



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 21, 1995

Mr. Val Payne
Senior Environmental Engineer
PacifiCorp
P.O. Box 1005
Huntington, Utah 84528

Re: Permit Renewal, Trail Mountain Mine, PacifiCorp, ACT/015/009-94C, Folder #3,
Emery County, Utah

Dear Mr. Payne:

Enclosed please find the Decision Document and the renewed permit for the Trail Mountain Mine. Please have the appropriate official at PacifiCorp sign both originals of the renewed permit and return one to the Division.

If you have any questions, please call me or Pamela Grubaugh-Littig.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James W. Carter'.

James W. Carter
Director

Enclosure

cc: Tom Ehmett, OSM-AFO
Lowell Braxton (w/o enclosure)
Daron Haddock (w/o enclosure)
Pamela Grubaugh-Littig
Joe Helfrich (w/o enclosure)



PERMIT RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/015/009
Emery County, Utah

February 21, 1995

Contents

- * Chronology
- * Findings
- * Permit
- * Affidavit of Publication
- * 510 (c) Memo

CHRONOLOGY

FIVE-YEAR RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/005/009
Emery County, Utah

February 21, 1995

June 21, 1994	Reminder letter sent about five year permit renewal application due to Division on October 21, 1994.
October 21, 1994	Five-year permit renewal application submitted.
September 20, 1994	Affidavit of publication for permit renewal.
December 13, 1994	Determination of Administrative Completeness.
January 10, 1995	Affidavit of publication. Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.
February 20, 1995	AVS system queried for OSMRE, AVS recommendation. The OSMRE recommendation is "Conditional Issue".
February 21, 1995	No adverse comments received. Permit renewed.

FINDINGS

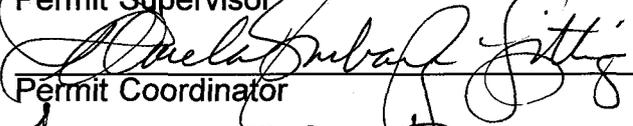
FIVE-YEAR RENEWAL

PacifiCorp
Trail Mountain Mine
ACT/015/009
EmeryCounty, Utah
February 21, 1995

1. Application for a permit renewal was made on October 21, 1994. (R645-303-233.100)
2. The terms and conditions of the existing permit are being satisfactorily met. (R645-303-233.110)
3. The present operation and reclamation operations are in compliance with the environmental protection standards of the State Program. (R645-303.233.120)
4. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on the existing permit area. (R645-303-233.130)
5. The permittee has provided evidence of having liability insurance. (Associated Electric and Gas Insurance Services Limited, X0296A1A94) (R645-303-233.140)
6. The permittee has provided evidence that a performance bond is in effect for the operation and will continue in full force and effect for the proposed period of renewal. (Surety Bond issued by ST. Paul Fire and Marine Insurance Co. #400JV3710, in the amount of \$1,000,000) (R645-303-233.150)
7. For the most recent permit term, permit changes ordered by the Division and Notices of Violation requiring a permit change have been incorporated into the permit.



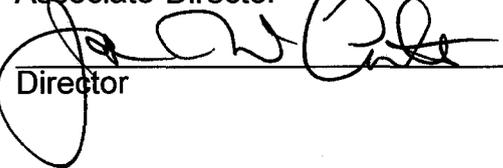
Permit Supervisor



Permit Coordinator



Associate Director



Director

FEDERAL

PERMIT
ACT/015/009

FEBRUARY 21, 1995

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

This permit, ACT/015/009, is issued for the State of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

PacifiCorp
P.O. Box 1005
Huntington, Utah 84528
(801) 653-2312

for the Trail Mountain Mine. PacifiCorp is the lessee of federal coal leases U-49332, U-082996, and UTU-64375, State Mineral Lease ML-22603, and the owner/lessee of certain fee-owned parcels. A Surety Bond is filed with the Division in the amount of \$1,000,000, payable to the State of Utah, Division of Oil, Gas and Mining, and the Office of Surface Mining, Reclamation and Enforcement (OSM). The Division must receive a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The permittee is authorized to conduct underground coal mining activities on the following described lands within the permit area at the Trail Mountain Mine, situated in the State of Utah, Emery County, and located:

Township 17 South, Range 6 East, SLM

Section 25: S1/2 NW1/4, W1/2 SW1/4, W1/2 E1/2 SW1/4, SW1/4 SE1/4, E1/2 E1/2 SW1/4; Begin at the point of SW corner of NW1/4 SE1/4, thence North 160 Rods, thence East 44 Rods to center of Cottonwood Creek, Southward along creek to a point 76 Rods east of the beginning, thence West 76 Rods to the Point of Beginning.

