



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)

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

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 understand 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.

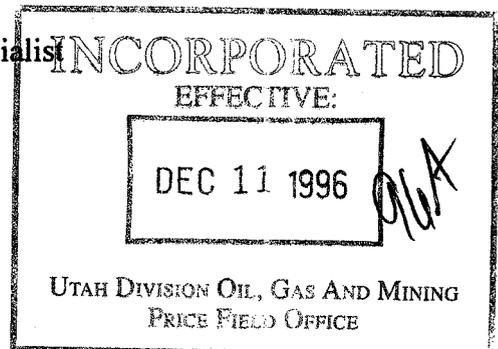
A copy of this letter is being sent to the Forest Service and BLM. Absent receiving information to the contrary by January 10 from US Forest Service and BLM, this condition to the permit amendment will be considered closed as related to the Trail Mountain Mine.

Sincerely,

Wm. J. Malencik
Reclamation Specialist

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





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.

Follow up Action by Permittee

Please submit seven copies of unshaded documents as follows:

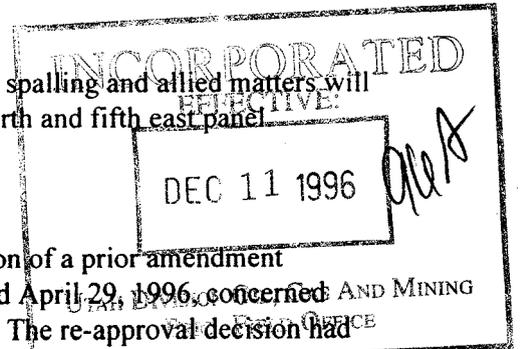
- MRP pages 3-19, 3-21, 3-21.1, 3-47, 3-47.1
- MRP Plates 3-2, 3-3

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.

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

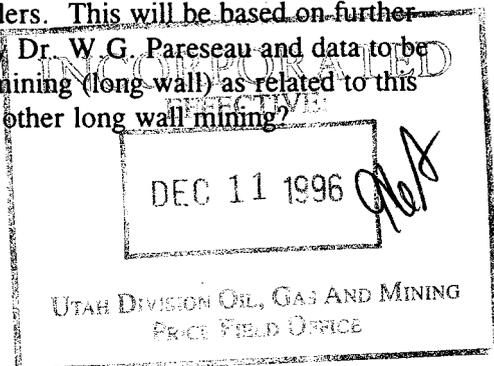
- (1) MODIFICATION APPLICATION. The applicant submitted a complete and accurate modification application.
- (2) DOG M PERMIT STATUS. The addition lies within the current permit.
- (3) ACTIVE MINE. The area is included in an active approved coal mining and reclamation operation.
- (4) LAND STATUS. The 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. Pareseau 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?



-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.

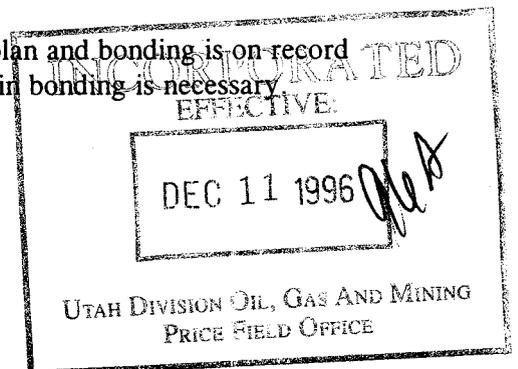
PERMITTEE/PacifiCorp...

-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.



Page 4

V. Payne/Trail Mountain

2nd Mining-96A

October 17, 1996

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

Sincerely,



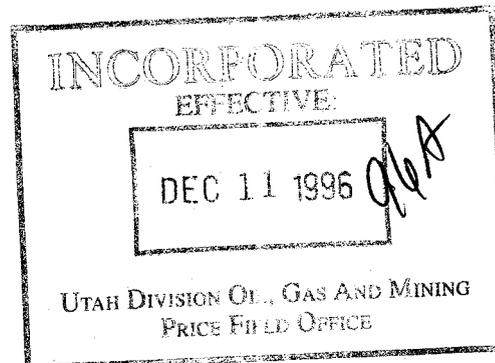
Wm. J. Malencik
Reclamation Specialist

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

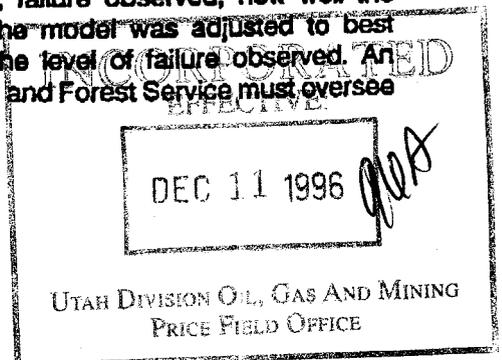


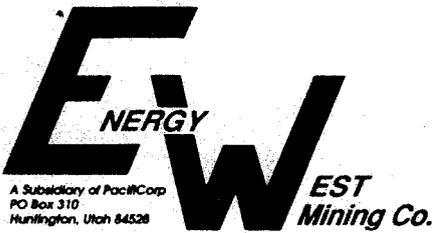
Conditions of Approval

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.

