TRACKING FORM

I. KEY FEATURES OF PERMITTEE'S AMENDMENT APPLICATION

Permittee	Mine Name	Amendment #	Date Received / By Whom
PacifiCorp	Trail Mountain	ACT/015/009-96A	4-18-96 SD via Fax

Proposal Description: Facilitate Mining in Accordance with approved Resource Recovery & Protection Plan (R2PP); third, fourth, + fifth east development, fourth + fifth east Longwall panels.

II. AMENDMENT CLASSIFICATION

☐ Major Amendment	Public Notice Required	☐ Yes	☑ No
☑ Minor Amendment FIRST MINING	Outside of Permit Area	☐ Yes	☑ No
	Outside of Disturbed Area	☑ Yes a/	☐ No

III. SUMMARY OF DOGM PROCESSING DATES

		FOLLOWUP REQUIREMENTS		
Reviews Completed				
Approved Effective		MRP "After Const" Documents	☐ Yes	☐ No
Disapproved		TA	☐ Yes	☐ No
Mailed		CHIA	☐ Yes	☐ No
Filed MRP ☐ SLO		Responds Within 15 days of Receipt? ☐ Yes ☐ No If no, explain below.		

IV. COORDINATED REVIEWS

EXTERNAL AGENCIES (Mine Specific) (Adverse Comments, If Any, Include in Item V)	COPY SENT		CONTACTED Phone 4/17		DOGM REVIEWS/DISCIPLINES		
OSM Mailed	☑ Y	☑ N	☐ C	☑ N/A	Generalists Review WM	☐ Yes	☐ N/A
BLM Hand Carried 4/19/96	☑ Y	☐ N	☑ C	☐ N/A	J.H INTERDISCIPLINARY APPROACH		
US Forest Service Hand Carried 4/19/96	☐ Y	☐ N	☑ C	☐ N/A	- Administrative ____	☐ Yes	☐ N/A
US Fish & Wildlife Bounty Mail 4/19/96	☐ Y	☐ N	☑ C	☐ N/A	- Biology S.W	☐ Yes	☐ N/A
US National Parks	☐ Y	☑ N	☐ C	☑ N/A	- Engineering DK	☐ Yes	☐ N/A
UT Environmental Quality Letter Sent 4/19/96	☑ Y	☐ N	☐ C	☑ N/A	- Geology ____	☐ Yes	☐ N/A
UT Wildlife Resources Letter Sent 4/19/96	☑ Y	☐ N	☐ C	☑ N/A	- Hydrology ____	☐ Yes	☐ N/A
UT State History	☐ Y	☑ N	☐ C	☑ N/A	- Soils ____	☐ Yes	☐ N/A
UT Water Rights Letter Sent	☑ Y	☐ N	☐ C	☑ N/A	- Permitting ____	☐ Yes	☐ N/A
UT SITLA	☐ Y	☑ N	☐ C	☑ N/A	- Other ____	☐ Yes	☐ N/A
Other ____	☐ Y	☑ N	☐ C	☑ N/A			

V. FOOTNOTES/ADDITIONAL EXPLANATION AS NECESSARY

a/ While the area involved in this amendmendment lies outside of the posted disturbed area, it concerns mining adjacent to an escarpment; however, all are within the approved permit area.

b/ Review assignments per J.H/E Mail

ENERGY WEST Mining Co.
A Subsidiary of PacifiCorp
PO Box 310
Huntington, Utah 84528

October 30, 1996

Hand Delivered

Ms. Janette S. Kaiser
Forest Supervisor
USDA, Forest Service
Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

Mr. Mark Bailey
Area Manager
USDI, Bureau of Land Management
Price River Resource Area
125 South 600 West
Price, Utah 84501

RE: ENVIRONMENTAL ASSESSMENT FOR UNDERGROUND ACCESSWAY AND UNDERMINING ESCARPMENT, TRAIL MOUNTAIN MINE, EMERY COUNTY, UTAH, ALTERNATIVE 2, MITIGATION MEASURE A, 3-DIMENSIONAL FINITE ELEMENT MODELING.

Pursuant to the meeting, involving the BLM, USFS and Energy West Mining Company personnel, held on October 23, 1996, PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, herewith presents information regarding the above referenced matter.

The Environmental Assessment (EA) mitigation measure requires PacifiCorp to conduct 3-dimensional finite element (3-D) modeling associated with full-extraction mining beneath the Castlegate escarpment, in the Fourth and Fifth East panels, at the Trail Mountain Mine. Subsequent mine plan changes, resulting from the discovery of Peregrine falcons in the vicinity, resulted in only one longwall panel (Fifth East) being mined beneath the escarpment.

INCORPORATED
EFFECTIVE
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

Huntington Office:
(801) 687-9821
Fax # (801) 687-2695

Deer Creek Mine:
(801) 381-2317
Fax # (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax # (801) 748-2380

As was presented in the October 23 meeting, the validity of a model based on single panel undermining of the escarpment was discussed with Dr. W. G. Pariseau. Dr. Pariseau concluded that 3-D modeling of the Newberry Canyon area would provide greater potential for developing an effective model than does the Fifth East area.

Subsequent to the October 23 meeting, wherein the modeling scenarios were discussed, Energy West is scheduling a meeting with several geotechnical consultants, who have 3-D modeling expertise. The purpose of the meeting will be to review the extent of the modeling completed, to-date, in Newberry Canyon and address the scope of modeling necessary to satisfy the EA mitigation measure. The meeting will occur prior to mid-November. All necessary field data have been collected in both the Newberry Canyon and the Fifth East areas. Energy West believes that 3-D modeling of the Newberry Canyon area will produce better results than would be obtained from modeling the Fifth East area.

If you have questions or comments regarding this matter, please call me at (801) 687-4722.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

cc: B. Grosley (BLM)
B. Malencik (UDOGM)
C. Reed (USFS)
File

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EFFECTIVE
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

Since the major area of concern in introduction of sediments into the stream is the portal and load-out facilities immediately adjacent to the stream, the company has put the stream into a bypass culvert. This will prevent sediment input. This was done in consultation with he appropriate management agency to alleviate the problem. The main canyon culvert was extended approximately 300' upstream in late 1990. This extension impacted approximately 0.21 acres of riparian habitat. As mitigation for this removal of riparian area, 20 small rock check dams were installed in the lower portion of Cottonwood Creek to enhance water retention and possible fish survival. This mitigation was performed in accordance with approval from DWR. Details on location and installation of these structures (as well as the culvert extension) are found in Appendix 7-13 of this MRP. All wildlife habitats will be maintained or improved if disturbed. This will be done by using native or other vegetation approved for reclamation or habitat improvement. No new actions will be undertaken that compromise wildlife or their use areas without prior approval by the appropriate management or regulatory agency.

3.4.6.3 MONITORING PROCEDURES

There are few species that will be seriously impacted by the proposed actions. There are no identified active aeries being occupied by high interest species of raptors nor any readily accessible reproductive sites for game species that are critical to perpetuation of the species. However, should raptors, moose or any threatened or endangered species subsequently move into or be found in the mine plan area, appropriate UDOGM, UDWR and USWS personnel will be notified and mutually agreed upon monitoring instituted.

ESTIMATE OF COAL RESERVES
TRAIL MOUNTAIN MINE
(12/22/95)

BLM TRACT DELINEATION SUMMARY

RESERVE DESCRIPTION		LEASE U-64375
. IN-PLACE RESERVES; BLM TRACT DELINEATION (1990)	----------	49,000,000t
. MINEABLE RESERVES; BLM TRACT DELINEATION (1990)	----------	34,800,000t
. RECOVERABLE RESERVES; BLM TRACT DELINEATION (1990)	----------	12,200,000t

ENERGY WEST RESERVE ESTIMATE SUMMARY

RESERVE DESCRIPTION		LEASE U-64375
. IN-PLACE RESERVES; ENERGY WEST EST. - PRIOR TO 1990	----------	45,404,832t
. MINEABLE RESERVES; ENERGY WEST EST. - PRIOR TO 1990	----------	39,794,850t
. ESTIMATED "ARCO/ MTN. COAL" RECOVERY (1990-1992)	----------	495,813t
. ESTIMATED "ENERGY WEST" RECOVERY (NOV./94 - NOV./95)	----------	1,079,199t
. PROJECTED "ENERGY WEST" RECOVERY (DEC./95 - 2002)	----------	23,626,226t
. TOTAL EST. RECOVERY FEDERAL LEASE U-64375	----------	**25,201,238t**

OTHER FEDERAL LEASES RESERVE DESCRIPTION	U-49332	U-082996	ML-22603	TOTALS
. IN-PLACE RESERVES (EST. 1995)	4,361,837t	276,954t	1,035,160t	
. MINEABLE RESERVES (EST. 1995)	4,310,698t	276,954t	0t	
. EST. REC.RESERVES (EST. 1995)	973,002t	93,618t	0t	
. TOTAL EST. RECOVERY FEDERAL LEASES U-49332, U-082996, ML-22603		----------		**1,066,620t**

INCORPORATED
EFFECTIVE:
APR 29 1996
UTAH DIVISION OIL, GAS AND MINING

96A

TABLE 3-1

RECOVERABLE RESERVES

LEASE AREA	IN-PLACE TONS	RECOVERABLE TONS
FEDERAL LEASE U-49332	~~4,666,670~~ 4,361,837	973,002
FEDERAL LEASE U-082996	276,954	93,618
FEDERAL LEASE U-64375	~~44,874,379~~ 45,404,832	~~20,167,382~~ 25,201,238
STATE LEASE ML-22603	1,035,160	0

TOTAL RECOVERABLE TONS ASSIGNED TO TRAIL MOUNTAIN ~~21,234,002~~ 26,267,858

THIRD, FOURTH AND FIFTH EAST DEVELOPMENT ONLY 37,699

FOURTH AND FIFTH EAST LONGWALL PANELS ONLY 393,148

RECEIVED
EFFECTIVE:
APR 2 9 1996
UTAH DIVISION OIL, GAS AND MINING

3.3.2.3 PROPERTY BOUNDARIES

Property boundaries are designated in accordance with both State and Federal mining regulations.

3.3.2.4 OUTCROP PROTECTION

Outcrop protection is provided by leaving a minimum barrier of 200' between mine workings and the coal outcrop. One exception to the above is the eastern most entry of the 3-entry system driven north and northeast to the ventilation portal. The eastern entry is located within the 200' barrier for a distance of approximately 240' and at no time comes closer than 160' from the outcrop. The 3-entries were necessary to meet MSHA regulations and provide adequate ventilation. The location of this variance is in the side canyon approximately 1700' south of the forth portal, and is shown on Figure A-3-7-2, Appendix 3-7. Outcrop protection is further addressed in the geotechnical chapter of this permit.

3.3.3 CONSERVATION OF COAL RESOURCES

3.3.3.1 PROJECTED MAXIMUM RECOVERY

Maximum amount of coal recoverable from the Trail Mountain property is approximately ~~20,167,382~~ 26,267,858 tons. Table 3-1 shows the breakdown of coal recovery. Plate 3-3 shows the areas of coal recovery.

3.3.3.2 JUSTIFICATION OF NON-RECOVERY

It is estimated that resource recovery rate of 80% or better can be obtained within the proposed longwall panels. Overall minable reserve recovery for the Trail Mountain Mine is estimated at 60%.

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EFFECTIVE
APR 29 1996
UTAH DIVISION OIL, GAS AND MINING

Send To: DOGM/Attn. Heltrich

Joe

TRACKING FORM

I. KEY FEATURES OF PERMITTEE'S AMENDMENT APPLICATION

Permittee	Mine Name	Amendment #	Date Received / By Whom
PacifiCorp	Trail Mountain	ACT/015/009-96A	4-18-96 SD via Fax

Proposal Description: Facilitate Mining in Accordance with approved Resource Recovery & protection Plan (RRPP); third, fourth, & fifth east development, fourth & fifth east Longwall panels.

II. AMENDMENT CLASSIFICATION

☐ Major Amendment	Public Notice Required	☐ Yes	☑ No
☑ Minor Amendment FAST MINING	Outside of Permit Area	☐ Yes	☑ No
	Outside of Disturbed Area	☑ Yes a/	☐ No

III. SUMMARY OF DOGM PROCESSING DATES

		FOLLOWUP REQUIREMENTS		
Reviews Completed				
Approved Effective		MRP "After Const" Documents	☐ Yes	☐ No
Disapproved		TA	☐ Yes	☐ No
Mailed		CHIA	☐ Yes	☐ No
Filed MRP ☐ SLO		Responds Within 15 days of Receipt? ☐ Yes ☐ No If no, explain below.		

IV. COORDIN

EXTERNAL (Adverse Comme					
OSM Mailed					☐ N/A
BLM Hand Carried					H
US Forest Service Hand Carried 4/					☐ N/A
US Fish & Wildlife Brunt Mail 4/19/96					☐ N/A
US National Parks					☐ N/A
UT Environmental Qua Letter Sent 4/19					☐ N/A
UT Wildlife Resource Letter Sent 4/19/96					☐ N/A
UT State History					☐ N/A
UT Water Rights Letter Sent					☐ N/A
UT SITLA	☐ Y ☑ N	☐ C ☑ N/A	- Other	☐ Yes	☐ N/A
Other	☐ Y ☑ N	☐ C ☑ N/A			

OLD STUFF TO FILE 015-009

V. FOOTNOTES/ADDITIONAL EXPLANATION AS NECESSARY

a/ While the area involved in this amendmendment lies outside of the posted disturbed area, it concerns mining adjacent to an escarpment; however, all are within the approved permit area.

b/ Review assignments per J.H/E Mail

Send To: DOGM/Attn. Heltrich

Joe

TRACKING FORM

I. KEY FEATURES OF PERMITTEE'S AMENDMENT APPLICATION

Permittee	Mine Name	Amendment #	Date Received / By Whom
PacifiCorp	Trail Mountain	ACT/015/009-96A	4-18-96 JD Via Fax

Proposal Description: Facilitate Mining in Accordance with approved Resource Recovery & protection Plan (R2PP); third, fourth, & fifth east development, fourth & fifth east Longwall panels.

II. AMENDMENT CLASSIFICATION

☐ Major Amendment	Public Notice Required	☐ Yes	☑ No
☑ Minor Amendment FIRST MINOR	Outside of Permit Area	☐ Yes	☑ No
	Outside of Disturbed Area	☑ Yes a/	☐ No

III. SUMMARY OF DOGM PROCESSING DATES

		FOLLOWUP REQUIREMENTS		
Reviews Completed				
Approved Effective		MRP "After Const" Documents	☐ Yes	☐ No
Disapproved		TA	☐ Yes	☐ No
Mailed		CHIA	☐ Yes	☐ No
Filed MRP ☐ SLO		Responds Within 15 days of Receipt? ☐ Yes ☐ No If no, explain below.		