- Section 26: SE1/4 NE1/4, E1/2 SW1/4 NE1/4, E1/2 SE1/4, E1/2 W1/2 SE1/4, S1/2 SW1/4, W1/2 SW1/4 SE1/4;
- Section 27: S1/2 S1/2;
- Section 34: All;
- Section 35: Lots 1, 2, 3 and 4, S1/2NE1/4, SE1/4, SW1/4, S1/2 NW1/4; and
- Section 36: All.

Township 18 South, Range 6 East, SLM

- Section 1: Lots 1-8, S1/2 N1/2, E1/2 NE1/4 SW1/4, E1/2 NW1/4 NE1/4 SW1/4, N1/2 NW1/4 NE1/4 SE1/4, N1/2 NW1/4 SE1/4;
- Section 2: Lots 1-8, S1/2 N1/2, N1/2 NE1/4 SW1/4, N1/2 SW1/4 NE1/4 SW1/4, SE1/4 NE1/4 SW1/4, NW1/4 NE1/4 SE1/4, N1/2 SW1/4 NE1/4 SE1/4, N1/2 NW1/4 SE1/4, N1/2 S1/2 NW1/4 SE1/4; and
- Section 3: Lots 1, 2, and 8, NE1/4 SE1/4 NE1/4.

Township 18 South, Range 7 East, SLM

- Section 6: Lots 4-7, W1/2 SE1/4 NW1/4, S1/2 E1/2 SW1/4.

This legal description is for the permit area of the Trail Mountain Mine which is approximately 4,045 acres. The permittee is authorized to conduct underground coal mining activities and related surface activities on the foregoing described property subject to the conditions of all applicable conditions, laws and regulations.

- Sec. 3 COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.
- Sec. 4 PERMIT TERM** - This permit is effective on February 21, 1995 and expires on February 21, 2000.
- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the prior written approval of the Division Director. Transfer, assignment or sale of permit rights must be

done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R645-303-300.

Sec. 6 RIGHT OF ENTRY - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:

- (a) have the rights of entry provided for in 30 CFR 840.12, R645-400-220, 30 CFR 842.13 and R645-400-110;
- (b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-100 and R645-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.

Sec. 7 SCOPE OF OPERATIONS - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.

Sec. 8 ENVIRONMENTAL IMPACTS - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:

- (a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;
- (b) immediate implementation of measures necessary to comply; and
- (c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 DISPOSAL OF POLLUTANTS - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved

Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.

Sec. 10 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:

- (a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
- (b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 11 EXISTING STRUCTURES - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.

Sec. 12 RECLAMATION FEE PAYMENTS - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

Sec. 13 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 14 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 15 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 16 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of

necessary actions required. The permittee shall implement the mitigation measures required by Division within the time frame specified by Division.

Sec. 17 APPEALS - The permittee shall have the right to appeal as provided for under R645-300-200.

Sec. 18 SPECIAL CONDITIONS - There are special conditions associated with this permit, as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: _____

Date: _____

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

Authorized Representative of the Permittee

Date: _____

ATTACHMENT A

Special Conditions

1. R645-301-731.200 Water Monitoring The applicant must monitor quality and quantity of the Star Point aquifer at a point where the flow in the aquifer leaves the permit area. The most likely place to develop this monitoring site is in the area near DH-5 (Figure 6-4). The applicant will be required to develop a well to monitor aquifer parameters, seasonal fluctuation, mining influence and hydrologic tests. This information is requested in accordance with the requirements for water monitoring regulations R645-301-731.200 through R645-301-731.215.
2. Before extending entries to the west beyond the location of hole TMX-6, the operator must drill horizontal holes to determine if significant water could be encountered in the Starpoint/Blackhawk aquifer. If significant water is encountered in the horizontal holes, the operator must stop the advance and notify the Regulatory Authority.
3. Before mining in the vicinity of perennial stream and escarpment buffer zones, the operator must provide data sufficient to justify use of the 15 degree angle-of-draw (measured from the vertical). If the technical data show that an angle-of-draw greater than 15 degrees is expected, the buffer zone must be modified to be consistent with the expected angle-of-draw.
4. The operator shall limit mining operations in the last panel on the eastern boundary of Section 1, T18S, R6E to first mining only in order to leave pillars of sufficient size to prevent caving of the overlying strata.
5. PacifiCorp must notify the Division within 14 days of the decisions of the appeals of outstanding federal violation 93-020-190-05, 1 of 1 and cessation order 94-020-370-002, 1 of 1.

