

July 16, 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: Mr. Lowell Braxton

**Re: PacifiCorp, Des-Bee-Dove Mine, ACT/015/017-Folder #5, Emery County,  
Utah Order- 45 day, culverts and drainage ditch along the Des-Bee-Dove  
haul road. NOV-N97-41-3-1**

*ACT/015/017 #5  
Copy Joe = Baron*

A Division inspection of the Des-Bee-Dove haul road was conducted on February 12, 1997 by Paul Baker. During such inspection, the culvert and drainage compliance situation was brought to his attention. The inspector was informed that Texaco had preformed the action that propagated the compliance problem. PacifiCorp had not been informed by Texaco that culvert and drainage problems would occur and that this problem would exist for an extended period of time. That same day after the field inspection, a call was received from Texaco asking for information to locate a manufacturer that could provide the proper type of culvert pipe required for replacement on those culverts that Texaco had damaged during excavation and backfilling of the trenches. Upon discussion of these matters with Jeff Hall of Texaco, he was informed of the violation that would be issued on said culverts. "Energy West" was informed that Texaco intended all along to repair and bring the drainage system back into compliance but that the time frame of repairing such conditions was taking longer than expected.

"Energy West" continued to inspect the haul road drainage and culvert repair work. During the following weeks from the time of the violation until February 24, 1997, Texaco had brought the drainage system back into compliance. A follow-up inspection for abatement of the violation transpired on February 27, 1997, at which time Paul Baker did in fact abate the violation.

"Energy West" has continued regular inspections along said haul road paying particular attention to the Texaco disturbance area within PacifiCorp's Right -of-Way. During the following time frame from February 27, 1997 to present, several storm events have occurred causing need for some maintenance work. Texaco has been alerted by "Energy West" that continual upkeep of the culverts and drainage system is needed. "Energy West" has also made several suggestions of

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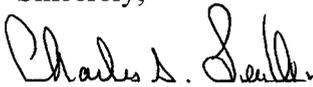
action that could be taken to keep the drainage system and culverts in compliance. Texaco has complied with our suggestions and made several attempts to remedy the problems.

"Energy West" feels that the drainage system has been in compliance since the abatement dated February 27, 1997. The Division inspector has been on site several times to review conditions and has not found any conditions that would warrant violations. Some improvements could be made to basin conditions. Texaco is aware of these improvements and has plans to accomplish those needs.

Hopefully, this letter will satisfy your concerns in regards to the drainage and culvert compliance issues and make you aware that all conditions have been satisfied.

Thank you for your assistance and support in dealing with these matters. If there are any further questions or concerns please call Richard Northrup at 687-4822 or Chuck Semborski at 687-4720.

Sincerely,



Chuck Semborski

Environmental and Geology Supervisor

cc: Blake Webster  
Chuck Semborski  
Carl Pollastro  
Barbara Adams (file)  
✓ Paul Baker -DOGM