



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

*File ACT/015/009 #2
Copy Down*

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) 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. 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

Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
**VAL PAYNE
 PACIFICORP
 PO BOX 310
 PRICE UT 84528**

4. Article Number
P 074 977 687

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Address
X

6. Signature - Agent
X *Altra Washington*

7. Date of Delivery **SEP 2 1996**

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1986-212-885 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE \$300

SENDER INSTRUCTIONS
 Print your name, address and ZIP Code in the space below.
 • Complete items 1, 2, 3, and 4 on the reverse.
 • Attach to front of article if space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO:

Print Sender's name, address, and ZIP Code in the space below.

**DIVISION
 OF
 OIL GAS & MINING**
 1594 W NORTH TEMPLE STE 1210
 BOX 145801
 SALT LAKE CITY UT 84114-5801

BB DOGM ACT/015/009 9/24/96 FLD 5 N96-26-2-1

RECEIPT FOR CERTIFIED MAIL NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL (See Reverse)	VAL PAYNE PACIFICORP PO BOX 310 HUNTINGTON UT 84528 P.O., State and ZIP Code	Postage \$ 55	Certified Fee 110	Special Delivery Fee	Restricted Delivery Fee	Return Receipt showing to whom and Date Delivered 100	Return Receipt showing to whom, Date, and Address of Delivery	TOTAL Postage and Fees \$ 275	Postmark or Date Sep 24-1996
---	--	---------------	-------------------	----------------------	-------------------------	---	---	-------------------------------	---------------------------------

PS Form 3800, June 1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1988-217-132