IV. COORDINATED REVIEWS

EXTERNAL AGENCIES (Mine Specific) (Adverse Comments, If Any, Include in Item V)	COPY SENT		CONTACTED Phone 3/19		DOGM REVIEWS/DISCIPLINES		
OSM Mailed	☑ Y	☑ N	☐ C	☑ N/A	Generalists Review WM	☐ Yes	☐ N/A
BLM Hand Carried 4/19/96	☑ Y	☐ N	☑ C	☐ N/A	J.H INTERDISCIPLINARY APPROACH		
US Forest Service Hand Carried 4/19/96	☐ Y	☐ N	☑ C	☐ N/A	- Administrative ____	☐ Yes	☐ N/A
US Fish & Wildlife Brandy Mail 4/19/96	☐ Y	☐ N	☑ C	☐ N/A	- Biology S.W	☐ Yes	☐ N/A
US National Parks	☐ Y	☑ N	☐ C	☑ N/A	- Engineering DK	☐ Yes	☐ N/A
UT Environmental Quality Letter Sent 4/19/96	☑ Y	☐ N	☐ C	☑ N/A	- Geology ____	☐ Yes	☐ N/A
UT Wildlife Resources Letter Sent 4/19/96	☑ Y	☐ N	☐ C	☑ N/A	- Hydrology ____	☐ Yes	☐ N/A
UT State History	☐ Y	☑ N	☐ C	☑ N/A	- Soils ____	☐ Yes	☐ N/A
UT Water Rights Letter Sent	☑ Y	☐ N	☐ C	☑ N/A	- Permitting ____	☐ Yes	☐ N/A
UT SITLA	☐ Y	☑ N	☐ C	☑ N/A	- Other ____	☐ Yes	☐ N/A
Other ____	☐ Y	☑ N	☐ C	☑ N/A			

V. FOOTNOTES/ADDITIONAL EXPLANATION AS NECESSARY

a/ While the area involved in this amendment lies outside of the posted disturbed area, it concerns mining adjacent to an escarpment; however, all are within the approved permit area.

b/ Review assignments per J.H/E Mail

Form DOGM - OM (Last Revised 6/93)

File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: AMENDMENT TO FACILITATE MINING IN ACCORDANCE WITH APPROVED R2P2

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:
BLM APPROVAL OF R2P2.

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☑ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☐ Yes	☑ No	6. Does permit change require or include public notice publication?
☐ Yes	☑ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☑ No	8. Permit change as a result of a Division Order? D.O.#
☑ Yes	☐ No	9. Permit change as a result of other laws or regulations? Explain: BLM R2P2 APPROVAL
☐ Yes	☑ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☑ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☑ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☑ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes	☑ No	14. Does permit change require or include soil removal, storage or placement?
☐ Yes	☑ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☐ Yes	☑ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☐ Yes	☑ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☑ Yes	☐ No	18. Does permit change require or include certified designs, maps, or calculations?
☑ Yes	☐ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☑ No	20. Does permit change require or include subsidence control or monitoring?
☐ Yes	☑ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☐ Yes	☑ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☑ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☑ **Attach 7 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Val E Payne VAL E PAYNE SR. ENV. ENG. APRIL 18, 1996
Signed - Name - Position - Date

Subscribed and sworn to before me this 18th day of April, 1996.
Lori Ann Anderson
Notary Public

My Commission Expires: December 22, 1997
Attest: STATE OF Utah
COUNTY OF Emery

NOTARY PUBLIC
Lori Ann Anderson
15 North Main St.
Huntington, Utah 84528
My Commission Expires
December 22, 1997
STATE OF UTAH

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER

(Last Revised 6/93)

File Folder # 3

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: AMENDMENT TO FACILITATE MINING IN ACCORDANCE WITH APPROVED R2P2

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☑ REPLACE	☐ REMOVE	PAGES 3-19 & 3-21
☑ ADD	☐ REPLACE	☐ REMOVE	PAGE 3-21.1
☐ ADD	☑ REPLACE	☐ REMOVE	PLATES 3-2 & 3-3
☑ ADD	☐ REPLACE	☐ REMOVE	BLM R2P2 APPROVAL LETTER TO APPENDIX 3-3L
☑ ADD	☐ REPLACE	☐ REMOVE	PLATE 3-2A, DRAWING TM-1566-E.
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
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☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

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

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
801-359-3940 (Fax)
801-538-5319 (TDD)

April 29, 1996

Val Payne, Sr. Environmental Engineer
PacifiCorp
Energy West
P.O. Box 310
Huntington Utah 84528

Re: Facilitate Mining with Approved Resource Recovery and Protection Plan (R2, P 2),: 3rd, 4th, 5th East Development, 4th and 5th East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Payne,

As of the writing of this letter I am in receipt of comments from the U.S. Fish and Wildlife Service, U.S. Forest Service, Bureau of Land Management, and Susan White, Jesse Kelley and Bill Malencik of our staff. It is my understanding that Bill Bates, Utah Division of Wildlife Resources, Biologist from the Price Resource area has verbally concurred with the State and Federal Entities in attendance at the meeting held in Salt Lake on April 25th, 1996 that first mining for the development of longwall panels in the referenced areas will not affect the presence of the Perigrine Falcon. With that in mind our agency is approving the referenced amendment as follows:

- The approval of amendment 96A is valid for first mining only as described in the Bureau of Land Managements approved R2 P2 and must not be considered, implied, or construed that follow-up longwall mining beneath the escarpment will be approved on 4th and 5th longwall panels as a result of the approval of first mining, until such time as a subsequent amendment is submitted and cleared through other responsible coordinating agencies.

- Mining of the bleeder and setup entries associated with the 4th East Longwall panel will not proceed beyond the Castle Gate escarpment.

- The permittee must resubmit maps delineating this change.

Enclosed is a stamped copy for incorporation into your approved Mining and Reclamation Plan. Please send one additional copy for the Divisions files at your earliest convenience.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

enclosure
cc:
M. Page - DWR Price (w/o enclosure)
D. Ariotti - Health Price (w/o enclosure)
B. Bates - Wildlife Price (w/o enclosure)
PFO
H:payne.wpd

Send To: DOGM/Attn. Heltrech

TRACKING FORM

I. KEY FEATURES OF PERMITTEE'S AMENDMENT APPLICATION

Permittee	Mine Name	Amendment #	Date Received / By Whom
PacifiCorp	Trail Mountain	ACT/015/009-96A	4-18-96 SD via Fax

Proposal Description: Facilitate Mining in Accordance with approved Resource Recovery & protection Plan (R2PP); third, fourth, & fifth east development, fourth & fifth east Longwall panels.

II. AMENDMENT CLASSIFICATION Superceded Material

☐ Major Amendment	Public Notice Required	☐ Yes	☑ No
☑ Minor Amendment	Outside of Permit Area	☐ Yes	☑ No
	Outside of Disturbed Area	☑ Yes a/	☐ No

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Disapproved		TA	☐ Yes	☐ No
Mailed		CHIA	☐ Yes	☐ No
Filed MRP ☐ SLO		Responds Within 15 days of Receipt? ☐ Yes ☐ No If no, explain below.		

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UT State History	☐ Y	☑ N	☐ C	☑ N/A	- Soils ____	☐ Yes	☐ N/A
UT Water Rights Letter Sent	☑ Y	☐ N	☐ C	☑ N/A	- Permitting ____	☐ Yes	☐ N/A
UT SITLA	☐ Y	☑ N	☐ C	☑ N/A	- Other ____	☐ Yes	☐ N/A
Other ____	☐ Y	☑ N	☐ C	☑ N/A			

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a/ While the area involved in this amendmendment lies outside of the posted disturbed area, it concerns mining adjacent to an escarpment; however, all are within the approved permit area.

b/ Review assignments per J.H/E Mail

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District
Price River/San Rafael Resource Areas
125 South 600 West
P. O. Box 7004
Price, Utah 84501

3482
U-64375
U-49332
U-082996
(UT-066)

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Certified No. Z 382 123 785

J. Brett Harvey, President
Interwest Mining Company
201 South Main, Suite 2300
Salt Lake City, Utah 84140

MAR 15 1996

Re: Trail Mountain Mine Resource Recovery and Protection Plan (R2P2), Minor Modification Request; Response to PacifiCorp's Alternative Mine Plan for Trail Mountain Mine

Dear Mr. Harvey:

On January 9, 1996, the Bureau of Land Management (BLM) received PacifiCorp's "Alternative Mine Plan for the Trail Mountain Mine"/Trail Mountain R2P2, dated December 22, 1995. The Alterative Mine Plan was supplemented by an addendum which was originally dated and submitted to the BLM February 1, 1996, and was resubmitted with certain corrections on February 5, 1996. On March 4, 1996, a Settlement Agreement regarding the Trail Mountain R2P2 was achieved. Therefore, in accordance with the March 4 Settlement Agreement, the BLM has determined the proposed resource recovery and protection plan for the Trail Mountain Mine does comply with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, the lease terms and conditions, and the stipulations, and will achieve maximum economic recovery of the Federal coal. Hence, approval of the Trail Mountain Resource Recovery and Protection Plan is granted.

The BLM extends a sincere thanks and appreciation to PacifiCorp for their efforts and professional cooperation in resolving this matter. If you have any questions, please contact Barry Grosely in the Price River Resource Area at (801) 636-3606.

Sincerely,

MARK E. BARRY

Area Manager

cc: UT-921, SD, Utah
UT-065, DM, Moab
J.R. Key
Director, Technical Services
Interwest Mining Company
201 South Main, Suite 2000
Salt Lake City, Utah 84140-0020
Carl Pollastro
Manager, Technical Services
Energy West Mining Company
15 North Main
Huntington, Utah 84528

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APPENDIX 3-3L

SETTLEMENT AGREEMENT

PacifiCorp, by an officer of its authorized agent, Energy West Mining Company, together with its counsel of record, Stoel Rives LLP; and the Bureau of Land Management, acting through its authorized officer, together with Bruce Babbitt, Secretary of the United States Department of the Interior, and all other defendants, acting by and through their counsel of record, the United States Attorney, hereby stipulate to settlement of all issues in the matter now pending in United States District Court for the District of Utah captioned PacifiCorp v. Bruce Babbitt, Secretary of the United States Department of the Interior, et al., Civil No. 2:95CV 0923G, on the following terms:

1. The Bureau of Land Management ("BLM"), acting through its Authorized Officer, will, by written decision, approve, the "Alternative Mine Plan for the Trail Mountain Mine" as submitted by Interwest Mining Company, a subsidiary of PacifiCorp, dated December 22, 1995, as supplemented by an addendum which was originally dated and submitted to the BLM February 1, 1996 and was resubmitted with certain corrections on February 5, 1996. These documents collectively are hereinafter referred to as the "Trail Mountain R2P2." Because the Trail Mountain R2P2 is confidential, it is not attached hereto. PacifiCorp and the defendants each represent to the other that they have in their possession a full and complete copy of the Trail Mountain R2P2 referred to in this Settlement Agreement.

2. The conduct of operations pursuant to the Trail Mountain R2P2 will be subject to all lease terms and regulations governing the conduct of mining operations pursuant to an approved R2P2.

3. In order to accomplish the mining as planned in the Trail Mountain R2P2 in the proposed 4th East and 5th East longwall panels, it will be necessary to conduct full extraction mining operations under a portion of the Castlegate escarpment. Authority to conduct such longwall extraction operations under the escarpment is contingent upon approval by governmental agencies other than the BLM. Therefore, PacifiCorp and the BLM agree that they will each make a good faith effort to obtain all approvals necessary to conduct the planned operations following the sequence and timing set forth in the Trail Mountain R2P2. In the event such approvals are not obtained prior to the time scheduled operations would otherwise occur under the Trail Mountain R2P2, then bleeder and set up entries in the 4th East and 5th East longwall panels shall be established by PacifiCorp at the locations shown in the proposed R2P2 that is the subject matter of the above-captioned litigation. In the event such approvals are not obtained in time to conduct the longwall operation, no royalty will be assessed on coal under and east of the escarpment in the remainder of Area I, as designated on Enclosure "1" to the BLM's letter to PacifiCorp dated September 25, 1995. The line of demarcation will be the angle of draw that would preclude potential adverse impacts to the escarpment.

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4. In order to accomplish the mining as planned in the Trail Mountain R2P2 in the proposed 6th East longwall panel, it will be necessary for PacifiCorp to obtain from the appropriate governmental agencies a Special Use Permit or other authorization for the development of underground rights-of-way outside the present federal coal lease boundaries. Authority to conduct such operations is contingent upon compliance with environmental laws and may also require the approval of governmental agencies other than the BLM. Therefore, PacifiCorp and the BLM stipulate that they will each make a good faith effort to obtain all approvals necessary to conduct the planned operations in the development and extraction of the 6th East longwall panel as set forth in the Trail Mountain R2P2. In the event compliance with the environmental laws and the obtaining of the necessary approvals does not occur prior to the time scheduled operations would otherwise occur under the Trail Mountain R2P2 in the 6th East longwall panel, PacifiCorp shall not be obligated to conduct the development and extraction operations shown in the Trail Mountain R2P2 with respect to the 6th East longwall panel. In the event such approvals are not obtained in time to conduct the planned operations, no royalty will be assessed upon reserves remaining unmined in the 6th East longwall panel or in the remainder of Area II, as designated on Enclosure "1" to the BLM's letter to PacifiCorp dated September 25, 1995.

5. In order to accomplish the mining as planned and in the sequence approved in the Trail Mountain R2P2 in the proposed 12th Right, 11th Right, 10th Right, 9th Right and 8th Right longwall panels, it will be necessary for PacifiCorp to obtain from the appropriate governmental agencies a Special Use Permit or other authorization for the development of underground rights-of-way outside the present federal coal lease boundaries. Authority to conduct such operations is contingent upon compliance with environmental laws as well as the approval by governmental agencies other than the BLM. Therefore, PacifiCorp and the BLM stipulate that they will each make a good faith effort to obtain all approvals necessary to conduct the planned operations in the development and extraction of the 12th Right, 11th Right, 10th Right, 9th Right and 8th Right longwall panels as set forth in the Trail Mountain R2P2. In the event compliance with the environmental laws and the obtaining of the necessary approvals does not occur prior to the time scheduled operations would otherwise occur under the Trail Mountain R2P2 in the 12th Right, 11th Right, 10th Right, 9th Right and 8th Right longwall panels, then the bleeder entries will be established within the boundary of Federal Lease U-64375, ~~maintaining a 50 ft. (minimum) solid coal external property boundary barrier~~, approximately at the locations shown for the set up entries in the Trail Mountain R2P2. New set up entries for the referenced longwall panels shall be established by PacifiCorp with a barrier pillar design as referred to in the February 5, 1996 addendum. This action and subsequent layout would result in the establishment of a "step" bleeder system along the west end of the longwall panels in this area. The parties acknowledge that this design of a "step" bleeder system could result in the possible loss of some reserves. The parties are willing to share the risk of such a reserve loss to achieve maximum economic

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recovery. In the event such approvals are not obtained in time to conduct the planned operations, no royalty will be assessed upon reserves remaining unmined in the area of the 12th Right, 11th Right, 10th Right, 9th Right and 8th Right longwall panels.

6. Upon execution of this Settlement Agreement, counsel for PacifiCorp and defendants will promptly execute a Stipulation of Dismissal Without Prejudice substantially in the form attached hereto as Exhibit "A." Following issuance of the Order of Dismissal, counsel for PacifiCorp will withdraw its appeal of this matter now pending before the Interior Board of Land Appeals and all issues with respect to the subject matter of this litigation shall be deemed resolved between the parties.

7. This Agreement is a settlement and compromise of disputed claims and shall have no precedential effect with regard to any of the issues resolved by it.

DATED this 4th day of March, 1996.

PacifiCorp, by Energy West Mining Company, its ~~Managing~~ Agent

By: [signature]
Its: Vice President

Stoel Rives LLP,
counsel for PacifiCorp

[signature]
John S. Kirkham

Bureau of Land Management

By: [signature]
Its: Deputy State Director, Natural Resources

United States Department of the Interior, and all other Defendants

[signature]
Bruce Hill, Special Assistant
U.S. Attorney

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This letter was sent to State Agencies listed under the cc: without enclosures.

April 19, 1996

RECEIVED
APR 22 1996
DIV. OF OIL, GAS & MINING

FIELD(FIRST) FIELD(LAST), FIELD(TITLE)
FIELD(WHERE)
FIELD(COMPANY)
FIELD(STREET)
FIELD(CITY), FIELD(STATE) FIELD(ZIP)

RE: Facilitate Mining in Accordance with Approved Resource Recovery and Protection Plan (R2P2); Third, Fourth, and Fifth East Development, Fourth and Fifth East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear FIELD(INITIAL). FIELD(LAST):

The Division of Oil, Gas, & Mining on April 19, 1996, received a permit amendment from PacifiCorp. The amendment concerns facilitating prior approved first mining in accordance with the recent approved resource recovery and protection plan (R2P2) on the third, fourth, and fifth east panel setups at the Trail Mountain Mine amendment number ACT/015/009-96A.

