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STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

February 25, 1983

ACT/015/017 #4

Mr. Chris Shingleton
Director of Services
Mining and Exploration
Utah Power & Light Company
P. O. Box 899
Salt Lake City, Utah 84110

RE: Waste Rock Disposal Modification
Utah Power & Light Company
Wilberg Mine
ACT/015/018B, #3 and #4
Emery County, Utah

Dear Mr. Shingleton:

The Division has completed its review of the above referenced modification submitted January 7, 1983 as well as the changes required by the Bureau of Land Management (BLM) submitted February 16, 1983 and additional information requested by the Division and submitted by Utah Power & Light Company (UP&L) February 22 and 23, 1983.

The hydrologic response to the surface runoff protection of the disposal site expansion has been assessed based on the applicant's use of the NOAA Atlas 2, Precipitation Frequency Atlas of the Western United States, and the selection of the appropriate 25-year, 24-hour storm event associated with the location of the site. If the permanent diversion is properly sized for the runoff expected from the 25-year, 24-hour storm event, the Division feels that the applicant will have met the criteria put forth in UMC 817.43(b) for permanent diversions.

This letter hereby issues conditional approval contingent upon the written acceptance and compliance with the conditions and stipulations outlined below.

Board/Charles R. Henderson, Chairman • John L. Bell • E. Steele McIntyre • Edward T. Beck
Robert R. Norman • Margaret R. Bird • Herm Olsen

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CONDITIONS

1. UP&L shall commit to the fact that all construction, maintenance and reclamation of the additional waste rock disposal site will be in accordance with the specifications and commitments as made for the first site, submitted to the Division in 1981 and included as part of the Wilberg Permit Application. Such commitments shall include those made in UP&L's letter of March 16, 1982 to comply with certain stipulations as set down by the Division and OSM.

Commitment to this condition is being required since the original 1981 submission included only the specifications and reclamation procedures for the first or current site.

STIPULATIONS

Stipulation 2-24-83-1 TM

The applicant must provide the appropriate channel lining and vegetation stabilization to satisfy the requirements of UMC 817.43(c) and (f)(1)(2)(3). In order to satisfy these requirements, it is believed that riprap on the order of six inches or greater is necessary to dissipate energy and prevent erosion. Since the design of the diversion channel has not adequately accounted for riprap or channel lining, the depth of the diversion must be increased by 0.5 feet to 1.5 feet to account for the placement of riprap and the required freeboard height of 0.3 feet. The entire length of the disturbed diversion must be riprapped.

Stipulation 2-24-83-2 MB

The first disposal site, having been fully utilized according to the approved plan, must be reclaimed by May 1, 1983 and revegetated with at least a temporary stabilizing cover until permanent revegetation plans, now being included in the overall Wilberg Mine Plan, can be approved and implemented. If UP&L does not expect to immediately commence reclamation activities on this site due to future plans to utilize the area for storage of an additional four foot lift of waste rock material, such plans, along with documentation of or application for BLM approval, must be submitted to the Division by May 1, 1983. In the latter case, UP&L must also commit to stabilization and revegetation of the existing berm surrounding the first disposal site by May 1, 1983.

It is necessary that any further requests for expanding the site be accompanied by narrative and specifications similar to that submitted in the original 1981 proposal.

When written acceptance of the above condition and stipulations is received by the Division, this permit will be in full force and all approved operations incident to this modification may commence.

Sincerely,

Mary M Boucek
for JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

JWS/MMB:btb

cc: Allen Klein, OSM, Denver
Larry Guymon, Emery Mining Corporation
Dave Lof, DOGM
Cy Young, DOGM
Ev Hooper, DOGM
Pam Grubaugh-Littig, DOGM
Tom Munson, DOGM
Mary Boucek, DOGM