FEDERAL

PERMIT
ACT/015/009

FEBRUARY 21, 1995

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355 West North Temple
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Section 27: S1/2 S1/2;

Section 34: All;

Section 35: Lots 1, 2, 3 and 4, S1/2NE1/4, SE1/4, SW1/4,
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THE STATE OF UTAH

By: _____

Date: _____

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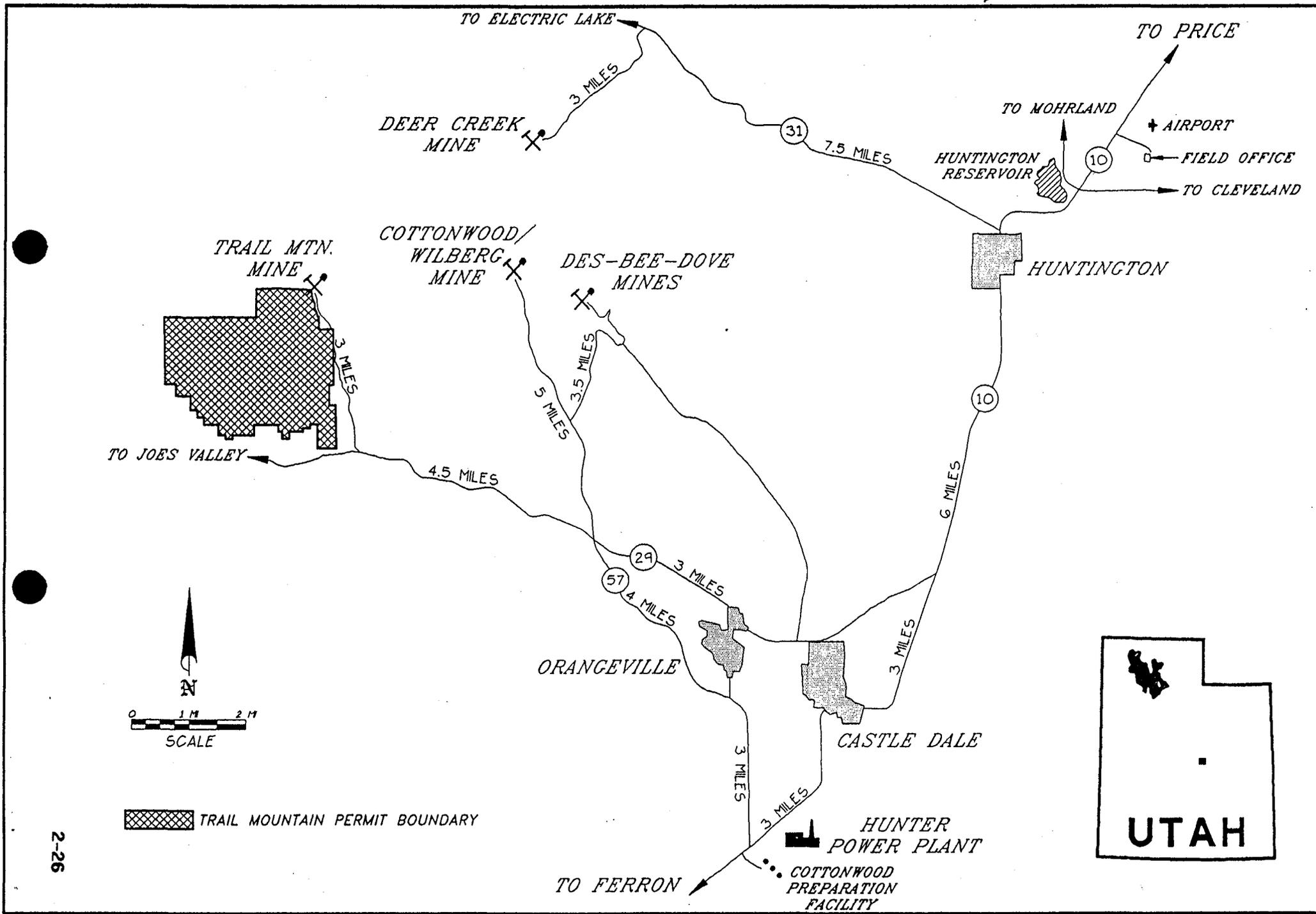
Authorized Representative of the Permittee