You will note that the permittee, in the letter, has observed an active pair of peregrine falcons in the escarpment area adjacent to the aforementioned first mining area. They have notified federal and state agencies, some personnel from the agencies have also participated in the field observations.

The Division anticipates acting on this permit amendment on April 26, 1996. Please provide your comments by this date to Mr. Joe Helfrich, DOGM, Salt Lake City.

If you have any questions or need additional information, please contact Mr. Helfrich. A copy of the amendment application is on file for your review and comment at the DOGM Price Office and the DOGM Salt Lake Office. This is in line with the recent processing decision by Mr. Carter.

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There is a high sense of urgency on this amendment. We are hopeful that your review and comment can be completed by the requested date.

Sincerely,

Wm. J. Malencik
Reclamation Specialist

sd
Enclosures
cc: J. Helfrich, DOGM, SLC w/enc
P. Grubaugh-Littig, DOGM, SLC
M. Page, Water Rights, Price
D. Ariotti, DEQ, Price
B. Bates, DWR, Price

ENERGY WEST Mining Co.
PO Box 310
Huntington, Utah 84528

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DIVISION OF OIL
GAS & MINING PRICE UTAH

Amendment Act 015/009-96A

April 19, 1996

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UTAH DIVISION OIL, GAS AND MINING

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
Price Field Office
451 East 400 North
P.O. Box 156
Price, Utah 84501

Copy Joe & Aaron
Folder #2

Attention: Mr. Bill Malencik

RE: AMENDMENT TO FACILITATE MINING IN ACCORDANCE WITH APPROVED RESOURCE RECOVERY AND PROTECTION PLAN (R2P2); THIRD, FOURTH AND FIFTH EAST DEVELOPMENT, FOURTH AND FIFTH EAST LONGWALL PANELS; PACIFICORP, TRAIL MOUNTAIN MINE, ACT/015/009, EMERY COUNTY, UTAH

PacifiCorp, by and through its wholly owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, requests that an amendment be granted to facilitate mining in Third, Fourth and Fifth East development sections and Fourth and Fifth East longwall panels, at the Trail Mountain Mine, in accordance with the R2P2 approved by the Bureau of Land Management (BLM).

The R2P2, approved by BLM on March 15, 1996 (attachment for Appendix 3-3L), depicted on Plates 3-2 and 3-3, includes extending the Third, Fourth and Fifth East development sections approximately 700 feet East beyond the location previously proposed (see Plate 3-2, DO-95A, certified 11/8/95). The area into which the development is to be extended is within the Trail Mountain Mine Permit Area. Development mining (first mining) in this area is consistent with previous mine plan approvals (see following discussion) and the current Trail Mountain Mine Permit and the approved Mining and Reclamation Plan (MRP). Therefore, a Permit Amendment seems appropriate to address this situation.

The accompanying revised MRP text pages (3-19, 3-21 & 3-21.1) and plates (3-2, 3-2A & 3-3) reflect changes which make the MRP consistent with the entire approved R2P2. However, the amendment is requested for only the portion of the R2P2 associated with extension of the Third, Fourth and Fifth East development sections and Fourth and Fifth East longwall panels (see Plate 3-2A).

Huntington Office:
(801) 687-9821
Fax (801) 687-2695
Purchasing Fax (801) 687-9092

Deer Creek Mine:
(801) 381-2317
Fax (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax (801) 748-2380

Development mining must occur well in advance of longwall extraction. Longwall extraction in the Fourth East panel is scheduled to begin in mid-June; therefore, Third East and Fourth East development mining must be completed by mid-May. Extraction in the Fifth East panel will not occur until mid-October; however, Fourth East development is related to both the Fourth and Fifth East longwall panels. Therefore, Fourth East development must be driven to the extent necessary to facilitate the Fifth East longwall panel. Approximately 37,700 tons of additional coal will be recovered from the extension of the development entries as identified in the approved R2P2. As previously stated, development mining is first mining; therefore, no subsidence will occur as a result of the development mining. The subject area is within the Trail Mountain Mine Permit Area and is included in the existing subsidence monitoring and control program. Additionally, mining in this portion of the Trail Mountain Mine was addressed in 1991. See attached BLM letter to the Division dated April 12, 1991, regarding Beaver Creek Coal Company's mine plan, first mining and escarpment protection. Mining in this area was again addressed in 1995 (BLM letter to PacifiCorp dated June 21, 1995). The subject area is identified as "parcel I" in the 1995 letter. This letter reads, in-part, ... "these areas/reserves"... "were scheduled for mining by the previous lessee/operator. Therefore, with the status of these reserves unchanged, they cannot be deleted from the recoverable reserve base. Accordingly, these reserves/areas are required to be mined."

The 1996 BLM approval of the Trail Mountain Mine R2P2 includes proposed longwall extraction (second mining) in the Fourth and Fifth East panels, east of the eastern boundary of Section 1, T18S, R6E. As the above referenced 1991 letter indicates, lease terms specify protection of cliffs from mine-induced subsidence failure; additionally, DOGM Special Condition 4 of the Trail Mountain Mine Permit limits mining in this vicinity to "first mining only". Therefore, the 1996 BLM approved R2P2 prompted an Environmental Assessment (EA) by the Forest Service. The EA process is expected to be completed , no sooner than, mid-June. Longwall extraction will not occur in this area until after the Environmental Assessment process is completed; however, development for future longwall extraction must be completed by mid-May. Approximately 393,000 tons of additional coal will be recovered from the extension of Fourth and Fifth East longwall panels as identified in the 1996 approved R2P2. All coal recovery in this area will occur within the current Trail Mountain Mine Permit Area. Following completion of the EA process, the Trail Mountain Mine MRP will be revised to include all applicable information. The proposed underground right-of-way access identified in the R2P2 and the EA will be addressed by application to the Division through the appropriate processes (IBC, etc.) as the need is identified.

The recent discovery of an active Peregrine falcon territory in the vicinity of the proposed extension of the Fourth and Fifth East panels has resulted in great uncertainty regarding mining in this area. Therefore, longwall extraction and the associated development mining, as identified in the approved R2P2, may not

necessarily occur as currently proposed. However, Division approval to facilitate development mining according to the schedule discussed above is still needed.

Forms DOGM-C1 and C-2 are transmitted herewith.

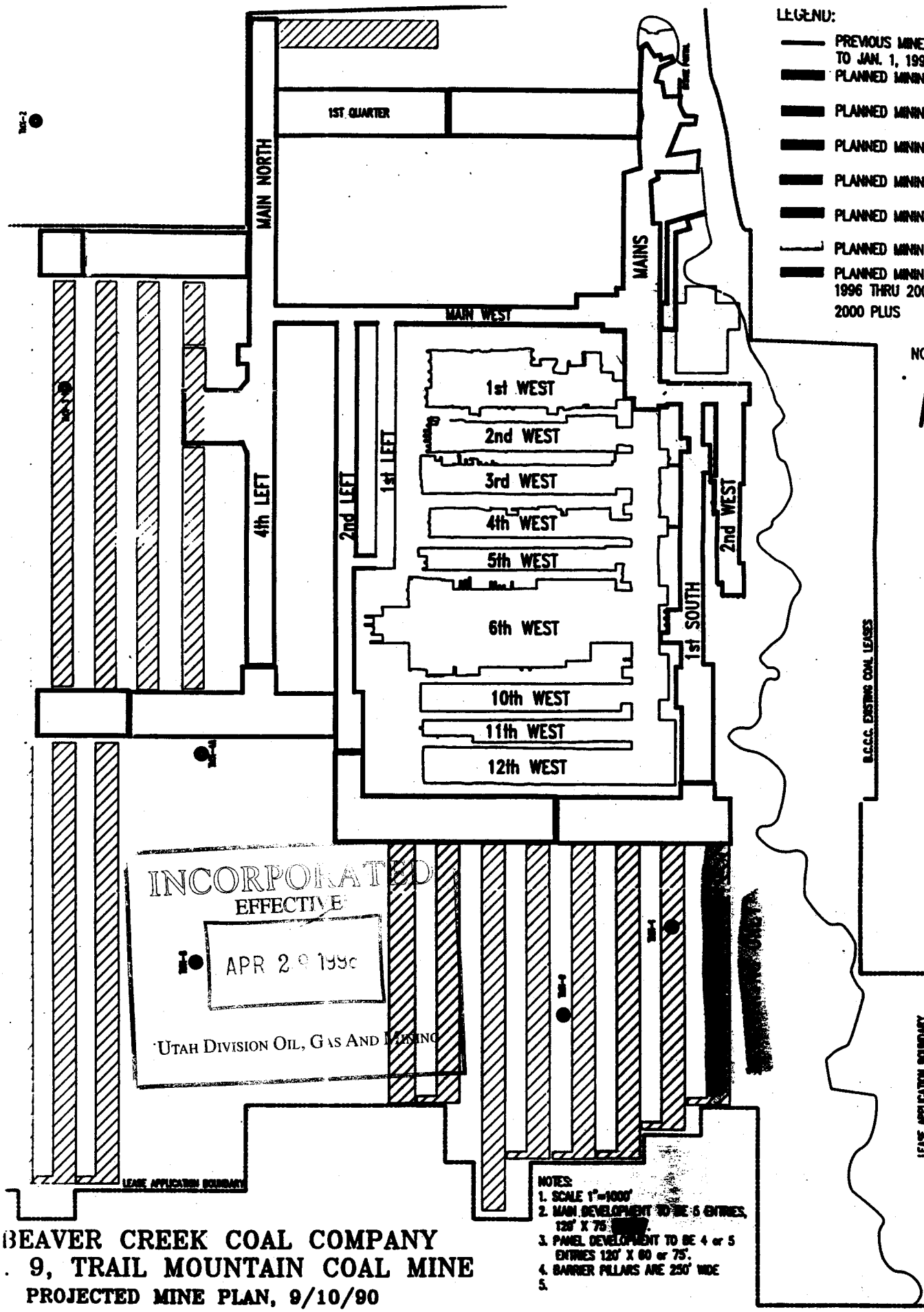
Your immediate attention regarding this request is greatly appreciated. If you have questions regarding this matter, please call me at (801) 687-4722. I am available to meet with you at your convenience, if it would be beneficial to your review of this request.

Sincerely,

Val Payne

Val Payne
Sr. Environmental Engineer

cc: P. Grubaugh-Littig



BEAVER CREEK COAL COMPANY
. 9, TRAIL MOUNTAIN COAL MINE
PROJECTED MINE PLAN, 9/10/90

CONFIDENTIAL

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District
Price River Resource Area
900 North 700 East
Price, Utah 84501

3482
U-64375
U-49332
U-082996
(UT-066)

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Certified No. P 425 155 729

JUN 2 1 1995

Mr. J. R. Key
Director, Technical Services
PacifiCorp
One Utah Center
201 South Main, Suite 2000
Salt Lake City, Utah 84140-0020

Re: Trail Mountain Mine Resource Recovery and Protection Plan (R2P2), Minor Modification Request

Dear Mr. Key:

On December 7, 1994, the Bureau of Land Management (BLM) received PacifiCorp's minor modification request dated December 5, 1994, to completely revise the approved R2P2 for the Trail Mountain Mine. In the interim period, December 7th to the present, a number of meetings were held in regard to the December 5th request, during which time BLM cited general deficiencies, disclosed our concerns with the request and reached an interim agreement with PacifiCorp giving partial approval to allow the day-to-day operation to continue uninterrupted with regard to the newly requested mining sequence. The affected reserves are located on Federal coal leases U-64375, U-082996 and U-49332 in the Hiawatha Seam.

The approved R2P2 for PacifiCorp's Trail Mountain Mine indicates successful extraction of all recoverable reserves based on the room-and-pillar mining method. The chosen method of extraction (room-and-pillar) is a limiting variable, but a significant factor in establishing the recoverable reserve base estimates. Accordingly, this defines diligent development, commercial quantity, continued operation production and ultimately ensures maximum economic recovery (MER) based on the room-and-pillar mining method (Enclosure 1). PacifiCorp's December 5th request proposes to change the primary method of mining from room-and-pillar to the longwall mining method (Enclosure 2). PacifiCorp contends, to best facilitate the longwall mining method at the Trail Mountain Mine a change in the mine layout (2-entry gateroad system, panel reorientation, main entry development system, pillar design ((barrier pillar and yieldable pillars)) roof control, mine ventilation, etc.), as illustrated on Enclosure 2 is required.

The BLM concurs in part with PacifiCorp's proposed plan. However, the BLM has concern with several aspects of the plan which are cited as follows:

1) The irregularity of the lease boundary on the southern half of Federal lease U-64375 and the location/orientation of the Castlegate escarpment on the southeast side of that lease create areas/reserves which appear not to be favorable for longwall mining. These areas delineated on Enclosure 2 as parcels I, II, and III, are absent of any projected mining activity, implying coal recovery from these areas will not occur. However, these areas/reserves have been designated for mining in the recoverable reserve base determination (Enclosure 3 & 4) and/or the approved

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R2P2 and were scheduled for mining by the previous lessee/operator. Therefore, with the status of these reserves remaining unchanged, they cannot be deleted from the recoverable reserve base. Accordingly, these reserves/areas are required to be mined. To further clarify BLM's position in conformance with Federal regulation at 43 CFR 3482.2(b)(2) - Action on plans (changes in plans by authorized officer) which states in part, "The authorized officer, pursuant to MLA, may require an approved R2P2 to be revised ... to adjust to changed conditions, to correct oversights, or to reflect changes in legal requirements."

Hence, PacifiCorp must submit to the BLM for approval, a mine plan that encompasses the recovery of these reserves in the areas of question.

- 2) In regard to the barrier pillar (dubbed as future main entry protective barrier) between the west boundary of Federal lease U-64375 and longwall bleeder system entries from the north boundary of lease U-64375 to the proposed 8th Right gateroad entries, mining is required to advance to within 50 feet of the lease boundary. The BLM requests the mining of this area in conformance with regulation at 43 CFR Subpart 3484 - Performance Standards, 3484.1 (c)(6)(ii) - Barrier pillars left for support, which states in part:

  If the coal in adjoining premises ... , the operator/lessee on the written order of the authorized officer, shall mine out and remove all available Federal recoverable coal reserves in such a barrier if it can be mined without undue hardship to the operator/lessee ...

PacifiCorp cannot preserve future access to adjacent Federal coal reserves when no assurance has been given or can be given by the BLM to PacifiCorp on the acquisition of this potential Federal coal lease. The acquisition of this lease will be determined by the outfall of the competitive lease bid process.

Also, in accordance with Federal regulation 3484.1 (c)(6)(ii), as stated above, mining is required to advance to the lease boundary on the west side of lease U-64375, from the proposed 8th Right gateroads to its southern boundary, and eastward to where the boundary of the lease traverses the Castlegate escarpment.

PacifiCorp must submit to the BLM for approval, a mine plan that encompasses the recovery of these reserves in the area of question or submit empirical data to BLM which provides valid justification for not mining as requested by the BLM with regard to the lease boundary of Federal lease U-64375 and in accordance with Federal regulation.

- 3) In addition, the barrier pillars dubbed as main entry protective barrier and bleeder entry protective barrier that are between the north boundary of Federal lease U-64375 and 1st Right, and on each side of 8th Right respectively, appear to be oversized according to BLM's analysis.

  Also, with reference to the barrier pillars on each side of 8th Right, considerable reserves remain in place to facilitate the mining of two separate blocks of longwall panels. Our analysis shows that more reserves can be recovered if these two blocks of panels were mined as one logical block of panels. This would negate the need for the barrier pillars and bleeders at this location.

