



July 29, 1997

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

Attention: Lowell Braxton

**Re: PacifiCorp, Des-Bee-Dove Mine, ACT/015/017-Folder #5, Emery County, Utah,  
 Order - 60 day, disposition of roadside ditch. NOV-N97-41-3-1.**

On May 15, 1997, an Informal Hearing and Assessment Conference was held to review the fact of violation and proposed assessment for state violation N97-41-3-1. The NOV was issued to PacifiCorp on February 13, 1997 and abated on February 27, 1997.

The following **Order**, dated June 10, 1997, was established from the Informal Hearing and Assessment Conference:

1. NOV N97-41-3-1 is vacated.
2. Within 45 days of receipt of this Order, PacifiCorp must complete maintenance of the roadside ditch and culverts that are the subject of the NOV to assure function as contemplated under the Utah Coal Regulatory Program

PacifiCorp addressed this order in correspondence submitted to the Utah Coal Regulatory Program on July 16, 1997.

3. Within 60 days of receipt of the Order, the permittee shall submit plans to the Division that discuss the disposition of the roadside ditch containing the pipeline that is subject of the NOV upon reclamation of the Des-Bee-Dove haul road.

This submittal discusses the disposition Des-Bee-Dove haul road which includes the roadside ditch containing the pipeline that is the subject of the NOV. A chronological history of the measures that PacifiCorp has taken to resolve the disposition of the Des-Bee-Dove haul road will provide pertinent information in regards to the order. That chronology follows:

1. February 26, 1997 - PacifiCorp submits to the State of Utah a Notice of Intent to reclaim the Des-Bee-Dove mine, including the portion of the haul road within the permit area. A copy of the notice of intent was sent to School and Institutional

*Extension Request*

*Copy [unclear], [unclear], Paul*

*orig. to folder #5  
 copy NOV file*

Huntington Office:  
 (801) 687-9821

Fax (801) 687-2695

Purchasing Fax (801) 687-9092

Deer Creek Mine:  
 (801) 381-2317  
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Cottonwood Mine:  
 (801) 748-2319  
 Fax (801) 748-2380

Trust Lands Administration, Bureau of Land Management, U.S. Forest Service,  
Emery County Commission, and Texaco Exploration Production Inc.

2. April 4, 1997 - Energy West Mining Company receives a letter from Rex Funk, Road Supervisor, Emery County, Utah. Mr. Funk states there may be a public interest in Des-Bee-Dove haul road. He suggests that Energy West direct a letter to the Emery County Commission regarding possible assumption of the road.
3. June 18, 1997 - Energy West Mining Company submits a letter to the Emery County Commission concerning the assumption of the Des-Bee-Dove haul road.

Energy West Mining Company has not received an official response from Emery County concerning the assumption of the Des-Bee-Dove haul road. Conversations with Emery County personnel indicate the county is still discussing the assumption of the haul road. Energy West does not anticipate receiving an official response from Emery County by the end of the 60 day response period specified in the order. With this in mind, Energy West Mining Company is requesting a 90 day extension to resolve the disposition of the Des-Bee-Dove haul road. The extension will allow Emery County the opportunity to fully evaluate the assumption of the Des-Bee-Dove haul road. Based on the response from Emery County, Energy West Mining Co. will develop a plan to address the disposition of the haul road. }

Thank you for your assistance and support in dealing with this matter. If there are any further questions or concerns please call Bob Willey at (801)-687-4722 or Chuck Semborski at (801)-687-4720.

Sincerely,



Charles A. Semborski

Environmental and Geology Supervisor