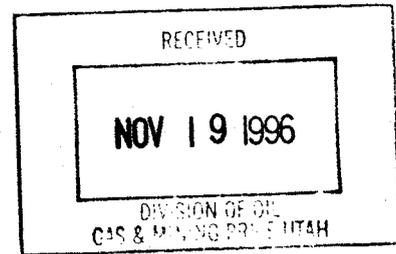
1. PacifiCorp will be required to post signs approved by the Utah Dept. of Transportation and the Forest Service warning of rockfall hazard and that stopping or parking in the identified portion of Highway 29 is prohibited.
2. PacifiCorp will be required to install prisms to establish survey points on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





November 14, 1996

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



Attention: Mr. Bill Malencik

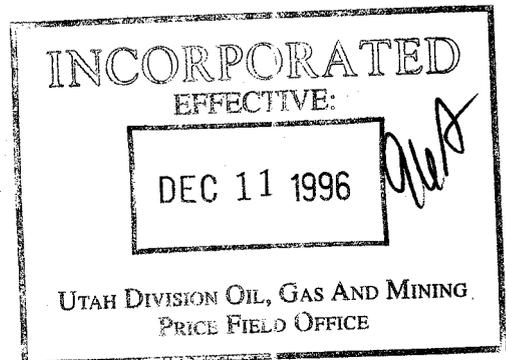
Re: 2nd Mining/Resource Recovery and Protection Plan Modification, Revised Permit Pages and Plates. PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah.

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



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

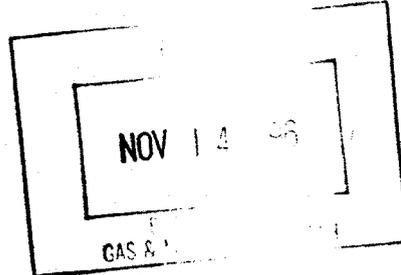
Deer Creek Mine:
(801) 381-2317
Fax # (801) 381-2285

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



November 12, 1996

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

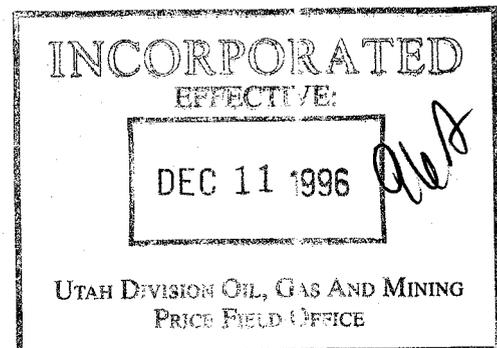
Please find attached the letter addressed to the Forest Service and Bureau of Land Management, dated October 30, 1996, relevant to matters dealing with 3-D modeling.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Richard Northrup'.

Richard Northrup
Env. Eng.



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

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501

Reply to: 2820

Date: July 30, 1996

Trail Mt
Approved
Modifications
2nd
Manning

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
Attention: Pamela Grubaugh-Littig
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

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

Dear Ms. Littig:

We hereby consent (with stipulations) to PacifiCorp's mine plan amendment that proposes extending the Fifth East Longwall Panel to the east and subsidence (with potential minor escarpment failure) the west escarpment of Cottonwood Canyon and to extend full-support development workings under the escarpments outside of the present lease/permit area. This consent is subject to the attached mitigations/stipulations that were listed in the EA (Environmental Assessment) and DN/FONSI (Decision Notice/Finding of No Significant Impact).

No appeals or objections to the proposal were filed within the allotted 45 day appeal period. Extension of the Fifth East panel can be implemented immediately. We are in the process of issuing a Forest Service Special-Use Permit to PacifiCorp authorizing extension of the full-support development working into adjacent unleased areas. Extension of the authorized workings beyond lease boundaries can be implemented and the subject area added to the mine permit area as soon as the special-use permit is issued. We will send you a copy of the permit for your files.

If you have any questions, or need additional information, contact us at the Forest Supervisor's Office in Price, Utah.