  Due to the absence of past historical longwall mining practice at the Trail Mountain Mine (gate road design and panel orientation, yield pillar design and barrier pillar design, etc.) and without knowing the many parameters (compressive strength of coal, cleat density of coal, consideration given to long-term stability and a definition of long-term vs short-term, etc.) used to design/dictate the mine layout, BLM has some difficulty in evaluating/verifying whether

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or not the proposed plan is logical and efficient, thus preventing an accurate MER determination by the BLM.

Therefore, to resolve this concern, BLM requests empirical data which PacifiCorp used to design the layout of these two blocks of longwall panels and a statement of rational which led to their conclusion with regard to their protective barrier design and mine layout.

- 4) Finally, considerable concern yet remains with the areas that are designated as having a high ash content and are not projected for mining based on that premise. In order for BLM to verify the poor coal quality condition that precludes mining and to make an accurate MER determination, PacifiCorp must submit, as requested on November 23, 1994, the manufacturer's design specification on the coal preparation plant adjacent to Hunter Power Plant.

It is imperative that PacifiCorp understands that before approval can be granted for the newly proposed R2P2, a determination which ensures MER must be fulfilled. BLM's determination, in this case, can not be limited by: the reserves that PacifiCorp is willing to extract only by longwall mining; reserves deemed unminable based on alleged adverse safety conditions; or the reserves which PacifiCorp chooses to mine based on their assessment of the in place coal quality (regarding ash content). PacifiCorp has the capability to economically and safely mine the reserves unfavorable for longwall mining by room-and-pillar mining methods and have the added advantage of coal beneficiation processes (prep plant). These aspects are all considered in an MER determination. PacifiCorp must provide valid justification, as requested above, that can be verified by BLM, supporting their argument for not mining the reserves in question.

The BLM does recognize the importance of a timely approval to assure uninterrupted coal production at PacifiCorp's Trail Mountain Mine. However, the BLM is mandated to review revisions to the approved R2P2 in conformance with 43 CFR Part 3400 Coal Management. Considering the tentative startup of the 2nd East longwall panel (September 1995), the BLM requires the requested information to be submitted to our office within thirty (30) calendar days of the receipt of this letter.

The BLM has determined the proposed request does not comply with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, the lease terms and stipulations, and will not achieve maximum economic recovery of the Federal coal. Therefore, at this time, approval has been denied.

If you have any questions, please contact Barry Grosely in the Price River Resource Area at (801) 637-4584.

Sincerely,

MARK E. BAILEY

Area Manager

4 Enclosures
1. Approved R2P2, Hiawatha Seam (1pg)
2. Proposed R2P2, Hiawatha Seam (1pg)
3. Recoverable Coal Reserve Map (1pg)
4. Isopach Map Hiawatha Seam

cc: UT-065, DM, Moab (w/enclosure)
UT-921, SD, Utah (w/enclosure)
Morgan Moon
Manager, Technical Services
Energy West Mining Company
15 North Main
Huntington, Utah 84528 (w/enclosures)

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Steve E. Kochevar, PE
Mining Planning Administrator
PacifiCorp
One Utah Center
201 South Main, Suite 2000
Salt Lake City, Utah 84140-0020 (w/enclosures)

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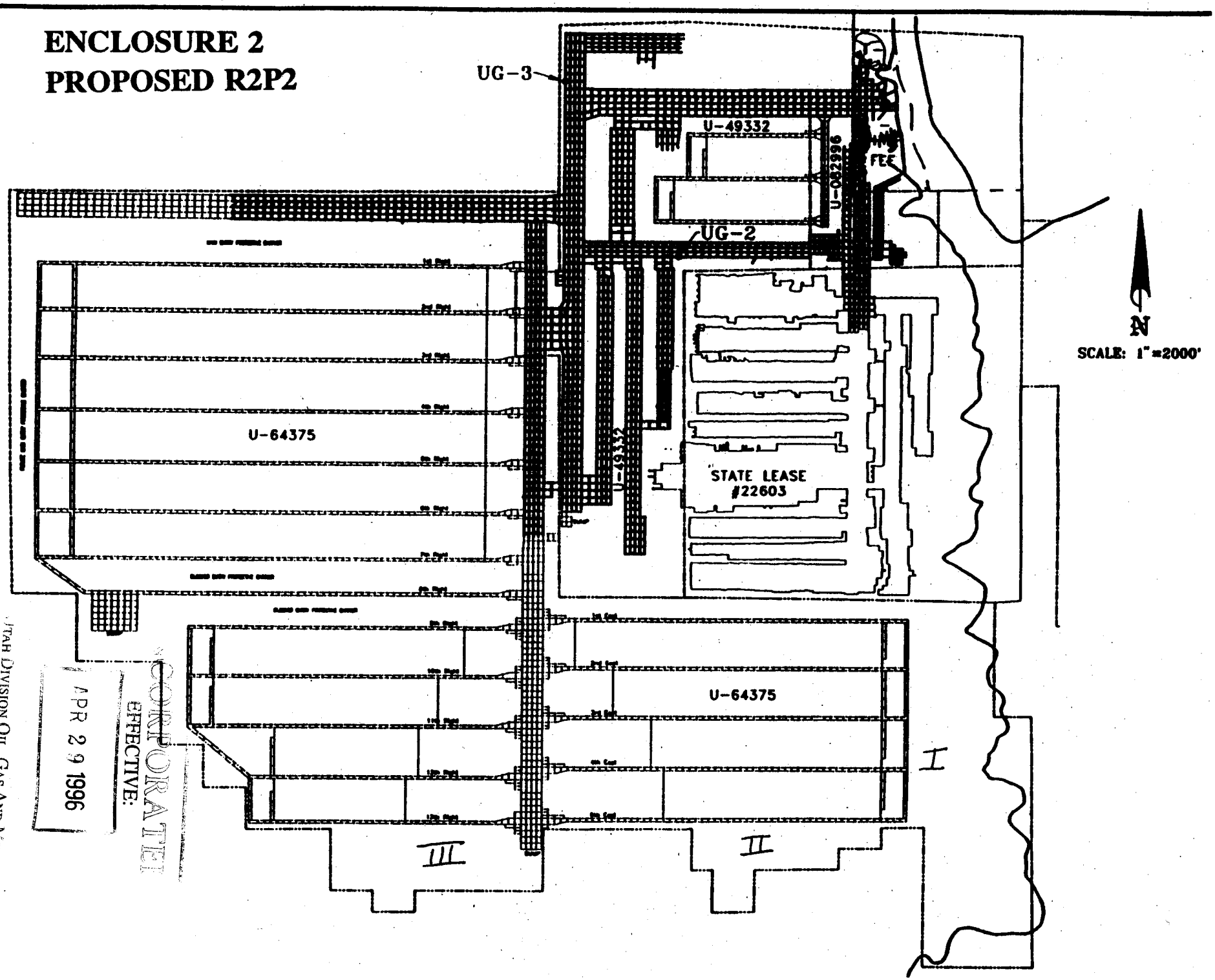
ENCLOSURE 2
PROPOSED R2P2



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Form DOGM - C1 (Last Revised 6/93) File Folder # 3

APPLICATION FOR PERMIT CHANGE

Title of Change: AMENDMENT TO FACILITATE MINING IN ACCORDANCE WITH APPROVED R2P2

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:
BLM APPROVAL OF R2P2.

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☑ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☐ Yes	☑ No	6. Does permit change require or include public notice publication?
☐ Yes	☑ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☑ No	8. Permit change as a result of a Division Order? D.O.#
☑ Yes	☐ No	9. Permit change as a result of other laws or regulations? Explain: BLM R2P2 APPROVAL
☐ Yes	☑ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☑ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☑ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☑ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes	☑ No	14. Does permit change require or include soil removal, storage or placement?
☐ Yes	☑ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☐ Yes	☑ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☐ Yes	☑ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☑ Yes	☐ No	18. Does permit change require or include certified designs, maps, or calculations?
☑ Yes	☐ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☑ No	20. Does permit change require or include subsidence control or monitoring?
☐ Yes	☑ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☐ Yes	☑ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☑ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☑ **Attach 7 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Val C Payne VAL E PAYNE SR. ENV. ENG. APRIL 18 1996
Signed - Name - Position - Date

Subscribed and sworn to before me this 18th day of April, 1996.
Lori Ann Anderson
Notary Public

My Commission Expires: December 22, 1997
Attest: STATE OF Utah
COUNTY OF Emery

NOTARY PUBLIC
Lori Ann Anderson
15 North Main St.
Huntington, Utah 84528
My Commission Expires
December 22, 1997
STATE OF UTAH

Received by Oil, Gas & Mining

APR 29 1996

UTAH DIVISION OIL, GAS AND MINING

ASSIGNED PERMIT CHANGE NUMBER

Form DOGM - C2 (Last Revised 6/93)

File Folder # 3

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change: AMENDMENT TO FACILITATE MINING IN ACCORDANCE WITH APPROVED R2P2

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☑ REPLACE	☐ REMOVE	PAGES 3-19 & 3-21
☑ ADD	☐ REPLACE	☐ REMOVE	PAGE 3-21.1
☐ ADD	☑ REPLACE	☐ REMOVE	PLATES 3-2 & 3-3
☑ ADD	☐ REPLACE	☐ REMOVE	BLM R2P2 APPROVAL LETTER TO APPENDIX 3-3L
☑ ADD	☐ REPLACE	☐ REMOVE	PLATE 3-2A, DRAWING TM-1566-E.
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
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☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

INCORPORATED
EFFECTIVE:
APR 29 1996

UTAH DIVISION OIL, GAS AND MINING

3482
U-082996
U-64375
(U-065c)

Moab District
P.O. Box 970
Moab, Utah 84532

APR 12 1991

INCORPORATED
EFFECTIVE:
APR 29 1996
UTAH DIVISION OIL, GAS AND MINING

Ms. Pamela Grubaugh-Littig
Division of Oil, Gas and Mining
355 West North Temple Street
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Ms. Grubaugh-Littig:

On August 13, 1990, the Bureau of Land Management (BLM) received a copy of the permit application package (PAP) from your office entitled "Federal Lease Tract Addition, Beaver Creek Coal Company, Trail Mountain No. 9 Mine, ACT/015/009". This PAP requires our response in two areas. Since a portion of the lands applied for are located on BLM surface, a response as to the completeness of post mining land uses and protection of non-mineral resources is required. In a letter to your office dated October 28, 1990, we stated that the PAP is complete in regard to these items. The other area requiring our review is the resource recovery and protection plan (R2P2). Our review is discussed below.

Beaver Creek Coal Company (BCCC) plans to add Federal lease U-64375 to their permit area at the Trail Mountain No. 9 Mine. The mine plan calls for extending the current mine workings south and west into the new lease. All access to this lease will be from existing mine works and no new surface facilities will be constructed. The R2P2 details the planned underground mine workings and extraction (room and pillar) methods for this new lease as required by the mineral leasing laws.

Although complete pillar extraction is contemplated, previous experience at the mine under similar circumstances has not met with success. These circumstances involve mining at depths of around 2000 feet and a massive sandstone strata above the immediate roof that is not conducive to caving. For this reason, the BLM expects to approve several changes until the optimal recovery is obtained.

Lease terms specify protection of cliffs from mine-induced subsidence failure. In reviewing the plan, one planned room and pillar panel falls under the area of influence of potential escarpment failure due to subsidence caused by mining activities. To avoid potential escarpment failure, the last panel on the eastern boundary of T18S, R6E, section 1, will be limited to first mining only in order to leave pillars of sufficient size to prevent caving of the strata (see attached map). With this addition, the plan is adequate and technically complete.

We have determined that the R2P2 is in compliance with the Mineral Leasing Act of 1920, as amended, the regulatory provisions of 43 CFR 3480, Federal lease terms and conditions, and the requirement for achievement of maximum economic recovery of Federal coal. Therefore, we recommend approval of the R2P2 for the new lease.

If you have any questions, please contact Stephen Falk or Gary Johnson in our Price Coal Office at (801) 637-4584.

Sincerely yours,

H Gary Johnson

for Assistant District Manager
Mineral Resources

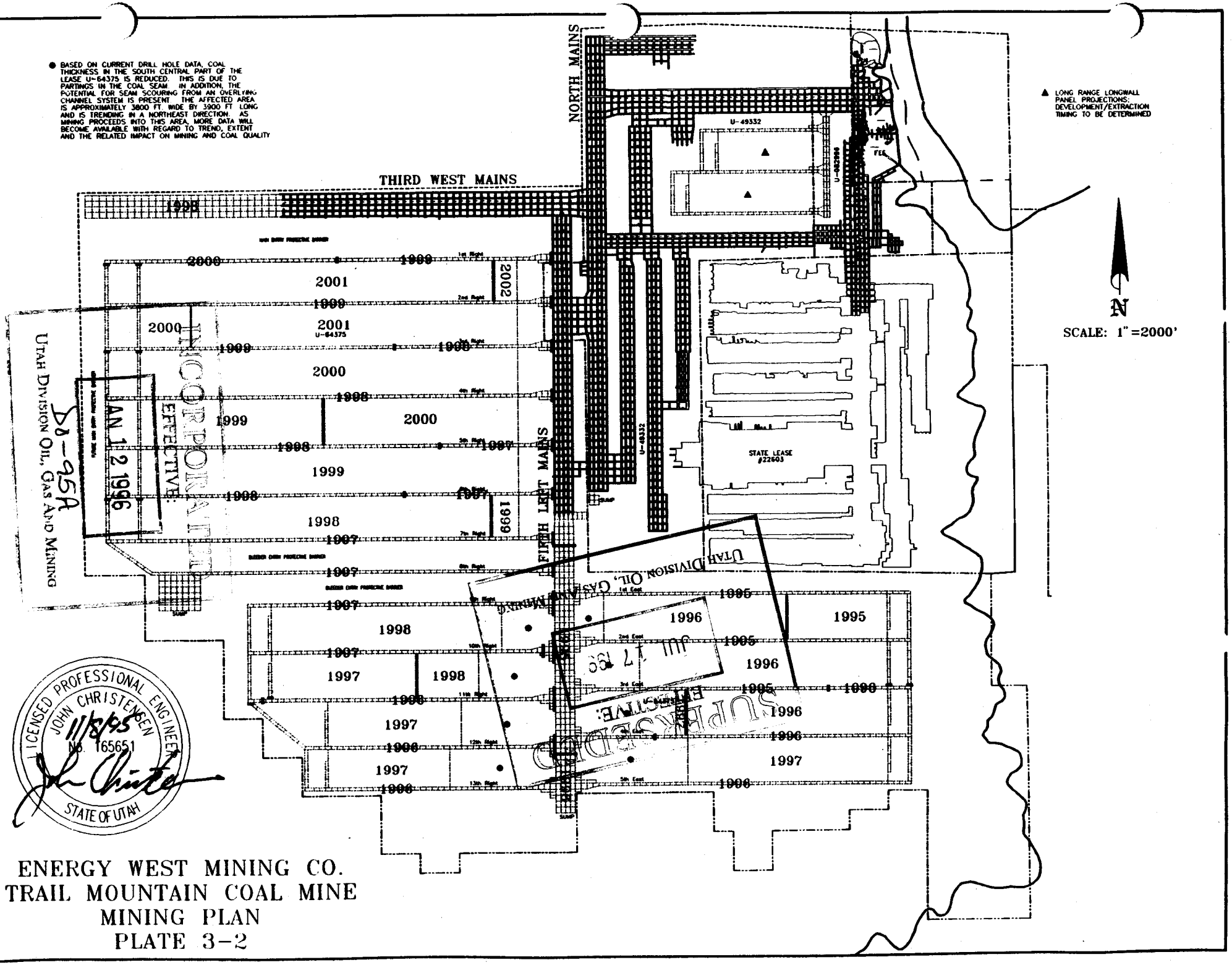
Enclosure:
Projected Mine Map

cc: SD, Utah (U-921), w/enclosure
DM, Moab (U-065), w/enclosure
Beaver Creek Coal Company, w/enclosure
Manti-LaSal National Forest, Price, w/enclosure

