



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, October 30, 2013
Start Date/Time:	10/30/2013 10:00:00 AM
End Date/Time:	10/30/2013 1:00:00 PM
Last Inspection:	Tuesday, September 24, 2013

Inspector: Kenneth Hoffman,

Weather: Overcast

InspectionID Report Number: 3677

Accepted by: jhelfric

11/26/2013

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

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	Total Permitted
45.27	Total Disturbed
21.29	Phase I
21.29	Phase II
21.29	Phase III

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:

Kenneth Hoffman,

Inspector ID Number: 66

Date Thursday, November 21, 2013



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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 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.a Hydrologic Balance: Diversions

The Fan Canyon bypass has had debris build up since the last inspection and is in need of repair. The main inlet to the facility undisturbed bypass culvert was in working order and dry. The discharge culvert of the facility bypass discharge culvert was flowing at approximately 1 gpm. Since both major inlets were dry it is estimated this flow is likely underground groundwater intrusion into the culvert from the recent storms.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The Second Quarter 2013 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 September 17, 2013. 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 and the North pond had a foot or two of water in it. The waste rock pond had about a foot of water in it. The monthly inspections for the North and South ponds (MSHA ponds) were current, with the last being completed on September 2013. No issues were identified. Mr. Davis is the MSHA certified impoundment inspector for the Permittee.

4.c Hydrologic Balance: Other Sediment Control Measures

The silt fence above westside of the active waste rock sediment pond is in need of cleaning. A small section of the Wilberg Fan portal area landing could be transporting disturbed area flow to the undisturbed bypass. This area needs to be addressed with an alternative sediment control or a containment berm to direct the flow to the disturbed area sediment control.

4.d Hydrologic Balance: Water Monitoring

The Permittee is currently entering Second Quarter of 2013 water monitoring data into the DOGM electronic database pipeline. 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 Second Quarter of 2013 waste rock pile inspections of the active waste rock and the reclaimed waste rock pile on September 11, 2013. 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 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.

10. Slides and Other Damage

During September 2013 three large boulders slid in the Fan portal area which at the time of inspection had been removed.

15. Cessation of Operations

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

16.b Roads: Drainage Controls

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 operator has general annual liability coverage from October 1, 2013 to September 30, 2014. 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.

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22. Other

A few of the corners of the chain link barricades at each of the portals have been peeled back and need to be repaired and/or resecured. The door to the underground bath house has been pried open and needs to be resecured.