Sincerely,

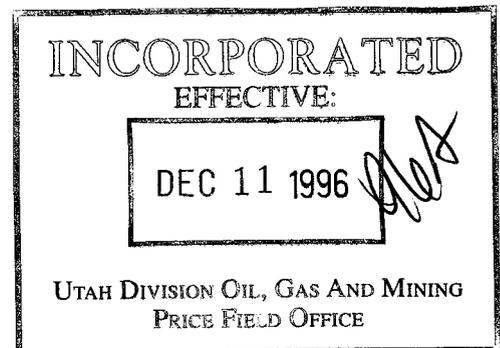
/s/ Aaron L. Howe

for
JANETTE S. KAISER
Forest Supervisor

Enclosure

cc:
D-2/3
Penelope Dunn, BLM - Price
Val Payne, PacifiCorp

CReed:jp



Conditions of Approval

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

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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.
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DEC 11 1996

UTAH DIVISION OIL, GAS AND MINING
PRICE FIELD OFFICE



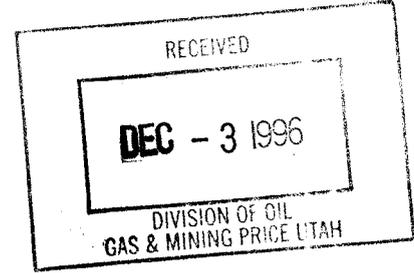
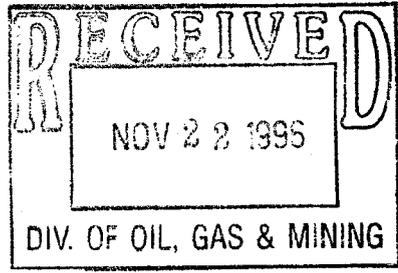
State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF WILDLIFE RESOURCES

minefile-permit

[Handwritten mark]

Michael O. Leavitt
 Governor
 Ted Stewart
 Executive Director
 Robert G. Valentine
 Division Director

Southeastern Region
 455 West Railroad Avenue
 Price, Utah 84501-2829
 801-637-3310
 801-637-7361 (Fax)



November 14, 1996

Mr. Wm. J. Malencik
 Reclamation Specialist
 Utah Division of Oil, Gas and Mining
 355 West North Temple
 3 Triad Center, Suite 350
 Salt Lake City, Utah 84180

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

Utah Division of Wildlife Resources (DWR) has reviewed the October 4, 1996 letter regarding the above mentioned mine permit. We have the following comment:

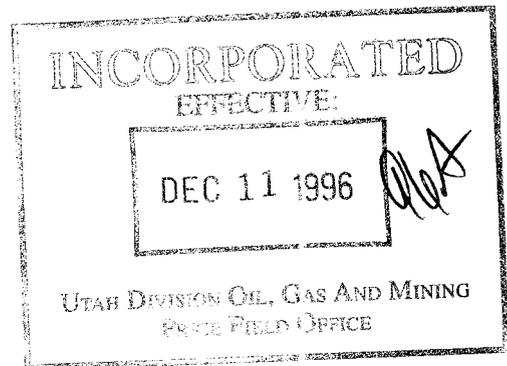
- # Raptor nest monitoring should be included in the monitoring of potential escarpment impacts and rock spalling. This monitoring should be done in the spring in conjunction with PacifiCorp's regularly scheduled raptor flights. If nesting raptors are found in the impacted areas, appropriate mitigation measures will need to be developed.

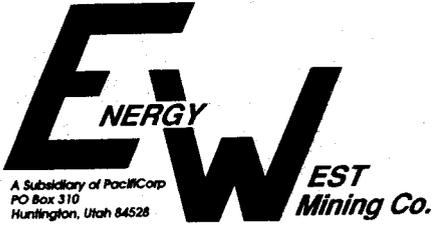
We appreciate the opportunity to review this plan modification and provide our comments. If you have any questions please call Ben Morris or Bill Bates at (801) 637-3310.

Sincerely,

Miles Moretti

Miles Moretti
 Regional Manager





October 30, 1996

Hand Delivered

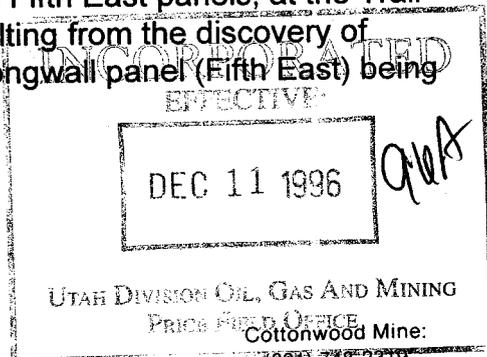
Ms. Janette S. Kaiser
Forest Supervisor
USDA, Forest Service
Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

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.



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

Deer Creek Mine:
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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
Sr. Environmental Engineer

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