SFalk:svo:4/12/91
Wang 2067D

● BASED ON CURRENT DRILL HOLE DATA, COAL THICKNESS IN THE SOUTH CENTRAL PART OF THE LEASE U-64375 IS REDUCED. THIS IS DUE TO PARTINGS IN THE COAL SEAM. IN ADDITION, THE POTENTIAL FOR SEAM SCOURING FROM AN OVERLYING CHANNEL SYSTEM IS PRESENT. THE AFFECTED AREA IS APPROXIMATELY 3800 FT. WIDE BY 3900 FT. LONG AND IS TRENDING IN A NORTHEAST DIRECTION. AS MINING PROCEEDS INTO THIS AREA, MORE DATA WILL BECOME AVAILABLE WITH REGARD TO TREND, EXTENT AND THE RELATED IMPACT ON MINING AND COAL QUALITY

▲ LONG RANGE LONGWALL PANEL PROJECTIONS: DEVELOPMENT/EXTRACTION TIMING TO BE DETERMINED

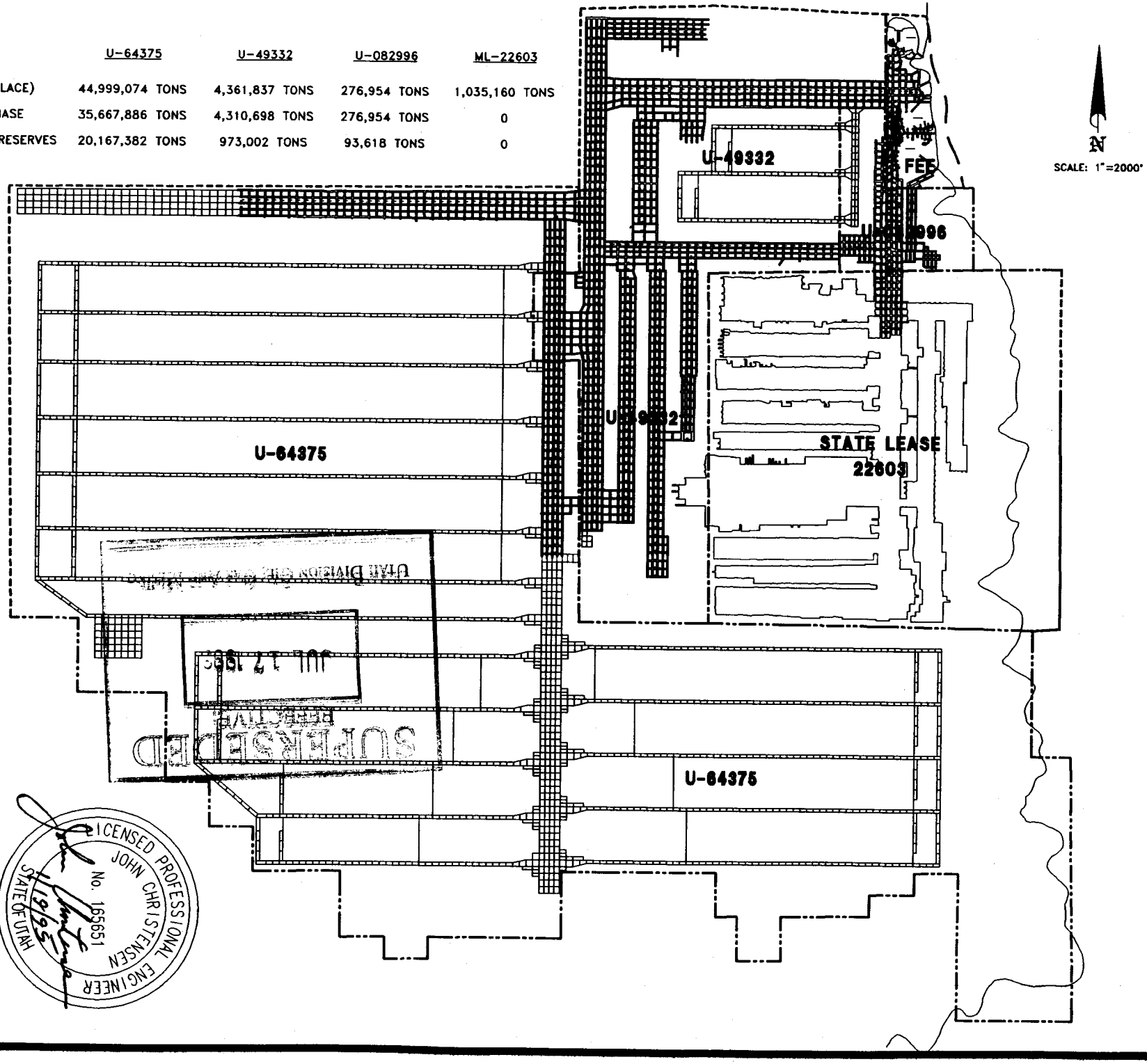


UTAH DIVISION OIL, GAS AND MINING
AN 12 1996
INCORPORATED EFFECTIVE:
DO-95A
UTAH DIVISION OIL, GAS AND MINING
JUL 17 1996
SUPERSEDED EFFECTIVE:

LICENSED PROFESSIONAL ENGINEER
JOHN CHRISTENSEN
11/8/95
NO. 165651
STATE OF UTAH

ENERGY WEST MINING CO.
TRAIL MOUNTAIN COAL MINE
MINING PLAN
PLATE 3-2

LEASE	U-64375	U-49332	U-082996	ML-22603
RESERVE BASE (IN PLACE)	44,999,074 TONS	4,361,837 TONS	276,954 TONS	1,035,160 TONS
MINEABLE RESERVE BASE	35,667,886 TONS	4,310,698 TONS	276,954 TONS	0
RECOVERABLE COAL RESERVES	20,167,382 TONS	973,002 TONS	93,618 TONS	0



SUPERSEDED
EFFECTIVE
JUL 17 1995
Utah Division of Oil, Gas & Mining

LICENSED PROFESSIONAL ENGINEER
JOHN CHRISTENSEN
No. 155651
STATE OF UTAH
7/19/95

TRAIL MOUNTAIN MINE
AREAS OF COAL RECOVERY
PLATE 3-3

TABLE 3-1

RECOVERABLE RESERVES

LEASE AREA	IN-PLACE TONS	RECOVERABLE TONS
FEDERAL LEASE U-49332	4,666,670	973,002
FEDERAL LEASE U-082996	276,954	93,618
FEDERAL LEASE U-64375	44,874,379	20,167,382
STATE LEASE ML-22603	1,035,160	0

SUPERSEDED
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JUL 17 199
UTAH DIVISION OIL, GAS AND MINING

TOTAL RECOVERABLE TONS ASSIGNED TO TRAIL MOUNTAIN 21,234,002

3.3.2.3 PROPERTY BOUNDARIES

Property boundaries are designated in accordance with both State and Federal mining regulations.

3.3.2.4 OUTCROP PROTECTION

Outcrop protection is provided by leaving a minimum barrier of 200' between mine workings and the coal outcrop. One exception to the above is the eastern most entry of the 3-entry system driven north and northeast to the ventilation portal. The eastern entry is located within the 200' barrier for a distance of approximately 240' and at no time comes closer than 160' from the outcrop. The 3-entries were necessary to meet MSHA regulations and provide adequate ventilation. The location of this variance is in the side canyon approximately 1100' south of the belt portal, and is shown on Figure A-3-7-2, Appendix 3-7. Outcrop protection is further addressed in the geotechnical chapter of this permit.

3.3.3 CONSERVATION OF COAL RESOURCES

SUPERSEDED
EFFECTIVE:
JUL 17 1996
UTAH DIVISION OIL, GAS AND MINING

3.3.3.1 PROJECTED MAXIMUM RECOVERY

Maximum amount of coal recoverable from the Trail Mountain property is approximately 21,234,002 tons. Table 3-1 shows the breakdown of coal recovery. Plate 3-3 shows the areas of coal recovery.

3.3.3.2 JUSTIFICATION OF NON-RECOVERY

It is estimated that resource recovery rate of 80% or better can be obtained within the proposed longwall panels. Overall minable reserve recovery for the Trail Mountain Mine is estimated at approximately 60%.

INCORPORATED
EFFECTIVE:
JAN 12 1996
DO-95A
UTAH DIVISION OIL, GAS AND MINING

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

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340
(801) 359-3940 (Fax)

December 11, 1996

Chuck Semborski
PacifiCorp
PO Box 310
Huntington, Utah 84528

RE: 2nd Mining, Resource Recovery and Protection Plan File Closure, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Semborski:

The purpose of this letter is to close the file on 2nd mining that was approved October 17, 1996. The approval required the submission of certain follow-up documents. The submission was completed on November 12, 1996.

The matter of 3-D modeling on rock spalling and escarpment failure is covered in a letter by PacifiCorp. This letter has been directed and sent to the USFS and BLM. PacifiCorp's position as I undertstand it and as expressed in the foregoing letter, concludes that data from the Newberry Canyon study is more typical of long wall mining than at the Trail Mountain Mine.

A copy of this letter is being sent to the Forest Service and BLM. Absent receiving information to the contrary by January 10 from US Forest Service and BLM, this condition to the permit amendment will be considered closed as related to the Trail Mountain Mine.

Sincerely,

Wm. J. Malencik
Reclamation Specialist

RECEIVED
DEC 16 1996
DIV. OF OIL, GAS & MINING

INCORPORATED
EFFECTIVE:
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

RECEIVED
DEC 16 1996
DIV. OF OIL, GAS & MINING

sd
enclosure
cc: Ranvir Singh, OSM, Denver
Mark Bailey, BLM, Price
Mark Page, State Eng, Price, w/o enc
Dave Ariotti, DEQ, Price, w/o enc
Bill Bates, DWR, Price, w/o enc
Joe Helfrich, DOGM, SLC

ENERGY WEST Mining Co.
PO Box 310
Huntington, Utah 84528

November 12, 1996

RECEIVED
NOV 14 1996
DIVISION OF OIL
GAS & MINING UTAH

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
451 East 400 North
P. O. Box 156
Price, Utah 84501

Attention : Mr. Bill Malencik

Re: 2nd Mining/Resource Recovery and Protection Plan Modification,Revised Permit Pages and Plates. PacifiCorp,Trail Mountain Mine, ACT/015/009-96A, Folder # 2, Emery County, Utah.

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, submit the revised permit pages and plates as requested in your letter dated October 17, 1996.

The following pages and plates, seven copies each, relating to the plan modification are enclosed for your approval, to be stamp dated for incorporation into the permit.

1. Permit Pages 3-19, 3-21, 3-21.1, 3-47, 3-47.1

2. Permit Plate No. 3-2, 3-3

Please find attached the letter addressed to the Forest Service and Bureau of Land Management, dated October 30, 1996, relevant to matters dealing with 3-D modeling.

Thank you for your help and assistance in this matter, if there any questions or concerns please call me at 687-4822.

Sincerely,

Richard Northrup

Richard Northrup
Env. Eng.

INCORPORATED
EFFECTIVE
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

Huntington Office:
(801) 687-9821
Fax (801) 687-2695
Purchasing Fax (801) 687-9092

Deer Creek Mine:
(801) 381-2317
Fax (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax (801) 748-2380

ENERGY WEST Mining Co.
A Subsidiary of PacifiCorp
PO Box 310
Huntington, Utah 84528

November 14, 1996

RECEIVED
NOV 19 1996
DIVISION OF OIL
GAS & MINING PRICE UTAH

Utah Regulatory Program
Division of Oil, Gas and Mining
451 East 400 North
P. O. Box 156
Price, Utah 84501

Attention: Mr. Bill Malencik

Re: 2nd Mining/Resource Recovery and Protection Plan Modification, Revised Permit Pages and Plates. PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah.

The enclosed tables, maps and text pages were inadvertently left out of the letter to you mailed on November 12. We are sorry for the inconvenience.

Sincerely,

Barbara Adams

Barbara Adams
Administrative Assistant
Technical Services

INCORPORATED
EFFECTIVE
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

Huntington Office:
(801) 687-9821
Fax # (801) 687-2695

Deer Creek Mine:
(801) 381-2317
Fax # (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax # (801) 748-2380

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)

October 17, 1996

Val Payne
Sr. Environmental Engineer
PacifiCorp
P.O. Box 310
Huntington, Utah 84528

RE: 2nd Mining/Resource Recovery and Protection Plan Modification, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Payne:

The aforementioned modification is approved effective October 18, 1996. The approval is based on your application and information provided therein, due consideration of conditions/recommendations provided by other agencies, and the findings cited below.

RECEIVED
DEC 16 1996
DIV. OF OIL, GAS & MINING

Follow up Action by Permittee

Please submit seven copies of unshaded documents as follows:

-MRP pages 3-19, 3-21, 3-21.1, 3-47, 3-47.1

-MRP Plates 3-2, 3-3

The submission date of the aforementioned documents is directly related to the pending modeling proposal as described herein. The key question yet to be determined as related to rock spalling and escarpment failure, is the forth and fifth east panels typical or atypical of long wall mining? This matter is discussed further in the findings cited below.

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The monitoring associated with potential escarpment failure/rock spalling and allied matters will go to 1999 or 2 years after coal extraction mining is completed on the fourth and fifth east panel.

Project Description

This project involves 2nd mining. It is processed as a modification of a prior amendment ACT/015/009-96A which re-approved 1st Mining. The re-approval, dated April 29, 1996, concerned PacifiCorp report of active peregrine falcon in the proposed mining area. The re-approval decision had interagency inputs and recommendations resulting from the interagency meeting held April 25, 1996.

Analysis

This modification has under gone close coordination with multi-agencies including public notice on the USFS/BLM environmental analysis. The mining area and long wall method of mining is currently approved in the general mining permit. It requires additional consideration because of peregrine falcon sightings in this general mining area this past spring. The modification meets the requirements of surface management agency (USFS), mineral estate management agency (BLM), the USFWS as related to certain endangered species noted herein, other concerned agencies, and the Utah Coal Rules.

Findings

(1) MODIFICATION APPLICATION. The applicant submitted a complete and accurate modification application.

(2) DOGM PERMIT STATUS. The addition lies within the current permit.

(3) ACTIVE MINE. The area is included in an active approved coal mining and reclamation operation.

(4) LAND STATUS. The surface and mineral estate are controlled by the U.S. Government.

(5) RECOMMENDATIONS/APPROVALS. The interagency meeting held April 25, 1996 paved the way for 2nd mining approval with identified subsequent actions.

USFS Actions/Recommendations...

-Team leader on an environmental analysis approved on July 30, 1996.

-As a result of the environmental and other information, eight recommendations/conditions were included which have been incorporated into the modification application by PacifiCorp.

-It should be noted that the eighth recommendation relative to predicative modeling involving rock spalling and escarpment failure is subject to further refinement and consideration by stakeholders. This will be based on further technical consideration to be delineated by Dr. W.G. Pariseau and data to be gathered by the permittee. Will the 2nd mining (long wall) as related to this proposed mining area have application to other long wall mining?

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-The key question, 2nd mining as approved, is it typical or atypical? If atypical, how useful is it as a modeling technique? Therefore, as mentioned, this item is included as a condition, but requires further interagency consideration.

-Recommended approval subject to eight conditions attached hereto as exhibit I.

BLM...

-Recommended the modification be approved.

-Was a participant in environmental analysis.

-The R2P2 was modified, updated, and approved.

USFWS...

-Issued a take permit, PRT-820305 on an abandoned eagle nest.

DWR...

-The Division of Wildlife Resources concurred with the modification.

PERMITTEE/PacifiCorp...

-The permittee has committed and is currently gathering field information to facilitate the future interagency consideration on the modeling proposal. Further, they have worked in advance with concerned agencies. The modification reflects this high degree of coordination.