Date: _____

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TO ELECTRIC LAKE

TO PRICE

DEER CREEK MINE

TO MOHRLAND

AIRPORT

HUNTINGTON RESERVOIR

FIELD OFFICE

TO CLEVELAND

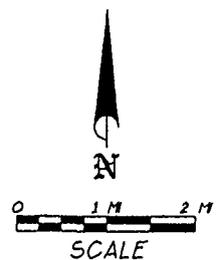
TRAIL MTN. MINE

COTTONWOOD/WILBERG MINE

DES-BEE-DOVE MINES

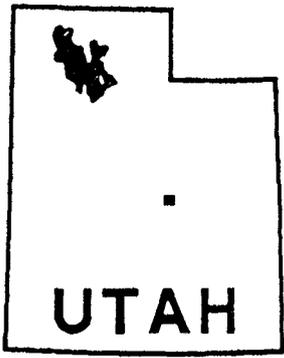
HUNTINGTON

TO JOES VALLEY



ORANGEVILLE

CASTLE DALE



HUNTER POWER PLANT

COTTONWOOD PREPARATION FACILITY

TO FERRON

NOTICE

Pacific Corp, an Oregon Corporation, (successor in interest to Utah Power and Light Company), One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140-0021, hereby announces its intent to file an application to renew its Coal Mining Permit ACT/018/008 for the Tread Mountain Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84518.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 356 West North Temple, 8 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203. Said comments must be submitted within thirty (30) days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLB&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

Section 27: S1/2S1/2

Section 34: All

Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLB&M

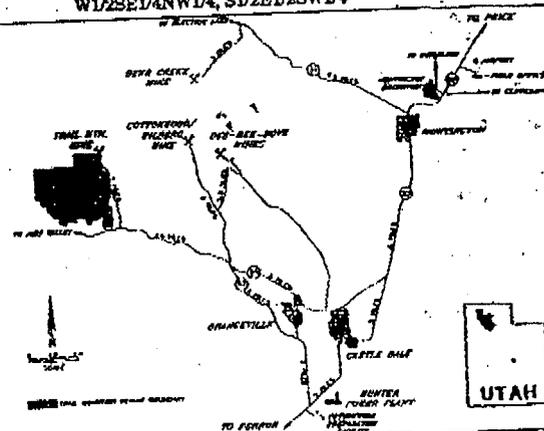
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S1/2N1/2, E1/2NE1/4SW1/4, E1/2NW1/4NE1/4SW1/4, N1/2NW1/4NE1/4SE1/4, N1/2NW1/4SE1/4

Section 2: Lots 1 thru 8
S1/2N1/2, N1/2NE1/4SW1/4, N1/2SW1/4NE1/4SW1/4, SE1/4NE1/4SW1/4, NE1/4NE1/4SE1/4, N1/2SW1/4NE1/4SE1/4, N1/2NW1/4SE1/4, N1/2S1/2NW1/4SE1/4

Section 3: Lots 1, 2 and 8,
NE1/4SE1/4NE1/4

Township 18 South, Range 7 East, SLB&M

Section 6: Lots 4 thru 7,
W1/2SE1/4NW1/4, S1/2E1/2SW1/4



Published in the Emery County Progress December 20 and 27, 1994, and January 8 and 10, 1995.

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Emery,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 20th day of December, 1994 and that the last publication of such notice was in the issue of such newspaper dated the 10th day of January, 1995.



Kevin Ashby - Publisher

Subscribed and sworn to before me this 10th day of January, 1995.



Notary Public My commission expires January 10, 1995 Residing at Price, Utah

Publication fee, \$360.00

NOTICE

Pacific Corp, an Oregon Corporation, (successor in interest to Utah Power and Light Company), One Utah Center, 201 South Main, Suite 2100, Salt Lake City, Utah 84140-0021, hereby announces its intent to file an application to renew its Coal Mining Permit ACTD15/009 for the Trail Mountain Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203. Said comments must be submitted within thirty (30) days from the date of last publication of this notice.

The area to be mined is contained on the U.S.G.S. 7.5 minute "Mahogany Point" quadrangle map. A map depicting the general area of the Trail Mountain Mine is published herewith.

Approximately 4,045 acres are contained in the permit area described as follows:

Township 17 South, Range 6 East, SLR&M

Section 25: E1/2E1/2SW1/4, SW1/4SE1/4, S1/2NW1/4, W1/2SW1/4, W1/2E1/2SW1/4

Beginning at the SW corner of the NW1/4SE1/4, then north 160 rods, then east 44 rods to the centerline of Cottonwood Creek, then south along the centerline to a point 76 rods east of the point of beginning then west 76 rods to the point of beginning.

