



GARY R. HERBERT  
Governor

SPENCER J. COX  
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

April 9, 2014

Kenneth S. Fleck, Manager of Geology and Environmental Affairs  
Energy West Mining Company  
P.O. Box 310  
Huntington, Utah 84528

Subject: Update of Volume 10, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019, Task ID #4508

Dear Mr. Fleck:

The Division has reviewed your application to Update Volume 10 at the Cottonwood/Wilberg Mine. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call me at (801) 538-5350.

Sincerely,

Steve Christensen  
Permit Supervisor

SKC/sqs  
O:\015019.CWW\WG4508\Deficiencies.docm



**State of Utah**  
 DEPARTMENT OF NATURAL RESOURCES  
 MICHAEL R. STYLER  
*Executive Director*  
**Division of Oil, Gas and Mining**  
 JOHN R. BAZA  
*Division Director*

## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0150019  
**TaskID:** 4508  
**Mine Name:** COTTONWOOD/ WILBERG  
**Title:** UPDATE VOLUME 10

#### General Contents

##### Permit Application Format and Contents

*Deficiencies Details:*

R645-301-121.100, The disturbed area acreage is outlined on Map 4-5 as 15.82 acres. It is also listed as 15.82 acres on page 2 of the Volume 10 Introduction, but is listed as 17.44 acres in the Disturbed Area Reconciliation Table page CTW-2 of App. G in the Legal and Financial Volume. Please verify whether information in App. G, Legal/Financial Volume is correct.

R645-301-400, The 1991 air quality permit DAQE-835-91 was included in Chapter 1 of the approved MRP and should be included in the revision as an Appendix to Chapter 4, because the 1991 permit is not readily available through the DEQ website.

pburton

#### Operation Plan

##### Topsoil and Subsoil

*Deficiencies Details:*

R645-301-121.200, Annual monitoring of the site is described in Section R645-301-333.100. As discussed with Mr. Oakley, this language will be revised as follows:  
 Remove protection items 2 through 5  
 Add #2 " An annual site visit shall be conducted by representatives from the permittee and the Division of Oil, Gas, and Mining. Representatives from the Division shall include a plant specialist and/or a soil specialist. The site visit shall occur between the months of May and September.

pburton

#### Reclamation Plan

##### Topsoil and Subsoil

*Deficiencies Details:*

R645-301-121.200, Section 242 and Section 541 p.17 & 20 both describe contemporaneous reclamation of the berms but do not agree on the depth of subsoil to be reapplied. Section 242 says 18 inches of subsoil and Section 541 p. 17 says 12 inches of subsoil and Sec 541 p. 20 says 24 inches of subsoil. Both sections also describe reclamation of the flat surface of the waste pile but do not agree on either the subsoil or topsoil depth.. Section 242 states 18 inches of subsoil and 6 inches of topsoil. Section 541 p. 17 and 20 state 24 inches of subsoil and 12 inches of topsoil for the top of the pile. Please correct the plan accordingly.

pburton

## **Hydrological Information Reclamation Plan**

*Deficiencies Details:*

R645-301-711 To justify sediment pond removal, expand the narrative and give a more detailed description of reclamation work that will help control sediment loss and prevent additional suspended solids from leaving the reclamation site.

adaniels

## **Contemporaneous Reclamation General**

*Deficiencies Details:*

R645-301-121.200, Future interim and final revegetation will include fertilizer application based on soil analysis as described in Section 341.200, item 3. Section 243 states that all reclaimed areas will be fertilized, but no soil sampling is described. Please describe the method for sampling of the replaced topsoil prior to fertilizer application in Section 243 of the Plan.

pburton

## **Revegetation General Requirements**

*Deficiencies Details:*

**Findings:**

The application is deficient, being short of 5,900 cubic yards of subsoil in order to meet the requirement of; R645-301-553.252, a minimum of four feet of non-toxic, non-combustible material will be used to cover the waste rock after final grading, (a minimum of four feet of the best available non-toxic and non-combustible material) The current plan requires two feet of subsoil and one foot of topsoil (3 feet total cover depth) over the waste rock material. The Permittee must develop a plan to provide another 5,900 cubic yards of subsoil materia

phess