(6) IMPACTS. The project does not have any material adverse impacts to hydrologic balance.

As related to environmental safeguards, the approved modification conditions have been included in the MRP to mitigate potential impacts. The headwork for this leaned heavily on the USFS/BLM/EA that went through the public notice process.

(7) RECLAMATION AND BONDING. The reclamation plan and bonding is on record and determined to be adequate. Therefore, no increase in bonding is necessary.

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DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

(8) RECORD UPDATE. The Technical Analysis does not need to be updated in light of action taken on the 1st Mining re-approval.

Sincerely,

Wm. J. Malencik
Reclamation Specialist

sd
Enclosure
cc: Ranvir Singh, OSM, Denver
Mark Bailey, BLM, Price
Janette Kaiser, USFS, Manti-LaSal
Mark Page, DWR, Price, w/o enc
Dave Ariotti, DEQ, Price, w/o enc
Bill Bates, DWR, Price, w/o enc
David Terry, Trust Lands, SLC, w/o enc
Pam Grubaugh-Littig, DOGM, SLC, w/o enc
Joe Helfrich, DOGM, SLC, w/o enc

INCORPORATED
EFFECTIVE:
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

Conditions of Approval

Excerpted from the Environmental Assessment for the Underground Accessway and Undermining of Escarpment, Trail Mountain Mine, Emery County, Utah (March 1996)

The following stipulations are required of PacifiCorp relative to the implementation of the above referenced project and the preferred alternative (Alternative 2) described in the Environmental Assessment and the Decision Notice/Finding of No Significant Impact.

1. PacifiCorp will be required to post signs approved by the Utah Dept.of Transportation and the Forest Service warning of rockfall hazard and that stopping or parking in the identified portion of Highway 29 is prohibited.

2. PacifiCorp will be required to install prisms to establish survey points on the escarpment above Highway 29 to be monitored for possible rotation or movement as mining occurs in the 5th east panel. The intent is to establish if any movement is occurring, and whether a hazard actually exists.

3. PacifiCorp will be responsible to perform oblique photo monitoring before, during and after mining activities.

4. Known populations of *Hedysarum occidentale var. canone* are to be monitored as mining occurs. If they are being effected the authorized officer(s) are to be notified.

5. The area beneath the escarpment in Cottonwood Canyon is to be signed, alerting recreationalists of the rockfall hazard. Design of the sign will be presented to the Forest Service for approval before being deployed. Sign density will be determined by the authorized officer(s).

6. Any large rocks that may roll into Cottonwood Creek will be reported to the Forest Service and BLM hydrologists. If channel morphology is being threatened, PacifiCorp will be responsible to remove the rock(s) and reestablish the original morphology.

7. The area is to be surveyed for raptor nests prior to mining commencing under the escarpment. If nests are encountered, work that could cause further subsidence, leading to escarpment failure, is to be halted until mitigation measures can be accomplished as determined by the Utah DWR and the USFWS.

8. PacifiCorp must conduct modelling (3-dimensional finite element or equivalent) as recommended by PacifiCorp and Dr. W.G. Pariseau (Letter to Forest Service from PacifiCorp, dated February 6, 1991; Re: South Lease Escarpment Study Geotechnical Update) to develop a workable predictive model of the potential for mining induced subsidence to cause escarpment failures. The model for the specific area of proposed subsidence must be run with sufficient detail to project a potential level of escarpment failure and must be adjusted following actual mining to best emulate the actual level of escarpment failure that occurred. A final report must then be submitted to BLM and the Forest Service that describes the prediction made, failure observed, how well the prediction conformed to actual failures, and how the model was adjusted to best conform to actual conditions on the ground and the level of failure observed. An independent/qualified scientist acceptable to the BLM and Forest Service must oversee model development.

INCORPORATED
DEC 11 1996
UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE

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)

April 29, 1996

Val Payne, Sr. Environmental Engineer
PacifiCorp
Energy West
P.O. Box 310
Huntington Utah 84528

Re: Facilitate Mining with Approved Resource Recovery and Protection Plan (R2, P 2),: 3rd, 4th, 5th East Development, 4th and 5th East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Payne,

As of the writing of this letter I am in receipt of comments from the U.S. Fish and Wildlife Service, U.S. Forest Service, Bureau of Land Management, and Susan White, Jesse Kelley and Bill Malencik of our staff. It is my understanding that Bill Bates, Utah Division of Wildlife Resources, Biologist from the Price Resource area has verbally concurred with the State and Federal Entities in attendance at the meeting held in Salt Lake on April 25th, 1996 that first mining for the development of longwall panels in the referenced areas will not affect the presence of the Perigrine Falcon. With that in mind our agency is approving the referenced amendment as follows:

- The approval of amendment 96A is valid for first mining only as described in the Bureau of Land Managements approved R2 P2 and must not be considered, implied, or construed that follow-up longwall mining beneath the escarpment will be approved on 4th and 5th longwall panels as a result of the approval of first mining, until such time as a subsequent amendment is submitted and cleared through other responsible coordinating agencies.

- Mining of the bleeder and setup entries associated with the 4th East Longwall panel will not proceed beyond the Castle Gate escarpment.

- The permittee must resubmit maps delineating this change.

Enclosed is a stamped copy for incorporation into your approved Mining and Reclamation Plan. Please send one additional copy for the Divisions files at your earliest convenience.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

enclosure
cc:
M. Page - DWR Price (w/o enclosure)
D. Ariotti - Health Price (w/o enclosure)
B. Bates - Wildlife Price (w/o enclosure)
PFO
H:payne.wpd

Revised 6/93)

File Folder # 3

APPLICATION FOR PERMIT CHANGE

Change:

MENDMENT TO FACILITATE MINING IN ACCORDANCE
ITH APPROVED R2P2

Permit Number: ACT/015/009

Mine: TRAIL MOUNTAIN

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:

BLM APPROVAL OF R2P2.

☐ Yes	☑ No	1. Change in the size of the Permit Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	2. Change in the size of the Disturbed Area? _____ acres ☐ increase ☐ decrease.
☐ Yes	☑ No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
☐ Yes	☑ No	4. Will permit change include operations in hydrologic basins other than currently approved?
☐ Yes	☑ No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
☐ Yes	☑ No	6. Does permit change require or include public notice publication?
☐ Yes	☑ No	7. Permit change as a result of a Violation? Violation #
☐ Yes	☑ No	8. Permit change as a result of a Division Order? D.O.#
☑ Yes	☐ No	9. Permit change as a result of other laws or regulations? Explain: BLM R2P2 APPROVAL
☐ Yes	☑ No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
☐ Yes	☑ No	11. Does the permit change affect the surface landowner or change the post mining land use?
☐ Yes	☑ No	12. Does permit change require or include collection and reporting of any baseline information?
☐ Yes	☑ No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
☐ Yes	☑ No	14. Does permit change require or include soil removal, storage or placement?
☐ Yes	☑ No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
☐ Yes	☑ No	16. Does permit change require or include construction, modification, or removal of surface facilities?
☐ Yes	☑ No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
☑ Yes	☐ No	18. Does permit change require or include certified designs, maps, or calculations?
☑ Yes	☐ No	19. Does permit change require or include underground design or mine sequence and timing?
☐ Yes	☑ No	20. Does permit change require or include subsidence control or monitoring?
☐ Yes	☑ No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
☐ Yes	☑ No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
☐ Yes	☑ No	23. Is this permit change coal exploration activity ☐ inside ☐ outside of the permit area?

☑ **Attach 7 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Val E Payne VAL E PAYNE SR. ENV. ENG. APRIL 18 1996
Signed - Name - Position - Date

Subscribed and sworn to before me this 18th day of April, 1996.

Lori Ann Anderson
Notary Public

My Commission Expires: December 22, 1997

Attest: STATE OF Utah
COUNTY OF Emery

NOTARY PUBLIC
Lori Ann Anderson
15 North Main St.
Huntington, Utah 84528
My Commission Expires
December 22, 1997
STATE OF UTAH

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change
Detailed Schedule of Changes to the Permit

Title of Change:	Permit Number: ACT/015/009
AMENDMENT TO FACILITATE MINING IN ACCORDANCE WITH APPROVED R2P2	Mine: TRAIL MOUNTAIN
	Permittee: PACIFICORP

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
☐ ADD	☑ REPLACE	☐ REMOVE	PAGES 3-19 & 3-21
☑ ADD	☐ REPLACE	☐ REMOVE	PAGE 3-21.1
☐ ADD	☑ REPLACE	☐ REMOVE	PLATES 3-2 & 3-3
☑ ADD	☐ REPLACE	☐ REMOVE	BLM R2P2 APPROVAL LETTER TO APPENDIX 3-3L
☑ ADD	☐ REPLACE	☐ REMOVE	PLATE 3-2A, DRAWING TM-1566-E.
☐ ADD	☐ REPLACE	☐ REMOVE	
☐ ADD	☐ REPLACE	☐ REMOVE	
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☐ ADD	☐ REPLACE	☐ REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District
Price River/San Rafael Area Office
125 South 600 West
P. O. Box 7004
Price, Utah 84501

3482
U-64375
(UT-066)

RECEIVED
APR 3 1996
DIV. OF OIL, GAS & MINING

APR 25 1996

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
355 West North Temple Street
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

FAX PFO

Re: Mining in Accordance with Approved Resource Recovery and Protection Plan, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A #2 Copy Joe

Dear Ms. Grubaugh-Littig:

We have reviewed the subject permit amendment proposed by PacifiCorp. The amendment concerns facilitating prior approved first mining in accordance with the recently approved R2P2 on the Third, Fourth and Fifth East panel setups.

Beaver Creek Coal Company received approval for room-and-pillar mining for the Trail Mountain Mine (lease U-64375) subject to first mining only under the escarpment. On March 15, 1996, the Bureau of Land Management approved PacifiCorp's Alternative Mine Plan for the Trail Mountain Mine. This minor modification request included extending the Third, Fourth and Fifth East development entries approximately 700 feet east beyond their previous location, out beyond the escarpment. We have approved the extension of the Third, Fourth and Fifth East development entries approximately 700 feet east beyond their previous location as a portion of the overall minor modification.

The Fourth and Fifth East longwall panels would also be located beyond the escarpment. At present, Forest Service and BLM are participating in evaluating the potential for longwall extraction under the escarpment through the NEPA process. Longwall extraction may occur only upon completion of the environmental assessment process.

If you have any comments or questions, please contact George Tetreault at the Price River Resource Area Office at 636-3600.

Sincerely,

Dean Nyffeler

Acting Area Manager

cc: UT-921, SD, Utah
J.Helfrich, DOGM, SLC
Office of Surface Mining
Western Support Center
1999 Broadway, Suite 3320
Denver, CO 80202-5733
Val Payne
Energy West Mining Co.
15 North Main
Huntington, Utah 84528

P.01

TRANSACTION REPORT

APR-29-96 MON 12:12 PM

SEND(M)

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
APR-29	12:11 PM	PRICE FIELD OFFICE	1'12"	2	SEND	(M) OK	033	

TOTAL 1M 12S PAGES: 2

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District
Price River/San Rafael Area Office
125 South 600 West
P.O. Box 7004
Price, Utah 84501

3482
U-64375
(UT-066)

RECEIVED
APR 3 0 1996
DIV. OF OIL, GAS & MINING

APR 25 1996

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
355 West North Temple Street
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

FAX PFO

Re: Mining in Accordance with Approved Resource Recovery and Protection Plan, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A #2 Copy Joe

Dear Ms. Grubaugh-Littig:

We have reviewed the subject permit amendment proposed by PacifiCorp. The amendment concerns facilitating prior approved first mining in accordance with the recently approved R2P2 on the Third, Fourth and Fifth East panel setups.

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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)

April 26, 1996

TO: File

THRU: Joe Helfrich, Permit Supervisor

FROM: Susan M. White, Senior Reclamation Biologist

RE: Facilitate Mining in Accordance with Approved Resource Recovery and Protection Plan (R2P2); Third, Fourth, and Fifth East Development, Fourth and Fifth East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

SYNOPSIS

An amendment has been received from PacifiCorp for development mining (first mining) in the third, fourth, and fifth east panel setups at the Trail Mountain Mine. Subsidence and escarpment failure is not expected during development mining. During a helicopter raptor survey on April 10, 1996, a pair of Peregrine falcons were observed in the permit area and specifically in the area of this proposed development mining. The Peregrine falcon is federally listed as endangered.

PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES

Regulatory Reference: 30 CFR Sec. 817.97; R645-301-333, -301-342, -301-358

Analysis:

A pair of Peregrine falcons have established a breeding territory along the eastern Castlegate Escarpment of the Trail Mountain Mine. The pair was first observed during a helicopter survey on April 10, 1996. The pair have been observed from the ground since that time displaying courtship behavior and defending the territory but up to this writing (April 26, 1996) have not yet established a nest. The proposed 4th and 5th east longwall panels, setups and bleeders are proposed directly underneath this breeding territory.

A consultation was held on April 25, 1996 to fulfill the Division's requirements of R645-301-358.100 with regard to this amendment. In attendance at that consultation was Division of Wildlife Resources, U.S. Fish and Wildlife Service, U.S. Forest Service, U.S. Bureau of Land Management, DOGM, and PacifiCorp. The individuals represented by these agencies were Biologist, Geologist, Engineers, and Administrators.

The consensus reached at this meeting concerning this amendment was not to allow the second mining on the 4th east longwall panel beyond the zone of escarpment protection. However, first mining could proceed in the 5th east long wall panel as proposed. This amendment did not address second mining (longwall extraction) and second mining is therefore not approved.

This consensus was based on the following assumptions:

1. First mining will not cause any subsidence or cliff failure based on the Engineers and Geologist statements and on PacifiCorps previous subsidence monitoring.
2. If first mining was approved in the 4th east longwall panel beyond that proposed in the original R2P2 (December 1994) then second mining and associated possible escarpment failure could occur during nesting and fledging of young Peregrines if a nest was established. Therefore, any mining which could cause escarpment failure in this panel was denied.
3. Longwall mining in the 5th east panel will be conducted in September and October when all nesting and fledging activities should be completed.

Findings:

The amendment meets the regulations of this section for first mining in preparation for the 5th east longwall panel. However, after consultation with appropriate state and federal fish and wildlife agencies first mining can not proceed as proposed in the 4th east longwall panel. That portion of the amendment must be denied in accordance with R645-301-358.100.

RECOMMENDATION

Approve the amendment with the condition that mining of the bleeder and setup entries associated with the 4th east longwall panel will not proceed beyond the Castlegate escarpment. The permittee must resubmit maps delineating this change.

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

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
801-359-3940 (Fax)
801-538-5319 (TDD)

April 29, 1996

TO: File

THRU: Joe Helfrich, Permit Supervisor

FROM: Jess Kelley, Reclamation Specialist JK

RE: Amendment 96A to Facilitate Mining in Accordance with the Approved Resource Recovery and Protection Plan (R2P2) in the Third, Fourth, and Fifth East Longwall Panels; Trail Mountain Mine; PacifiCorp; ACT/015/009-96A; Folder #2; Emery County, Utah

SYNOPSIS

On April 22, 1996, the permittee submitted Amendment 96A for Division approval. This amendment allows for entry development--first mining--in the 3rd, 4th and 5th east longwall panels. The easternmost ends of these panels come very close to the Castlegate escarpment, which lies, in this particular area, very close to the boundary between U.S. Forest Service (USFS) land to the west and Bureau of Land Management (BLM) land to the east. The Castlegate escarpment forms the rim of Cottonwood Canyon, in the bottom of which there is a public road. For this reason, the stability of this escarpment has been a concern for USFS, BLM, and the permittee in the design and layout of the longwall panels.

