



**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:   | <b>C0150019</b>            |
| Inspection Type: | COMPLETE                   |
| Inspection Date: | Wednesday, March 12, 2014  |
| Start Date/Time: | 3/12/2014 1:00:00 PM       |
| End Date/Time:   | 3/12/2014 4:30:00 PM       |
| Last Inspection: | Thursday, October 30, 2014 |

Inspector: Kenneth Hoffman,  
 Weather: Clear  
 InspectionID Report Number: 3781  
 Accepted by:

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:**

Kenneth Hoffman,  
 Inspector ID Number: 66

**Date** Friday, March 14, 2014



**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 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 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 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.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.

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

The Fourth 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 December 23, 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 zero remaining storage capacity. The Permittee was instructed that the pond must be cleaned out or they must demonstrate to the Division that sufficient capacity remains for the 10 year 24-hour storm. 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 was moist with signs of riddling at the base of the pond and around the outlet culvert. The Permittee was informed the riddles in the North Pond would need to be repaired. The waste rock pond had about a foot of water in it. Current monthly inspections for the North and South ponds (MSHA ponds) were not made available, 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**

At the last inspection a silt fence above westside of the active waste rock sediment pond was in need of cleaning. The solids had been cleaned out and new swaddles had been installed. Also during last inspection a small section of the Wilberg Fan portal area landing needed additional solids controlled. A new containment berm has been built to direct the flow of water to the disturbed area of the site to flow to sediment ponds.

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

The Permittee is currently entering Fourth Quarter of 2013 water monitoring data into the DOGM electronic database pipeline.

#### **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 Third Quarter of 2013 waste rock pile inspections of the active waste rock and the reclaimed waste rock pile on December 23, 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.

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

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

#### **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 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**

Since last inspection the chain link barricades at a few of the portals have been peeled back and need to be repaired and/or resecured. Also since the last inspection the door to the underground bath house has been resecured. During the First Quarter of 2014 PacifiCorp announced their intention to begin work during the Summer 2014 on full reclamation of the Cottonwood/Wilberg surface facilities.