release has not been granted for the area.

## **15. Cessation of Operations**

There has not been any change in the temporary cessation status of this site.

## **16.b Roads: Drainage Controls**

Roto-Mill berms was utilized along several reaches of road in 2012 to divert water away from slopes, and reduce sediment loading and seems to be holding up well.

## **18. Support Facilities, Utility Installations**

All AC power has been disconnected for many years.

## **20. Air Quality Permit**

DAQE-694-95 was last revised in August of 1995.

## **21. Bonding and Insurance**

The Permittee has changed the term of its fiscal operating year to go from October 1 to September 30. Previous general liability coverage ran from August 28th to the following year. As a result of the operating fiscal year change, a new term policy coverage period has been installed to cover the period from August 28 through to October 1, 2012. A new policy has been implemented to provide annual liability coverage from October 1, 2012 to September 30, 2013. Coverage amounts for each occurrence and general aggregate amount to \$ 2,000,000 for each. Coverage for damage incurred from the use of explosives is provided, as is coverage for the repair of subsidence damage caused by mining. A Midterm review of the Cottonwood /Wilberg MRP including a re-evaluation of the reclamation cost estimate was completed as part of Task ID # 4078. The reclamation cost, escalated through 2016 was estimated at \$ 2,779,000. The posted bond \$2,964,000. Adequate bond coverage is in place.

## **22. Other**

The chain link barricades at each of the portals are intact.



Bypass



Bypass

Silt fence repair



# Silt fence repair



Bypass exit



# Silt fence repair





Waste rock sediment basin