ANALYSIS

The permittee had originally planned, and had been required by the Bureau of Land Management (BLM), to extend the panels beyond the Castlegate escarpment in order to recover a large quantity of coal which would otherwise be left in place. However, during an April 10 helicopter survey, the permittee discovered that a pair of Peregrine falcons--an endangered species--had established a territory, and perhaps a nest, in the escarpment above the panel extensions. The protection of this nesting pair necessitated a further evaluation, on the part of the responsible Federal and state agencies, of the possible impact of the extended panels on the stability of the escarpment.

On April 25, 1996, representatives from the Division, the permittee, BLM, USFS, the U.S. Fish and Wildlife Service (USFWS), and the Utah Division of Wildlife Resources (DWR) met at the Salt Lake City office of USFWS to discuss the mine plan for this area. At this meeting, the representatives of these various agencies agreed that 1) second mining in the 4th East panel must not go beyond the escarpment protection zone dictated by the 15° angle of draw which prevails in this area, 2) entry development for the 5th East panel might proceed as proposed, and 3) the actual extent of second mining in the 5th East panel would be decided by consultation between the permittee and the various agencies as the location of the Peregrine nest site was discovered.

This writer is in agreement with the decisions made during the April 25 meeting, which are also in accord with the present amendment submittal. Keeping mining in the 4th East panel at or behind the original escarpment protection barrier is the safest course to pursue, given the possibility that the Peregrines may have established a nest on the Castlegate escarpment. Entry development for the 5th East panel is very unlikely to cause escarpment failure or any other surface effect. And, in any event, the 5th East panel will not be second mined until September of this year, by which time the nesting season will be over and the danger to the young Peregrines will have passed.

FINDINGS/RECOMMENDATIONS

It is recommended that Amendment 96A be approved and that entry development--first mining--in preparation for the 5th East longwall panel, be allowed to proceed as proposed.

DO96AJWK.TMT

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)

April 29, 1996

Val Payne, Sr. Environmental Engineer
PacifiCorp
Energy West
P.O. Box 310
Huntington Utah 84528

Re: Facilitate Mining with Approved Resource Recovery and Protection Plan (R2, P 2),: 3rd, 4th, 5th East Development, 4th and 5th East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Payne,

As of the writing of this letter I am in receipt of comments from the U.S. Fish and Wildlife Service, U.S. Forest Service, Bureau of Land Management, and Susan White, Jesse Kelley and Bill Malencik of our staff. It is my understanding that Bill Bates, Utah Division of Wildlife Resources, Biologist from the Price Resource area has verbally concurred with the State and Federal Entities in attendance at the meeting held in Salt Lake on April 25th, 1996 that first mining for the development of longwall panels in the referenced areas will not affect the presence of the Perigrine Falcon. With that in mind our agency is approving the referenced amendment as follows:

- The approval of amendment 96A is valid for first mining only as described in the Bureau of Land Managements approved R2 P2 and must not be considered, implied, or construed that follow-up longwall mining beneath the escarpment will be approved on 4th and 5th longwall panels as a result of the approval of first mining, until such time as a subsequent amendment is submitted and cleared through other responsible coordinating agencies.

- Mining of the bleeder and setup entries associated with the 4th East Longwall panel will not proceed beyond the Castle Gate escarpment.

- The permittee must resubmit maps delineating this change.

Enclosed is a stamped copy for incorporation into your approved Mining and Reclamation Plan. Please send one additional copy for the Divisions files at your earliest convenience.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

enclosure
cc:
M. Page - DWR Price (w/o enclosure)
D. Ariotti - Health Price (w/o enclosure)
B. Bates - Wildlife Price (w/o enclosure)
PFO
H:payne.wpd

3482
U-080036
U-64375
(U-065c)

Moab District
P.O. Box 970
Moab, Utah 84532

APR 12 1991

Ms. Pamela Grubaugh-Littig
Division of Oil, Gas and Mining
355 West North Temple Street
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Ms. Grubaugh-Littig:

On August 13, 1990, the Bureau of Land Management (BLM) received a copy of the permit application package (PAP) from your office entitled "Federal Lease Tract Addition, Beaver Creek Coal Company, Trail Mountain No. 9 Mine, ACT/015/009". This PAP requires our response in two areas. Since a portion of the lands applied for are located on BLM surface, a response as to the completeness of post mining land uses and protection of non-mineral resources is required. In a letter to your office dated October 28, 1990, we stated that the PAP is complete in regard to these items. The other area requiring our review is the resource recovery and protection plan (R2P2). Our review is discussed below.

Beaver Creek Coal Company (BCCC) plans to add Federal lease U-64375 to their permit area at the Trail Mountain No. 9 Mine. The mine plan calls for extending the current mine workings south and west into the new lease. All access to this lease will be from existing mine works and no new surface facilities will be constructed. The R2P2 details the planned underground mine workings and extraction (room and pillar) methods for this new lease as required by the mineral leasing laws.

Although complete pillar extraction is contemplated, previous experience at the mine under similar circumstances has not met with success. These circumstances involve mining at depths of around 2000 feet and a massive sandstone strata above the immediate roof that is not conducive to caving. For this reason, the BLM expects to approve several changes until the optimal recovery is obtained.

Lease terms specify protection of cliffs from mine-induced subsidence failure. In reviewing the plan, one planned room and pillar panel falls under the area of influence of potential escarpment failure due to subsidence caused by mining activities. To avoid potential escarpment failure, the last panel on the eastern boundary of T18S, R6E, section 1, will be limited to first mining only in order to leave pillars of sufficient size to prevent caving of the strata (see attached map). With this addition, the plan is adequate and technically complete.

We have determined that the R2P2 is in compliance with the Mineral Leasing Act of 1920, as amended, the regulatory provisions of 43 CFR 3480, Federal lease terms and conditions, and the requirement for achievement of maximum economic recovery of Federal coal. Therefore, we recommend approval of the R2P2 for the new lease.

If you have any questions, please contact Stephen Falk or Gary Johnson in our Price Coal Office at (801) 637-4584.

Sincerely yours,

H Gary Johnson

for Assistant District Manager
Mineral Resources

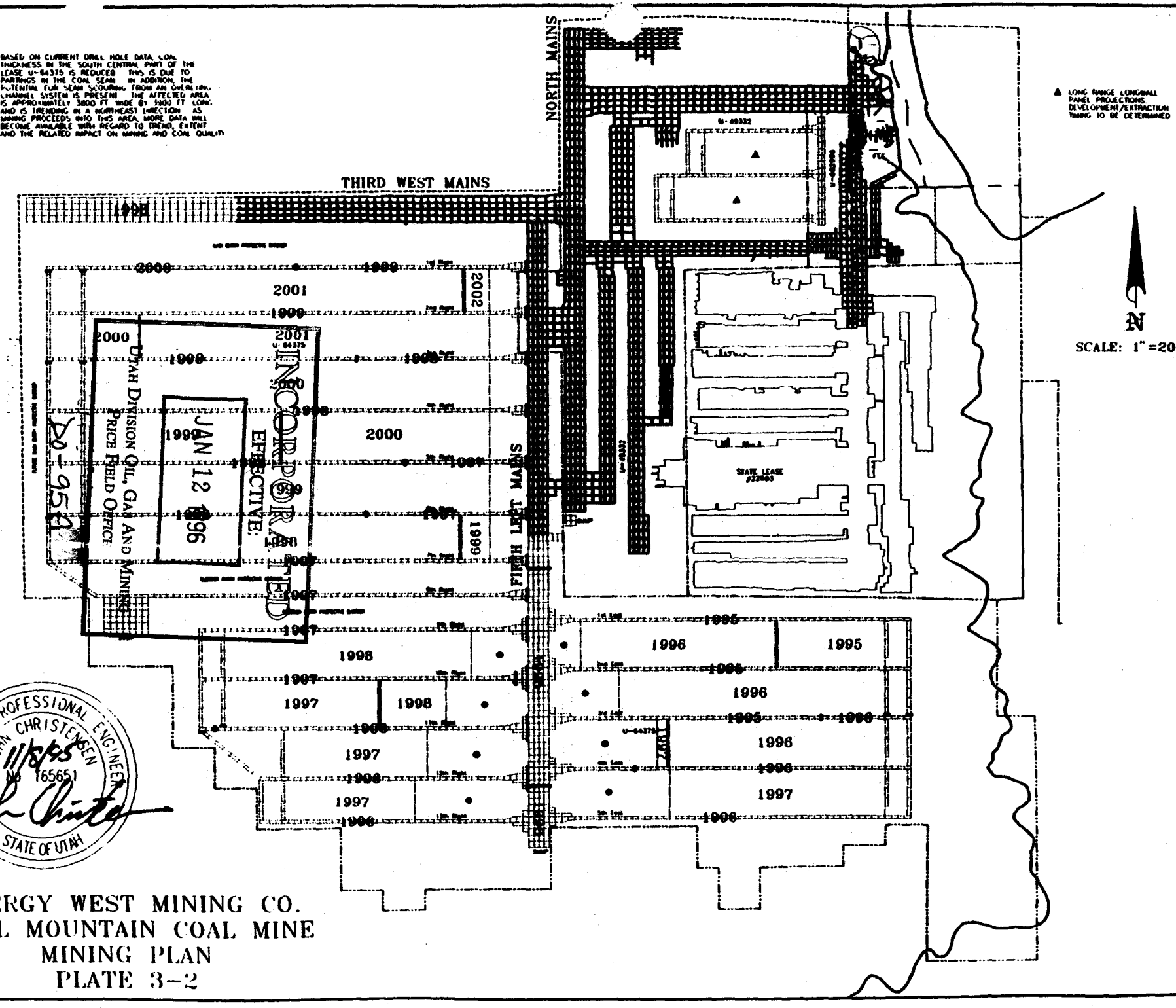
Enclosure:
Projected Mine Map

cc: SD, Utah (U-921), w/enclosure
DM, Moab (U-065), w/enclosure
Beaver Creek Coal Company, w/enclosure
Manti-LaSal National Forest, Price, w/enclosure

SFalk:svo:4/12/91
Wang 2067D

● BASED ON CURRENT DRILL HOLE DATA, COAL THICKNESS IN THE SOUTH CENTRAL PART OF THE LEASE U-64375 IS REDUCED. THIS IS DUE TO PARTINGS IN THE COAL SEAM. IN ADDITION, THE POTENTIAL FOR SEAM SCOURING FROM AN OVERLYING CHANNEL SYSTEM IS PRESENT. THE AFFECTED AREA IS APPROXIMATELY 3800 FT WIDE BY 3900 FT LONG AND IS TRENDING IN A NORTHEAST DIRECTION. AS MINING PROCEEDS INTO THIS AREA, MORE DATA WILL BECOME AVAILABLE WITH REGARD TO TREND, EXTENT AND THE RELATED IMPACT ON MINING AND COAL QUALITY.

▲ LONG RANGE LONGWALL PANEL PROJECTIONS. DEVELOPMENT/EXTRACTION TIMING TO BE DETERMINED



ENERGY WEST MINING CO.
TRAIL MOUNTAIN COAL MINE
MINING PLAN
PLATE 3-2

United States Department of the Interior

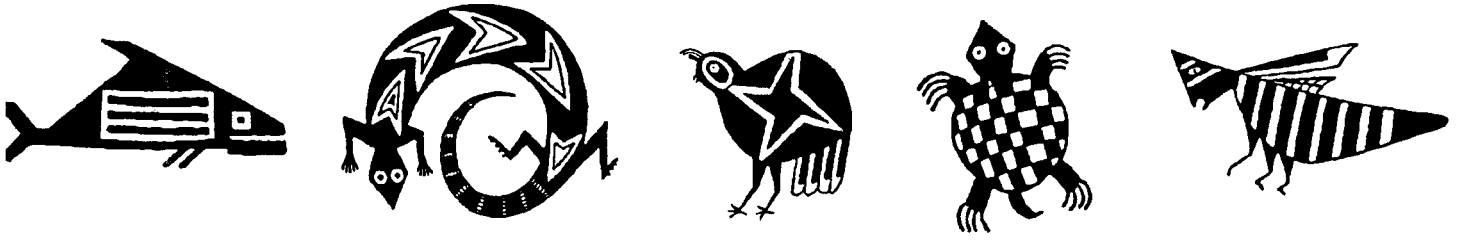
Fish and Wildlife Service

Ecological Services
UTAH FIELD OFFICE
Lincoln Plaza
145 East 1300 South, Suite 404
Salt Lake City, Utah 84115

OFFICE NUMBER: **801/524-5001** *FAX NUMBER:* **801/524-5021**

TO: Joe Helfrich	DATE: 4-26-96	TIME: 2:31 pm
FROM: Robert Benton		
SUBJECT: Trail Mtn Mine		

COVERSHEET PLUS 1 PAGES



United States Department of the Interior

FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
LINCOLN PLAZA
145 EAST 1300 SOUTH, SUITE 404
SALT LAKE CITY, UTAH 84115

In Reply Refer To

April 26, 1996

Wm. J. Malencik
Division of Oil, Gas and Mining
3 Triad Center Suite 350
Salt Lake City, UT 84180-1203

Dear Mr. Malencik:

This responds to your letter of April 19, 1996 concerning a permit amendment from PacifiCorp for facilitating prior approved first mining in accordance with the recently approved resource recovery and protection plan on the third, fourth, and fifth east panel setups at the Trail Mountain Mine amendment number ACT/015/009-96A.

A pair of peregrine falcons, an endangered species, are now using the escarpment area adjacent to the aforementioned first mining area. At this time no nest site has been identified. Our concern for this pair of birds is the protection of the nesting area for future nesting attempts. This amendment is for first mining which would not induce subsidence of the escarpment. The Service therefore believes that first mining in this area would not affect the peregrine falcon.

Sincerely,

Reed E. Harris

Reed E. Harris
Utah Field Supervisor

State of Ut
DEPARTMENT OF NATURA
DIVISION OF OIL, GAS ANI

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)

Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 3

To Joe	From Bill
Co.	Co.
Dept.	Phone #
Fax #	Fax #

4-2-96

April 25, 1996

TO: Joe Helfrich, Permit Supervisor

FROM: Wm. J. Malencik, Reclamation Specialist

RE: Resource Recovery and Protection plan, Trail Mountain Mine, PacifiCorp, ACT/015/009-96A, Folder #2, Emery County, Utah

This responds to your e-mail of April 15, 1996, regarding the referenced permit amendment. It specified that Jesse Kelley, Susan White, and I would review the amendment.

This amendment, to facilitate first mining, and, as a subsequent action, ultimately longwall mining involves two paramount issues, namely, (1) first mining beneath the escarpment/subsidence/rock spalling and (2) peregrine falcon and endangered species habitat/current sightings of peregrine falcons suspected to be nesting on the escarpment adjacent or near the fourth and fifth east panel setups. The third east panel mentioned in the amendment is not under the escarpment.

OVERVIEW

The technical analysis was approved by the Division (DOGM), for the Trail Mountain Mine under the name Beaver Creek Coal Company. The TA, dated April 15, 1991, is based on room and pillar mining for Beaver Creek Coal Company. The permit/MRP has been revised and approved for longwall mining by DOGM. The TA has not been updated.

These paragraphs need to be updated in the TA as a minimum in line with the currently approved MRP:

(A) 521.140 - Mine Maps and Permit Area Maps
Delete reference to subsidence monument plan.

(B) 522 - Coal Recovery
Update Coal Recovery per 96A amendment, Page 3-21.1 if the amendment 96A is to be approved.

(C) 523 - Method of Mining
Update mining method from room and pillar to longwall mining per recent DOGM MRP and R2P2 BLM approvals.

(D) 525 - Subsidence
Update subsidence monitoring system. Photo grametric method has been approved by the Division. Delete discussion on conventional surveying monuments.

Should the peregrine falcon issue result in a change in the previously approved mining area, then TA needs to be updated.