Section 26: SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, S1/2SW1/4, W1/2SW1/4SE1/4

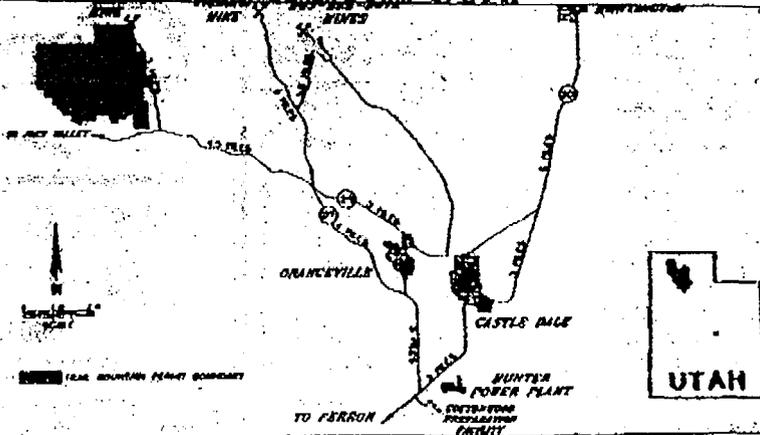
Section 27: S1/2S1/2

Section 34: All

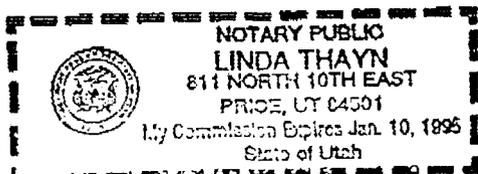
Section 35: Lots 1, 2, 3 and 4
SE1/4NE1/4, E1/2SW1/4NE1/4, E1/2SE1/4, E1/2W1/2SE1/4, W1/2SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2W1/2SE1/4

Section 36: All

Township 18 South, Range 6 East, SLR&M



Published in the Emery County Progress December 20 and 27, 1994, and January 3 and 10, 1995.





State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 20, 1995

TO: File

FROM: Pamela Grubaugh-Littig, Permit Coordinator *pgl*

RE: Compliance Review for Section 510 (c) Findings, Trail Mountain Mine, PacifiCorp, ACT/015/009, Folders #3 and #5, Emery County, Utah

As of the writing of this memo, there is a "conditional issue" recommendation from the Applicant violator System for ACT/015/009, the permit renewal for the Trail Mountain Mine. There is an outstanding federal violation (X93-020-190-05, 1 of 1) and cessation order (X94-020-370-002, 1 of 1) which are both under appeal. The permit has been conditioned to reflect this situation: "PacifiCorp must notify the Division within 14 days of the decision of the appeals of outstanding federal violation 93-020-190-05 1 of 1 and cessation order 94-020-370-002, 1 of 1".

PacifiCorp does not have a demonstrated pattern of wilful violations, nor have they been the subject of any bond forfeiture for any operations in the state of Utah.



SYSTEM RECOMMENDATION	: COND ISSUE	02/20/95
PREVIOUS SYSTEM RECOMMENDATION	: COND ISSUE	02/08/95

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
 PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)

■ avsdg

12 14

AVS Recom Maint Applicant Violator System 20-Feb-1995 14:14:19

State : UT Permit No :	Appl No : ACT015009
Permittee :	Seqno : 2
Applicant : 108521(PACIFICORP)	

SYSTEM : C (COND ISSUE) Date : 20-Feb-1995 Mode : VIEW
 Reason: 0 AML, 0 AUD, 1 CMIS, 0 FORF, 0 STATE, 0 NRSP VIOLATION(S)

OSMRE : C (COND ISSUE) Date : 08-Feb-1995 Mode : VIEW
 Reason: cond based on the outcome of the cmis hearing

SRA : Date : 20-Feb-1995 Mode : UPDATE
 Reason:

SAVE (F5) DELETE (F8)
 PRV_SCR (F3) QUIT (F4) CHOICES (F10)

■ avsdg

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State : UT Permit No :
 Applicant : 108521(PACIFICORP)

Appl No : ACT015009
 Seqno : 2

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

SYSTEM RECOMMENDATION : COND ISSUE 02/20/95
 PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 02/08/95

Records retrieved : 1

ST	PERMIT	RP ID	SEQ	VTTYPE	VIOLNO	VIOLDATE
UT	ACT015017	118429	1	CMIS	C94-020-190-1	01/13/94

RCM_MNT(F7) PERMIT/APPL(F8)
 PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)

■ avsdg

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 Applicant : 108521(PACIFICORP)

Appl No : ACT015009
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 PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)

■ avsdg

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