(E) 333, 342, 358 - Wildlife
Update MRP together with the TA to include recent information on endangered species, habitat, abandoned nests and sighted peregrine falcons.

Since these section are the responsibilities of a biologist and engineer, and, because my involvement as a generalist, I will not prepare an updated TA on these enumerated engineering/biology items.

As related to the amendment documents provided by the permittee, specifically, the maps, they do not unfortunately have an all inclusive legend.

- The green dash/dot/dot line reflects the currently approved DOGM permit boundary.

- The blue dash/dot/dot line labeled USFS/BLM represents the common section line between section 1 & 6, TWP 18S, R6E, and TWP 18S, R7E, respectively. The survey land grid is necessary since some references are made in the background information on sections 1 & 6. These are not considered fatal amendment defects. However, other agencies when reviewing such documents can arrive at the same conclusions by reviewing the land ownership and mine maps.

My recommendations on the amendment are as follows:

(1) Amendment 96A be approved. Further, recommend you as the the signing officer for the Division notify all responsible parties before the COB, 4/26/96 that PacifiCorp amendment is approved for first mining on the fourth and fifth east panels by the Division as of the COB 4/26/96.

(2) Second longwall mining of the fourth and fifth east panels beneanth the escarpment is not approved until this matter is cleared through other responsible coordinating agencies. This must be covered by a subsequent amendment.

(3) Photograph stations, photographing the escarpment and the base of the escarpment on the fourth and fifth panels be established together with survey stations for post decision evaluation. This must be included as a MRP amendment.

(4) Approval of amendment 96A must not be considered, implied or construed that follow-up longwall mining beneath the escarpment will be approved on fourth and fifth longwall panels as a result of the approval of first mining.

My recommendations are based on these facts:

- Room and pillar first mining was approved and involved the same area as fourth and fifth east panels longwall mining, as described in the amendment.

- As related to subsidence/rock spalling no significant difference exists between first mining room and pillar and first mining for longwall.

- Room and pillar first mining approval concluded no adverse subsidence/rock spalling impacts. This conclusion has not been invalidated by the Division and/or cooperative agencies.

- Since subsidence/rock spalling is not a risk , then there should not be a risk to peregrine falcons as related to first mining.

- Approval of this amendment will provide the necessary intertie with the R2P2 approval as related to coal recovery.

On the other hand, both the R2P2 approval and the approval of this amendment does not commit the Division nor others to follow-up longwall mining in the panels involved in this amendment.

sd
enclosures
cc: Lowell Braxton, DOGM, SLC
Pam Grubaugh-Littig, DOGM, SLC

This letter was sent to State Agencies listed under the cc: without enclosures.

April 19, 1996

RECEIVED
APR 22 1996
DIV. OF OIL, GAS & MINING

FIELD(FIRST) FIELD(LAST), FIELD(TITLE)
FIELD(WHERE)
FIELD(COMPANY)
FIELD(STREET)
FIELD(CITY), FIELD(STATE) FIELD(ZIP)

RE: Facilitate Mining in Accordance with Approved Resource Recovery and Protection Plan (R2P2); Third, Fourth, and Fifth East Development, Fourth and Fifth East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear FIELD(INITIAL). FIELD(LAST):

The Division of Oil, Gas, & Mining on April 19, 1996, received a permit amendment from PacifiCorp. The amendment concerns facilitating prior approved first mining in accordance with the recent approved resource recovery and protection plan (R2P2) on the third, fourth, and fifth east panel setups at the Trail Mountain Mine amendment number ACT/015/009-96A.

You will note that the permittee, in the letter, has observed an active pair of peregrine falcons in the escarpment area adjacent to the aforementioned first mining area. They have notified federal and state agencies, some personnel from the agencies have also participated in the field observations.

The Division anticipates acting on this permit amendment on April 26, 1996. Please provide your comments by this date to Mr. Joe Helfrich, DOGM, Salt Lake City.

If you have any questions or need additional information, please contact Mr. Helfrich. A copy of the amendment application is on file for your review and comment at the DOGM Price Office and the DOGM Salt Lake Office. This is in line with the recent processing decision by Mr. Carter.

There is a high sense of urgency on this amendment. We are hopeful that your review and comment can be completed by the requested date.

Sincerely,

Wm. J. Malencik
Reclamation Specialist

sd
Enclosures
cc: J. Helfrich, DOGM, SLC w/enc
P. Grubaugh-Littig, DOGM, SLC
M. Page, Water Rights, Price
D. Ariotti, DEQ, Price
B. Bates, DWR, Price

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District
Price River Resource Area
900 North 700 East
Price, Utah 84501

3482
U-64375
U-49332
U-082996
(UT-066)

JUN 2 1 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Certified No. P 425 155 729

Mr. J. R. Key
Director, Technical Services
PacifiCorp
One Utah Center
201 South Main, Suite 2000
Salt Lake City, Utah 84140-0020

Re: Trail Mountain Mine Resource Recovery and Protection Plan (R2P2), Minor Modification Request

Dear Mr. Key:

On December 7, 1994, the Bureau of Land Management (BLM) received PacifiCorp's minor modification request dated December 5, 1994, to completely revise the approved R2P2 for the Trail Mountain Mine. In the interim period, December 7th to the present, a number of meetings were held in regard to the December 5th request, during which time BLM cited general deficiencies, disclosed our concerns with the request and reached an interim agreement with PacifiCorp giving partial approval to allow the day-to-day operation to continue uninterrupted with regard to the newly requested mining sequence. The affected reserves are located on Federal coal leases U-64375, U-082996 and U-49332 in the Hiawatha Seam.

The approved R2P2 for PacifiCorp's Trail Mountain Mine indicates successful extraction of all recoverable reserves based on the room-and-pillar mining method. The chosen method of extraction (room-and-pillar) is a limiting variable, but a significant factor in establishing the recoverable reserve base estimates. Accordingly, this defines diligent development, commercial quantity, continued operation production and ultimately ensures maximum economic recovery (MER) based on the room-and-pillar mining method (Enclosure 1). PacifiCorp's December 5th request proposes to change the primary method of mining from room-and-pillar to the longwall mining method (Enclosure 2). PacifiCorp contends, to best facilitate the longwall mining method at the Trail Mountain Mine a change in the mine layout (2-entry gateroad system, panel reorientation, main entry development system, pillar design ((barrier pillar and yieldable pillars)) roof control, mine ventilation, etc.), as illustrated on Enclosure 2 is required.

The BLM concurs in part with PacifiCorp's proposed plan. However, the BLM has concern with several aspects of the plan which are cited as follows:

1) The irregularity of the lease boundary on the southern half of Federal lease U-64375 and the location/orientation of the Castlegate escarpment on the southeast side of that lease create areas/reserves which appear not to be favorable for longwall mining. These areas delineated on Enclosure 2 as parcels I, II, and III, are absent of any projected mining activity, implying coal recovery from these areas will not occur. However, these areas/reserves have been designated for mining in the recoverable reserve base determination (Enclosure 3 & 4) and/or the approved

R2P2 and were scheduled for mining by the previous lessee/operator. Therefore, with the status of these reserves remaining unchanged, they cannot be deleted from the recoverable reserve base. Accordingly, these reserves/areas are required to be mined. To further clarify BLM's position in conformance with Federal regulation at 43 CFR 3482.2(b)(2) - Action on plans (changes in plans by authorized officer) which states in part, "The authorized officer, pursuant to MLA, may require an approved R2P2 to be revised ... to adjust to changed conditions, to correct oversights, or to reflect changes in legal requirements."

Hence, PacifiCorp must submit to the BLM for approval, a mine plan that encompasses the recovery of these reserves in the areas of question.

- 2) In regard to the barrier pillar (dubbed as future main entry protective barrier) between the west boundary of Federal lease U-64375 and longwall bleeder system entries from the north boundary of lease U-64375 to the proposed 8th Right gateroad entries, mining is required to advance to within 50 feet of the lease boundary. The BLM requests the mining of this area in conformance with regulation at 43 CFR Subpart 3484 - Performance Standards, 3484.1 (c)(6)(ii) - Barrier pillars left for support, which states in part:

  If the coal in adjoining premises ... , the operator/lessee on the written order of the authorized officer, shall mine out and remove all available Federal recoverable coal reserves in such a barrier if it can be mined without undue hardship to the operator/lessee ...

PacifiCorp cannot preserve future access to adjacent Federal coal reserves when no assurance has been given or can be given by the BLM to PacifiCorp on the acquisition of this potential Federal coal lease. The acquisition of this lease will be determined by the outfall of the competitive lease bid process.

Also, in accordance with Federal regulation 3484.1 (c)(6)(ii), as stated above, mining is required to advance to the lease boundary on the west side of lease U-64375, from the proposed 8th Right gateroads to its southern boundary, and eastward to where the boundary of the lease traverses the Castlegate escarpment.

PacifiCorp must submit to the BLM for approval, a mine plan that encompasses the recovery of these reserves in the area of question or submit empirical data to BLM which provides valid justification for not mining as requested by the BLM with regard to the lease boundary of Federal lease U-64375 and in accordance with Federal regulation.

- 3) In addition, the barrier pillars dubbed as main entry protective barrier and bleeder entry protective barrier that are between the north boundary of Federal lease U-64375 and 1st Right, and on each side of 8th Right respectively, appear to be oversized according to BLM's analysis.

  Also, with reference to the barrier pillars on each side of 8th Right, considerable reserves remain in place to facilitate the mining of two separate blocks of longwall panels. Our analysis shows that more reserves can be recovered if these two blocks of panels were mined as one logical block of panels. This would negate the need for the barrier pillars and bleeders at this location.

  Due to the absence of past historical longwall mining practice at the Trail Mountain Mine (gate road design and panel orientation, yield pillar design and barrier pillar design, etc.) and without knowing the many parameters (compressive strength of coal, cleat density of coal, consideration given to long-term stability and a definition of long-term vs short-term, etc.) used to design/dictate the mine layout, BLM has some difficulty in evaluating/verifying whether

or not the proposed plan is logical and efficient, thus preventing an accurate MER determination by the BLM.

Therefore, to resolve this concern, BLM requests empirical data which PacifiCorp used to design the layout of these two blocks of longwall panels and a statement of rational which led to their conclusion with regard to their protective barrier design and mine layout.

- 4) Finally, considerable concern yet remains with the areas that are designated as having a high ash content and are not projected for mining based on that premise. In order for BLM to verify the poor coal quality condition that precludes mining and to make an accurate MER determination, PacifiCorp must submit, as requested on November 23, 1994, the manufacturer's design specification on the coal preparation plant adjacent to Hunter Power Plant.

It is imperative that PacifiCorp understands that before approval can be granted for the newly proposed R2P2, a determination which ensures MER must be fulfilled. BLM's determination, in this case, can not be limited by: the reserves that PacifiCorp is willing to extract only by longwall mining; reserves deemed unminable based on alleged adverse safety conditions; or the reserves which PacifiCorp chooses to mine based on their assessment of the in place coal quality (regarding ash content). PacifiCorp has the capability to economically and safely mine the reserves unfavorable for longwall mining by room-and-pillar mining methods and have the added advantage of coal benefication processes (prep plant). These aspects are all considered in an MER determination. PacifiCorp must provide valid justification, as requested above, that can be verified by BLM, supporting their argument for not mining the reserves in question.

The BLM does recognize the importance of a timely approval to assure uninterrupted coal production at PacifiCorp's Trail Mountain Mine. However, the BLM is mandated to review revisions to the approved R2P2 in conformance with 43 CFR Part 3400 Coal Management. Considering the tentative startup of the 2nd East longwall panel (September 1995), the BLM requires the requested information to be submitted to our office within thirty (30) calendar days of the receipt of this letter.

The BLM has determined the proposed request does not comply with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, the lease terms and stipulations, and will not achieve maximum economic recovery of the Federal coal. Therefore, at this time, approval has been denied.

If you have any questions, please contact Barry Grosely in the Price River Resource Area at (801) 637-4584.

Sincerely,

MARK E. BAILEY

Area Manager

4 Enclosures
1. Approved R2P2, Hiawatha Seam (1pg)
2. Proposed R2P2, Hiawatha Seam (1pg)
3. Recoverable Coal Reserve Map (1pg)
4. Isopach Map Hiawatha Seam

cc: UT-065, DM, Moab (w/enclosure)
UT-921, SD, Utah (w/enclosure)
Morgan Moon
Manager, Technical Services
Energy West Mining Company
15 North Main
Huntington, Utah 84528 (w/enclosures)

Steve E. Kochevar, PE
Mining Planning Administrator
PacifiCorp
One Utah Center
201 South Main, Suite 2000
Salt Lake City, Utah 84140-0020 (w/enclosures)

United States Department of Agriculture | Forest Service | Manti-La Sal National Forest | 599 West Price River Dr. Price, Utah 84501

Reply to: 2820

Date: April 25, 1996

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
Attention: Joe Helfrich

RE: Facilitate Mining in Accordance with Approved Resource Recovery and Protection Plan (R2P2); Third, Fourth, and Fifth East Development, Fourth East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Helfrich:

The amendment was submitted to the Division by PacifiCorp on April 19, 1996, and was transmitted by letter to Janette Kaiser, Forest Supervisor Manti-La Sal National Forest, on the same date.

We have reviewed the amendment and have the following comments:

1. We have no objection to extending the development sections to the east beyond the Castlegate Sandstone escarpment and 15-degree protection area. The development sections consist of first mining only and are designed to remain stable indefinitely. This is consistent with existing lease stipulations and the BLM has determined that there would be no associated subsidence of the escarpment or mining induced failures.

2. We cannot consent to extending the Fourth and Fifth longwall panels to the east beyond the 15-degree angle-of-draw protection zone. Subsidence of the Castlegate Sandstone escarpment and potential escarpment failure would cause disturbance of National Forest System lands that has not been previously addressed in an environmental analysis. Forest Service consent would require completion of an environmental analysis under the National Environmental Policy Act of 1969 and as well as required public reviews and appeal periods. This analysis is under way as described below.

   The Manti-La Sal National Forest and BLM jointly prepared an Environmental Assessment (EA) for PacifiCorp's amendment to the R2P2 and a conceptual amendment to the Mining and Reclamation Plan. This document was completed and released to the public on March 21, 1996, for the required Forest Service 30-day predecision public review. A copy was sent to your office on this date. By law the Forest Service

cannot issue a consent decision until the end of the 30-day period and must address any comments received. Once the Forest Service releases a decision, there is also a mandatory 45-day appeal period with an automatic stay that would delay implementation for a minimum of 50 days following the decision date, even if no appeals are filed.

The Biological Assessment, completed in conjunction with the EA, stated that previous surveys of the area found no Threatened or Endangered species but an additional raptor survey would be required prior to any mining that could cause escarpment failure.

The 30-day EA review period ended on April 22, 1996, but the Forest Service is unable to issue a decision document in regard to subsidence of the escarpment because of the recent discovery of the perigrine falcons on the affected escarpment. The discovery triggered the requirement for Section 7 consultation with the Fish and Wildlife Service (FWS). Any Forest Service decision that would authorize escarpment failure must be delayed until formal consultation is completed.

3. As stated in item 1 above, we do not object to full-support mining within and to the east of the 15-degree escarpment protection zone. However, PacifiCorp must be made aware of the risk associated with driving the development workings to the east without prior approval/consent to extend the longwall panels into the protection zone. Due to the perigrine falcon activity and required FWS consultation, any Forest Service decision will be delayed beyond the identified time frames required for uninterrupted mining of the longwall panels.

If you have any questions or would like to discuss this matter further, contact Aaron Howe or Carter Reed at the Forest Supervisor's Office in Price, Utah.

Sincerely,

/s/ Aaron L. Howe

for
JANETTE S. KAISER
Forest Supervisor

cc:
D-2/3
Mark Bailey - BLM, Price, Utah
Val Payne, Energy West Mining Co.
P.O. Box 310
Huntington, Utah 84528