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DIVISION OF  
OIL, GAS AND MINING

PO Box 310  
Huntington, Utah 84528

September 21, 2001

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

Attn: Pam Grubaugh-Littig

RE: **Amendment to Reduce the Permit Area at the Des Bee Dove Mine Site, PacifiCorp,  
Des Bee Dove Mine, C/015/017-AM00D**

*Incoming  
C/015/007  
Response to AM00D*

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits responses to the deficiencies received for the amendment to reduce the permit area at the Des Bee Dove Mine.

In the document dated April 11, 2000, Energy West began the process of converting the Des Bee Dove coal mining and reclamation permit to a permit strictly for the purposes of reclamation. The first step in the process was to revise all legal and financial information in Part 1 to reflect current conditions. Part of this revision included reducing the permit area from 2760 acres to approximately 154 acres. Energy West attached a revised Plate 1-2, Surface Ownership Map, to show how the permit area will change. Upon approval, all other affected map within the permit would be amended.

On June 14, 2000, the Division sent their technical analysis (C/015/017-LF00B) that included deficiencies to the April 11, 2000 submittal. The deficiencies mainly required Energy West to submit documentation showing that all wells have been capped and that the post mining land use has been met. Analysis was also required showing that subsidence above the Des Bee Dove mine workings was complete and there was no impact to the hydrologic regime. On July 27, 2000, Energy West submitted the required information to the Division.

On September 5, 2000, the Division give conditional approval to the legal and financial update to Part 1, but assigned a new number (AM00D) to the permit reduction portion of the amendment. The Division claimed that splitting of the two processes (legal and financial update/permit reduction) would facilitate the permit renewal process (permit renewal due 9/6/00) and would somehow be convenient for the Division.

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Deer Creek Mine:

(435) 687-2317

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Trail Mountain Mine:

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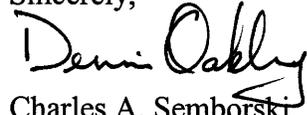
Energy West was hesitant to comply with splitting the original permit amendment because the description of the permit area was directly tied to the legal and financial section of the permit. However, in discussions with Susan White, Energy West agreed to resubmit an updated legal and financial section with the current permit area description. On October 23, 2000, Energy West submitted said request. By February 28, 2001, the revision to Part 1 of the Des Bee Dove permit was approved.

On February 7, 2001, the Division sent a technical analysis with deficiencies of C/015/017-AM00D. The deficiencies were identical to the deficiencies received on June 14, 2000, however, this analysis intended that the information be inserted into the Des Bee Dove MRP.

The attached document attempts to answer deficiencies in the order they were received. The Division's findings will be listed first listed by regulation and deficiency. Followed by PacifiCorp's response in *italics*.

Four redline/strikeout copies are provided for review. Plates 1-1 and 1-2 are included with this submittal for review. Upon approval, Energy West will amend all other affected maps. If you have any questions or concerns regarding this document, please contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,



for Charles A. Semborski  
Permitting/Geology Supervisor

Enclosures:     Response to Technical Analysis Deficiencies  
                  C1/C2 Forms  
                  Part 1 in its entirety  
                  Plates 1-1 and 1-2

Cc:               Scott Child (Interwest Mining Company w/o enclosures)  
                  Carl Pollastro (Energy West Mining Company w/o enclosures)  
                  File

The following responses to deficiencies are formatted as found in the technical analysis document. They are broken down into logical section headings similar to the R645 regulations. In each section, the regulation number along with the associated deficiency is followed by the permittee's italicized response.

## **Environmental Resource Information**

### **Subsidence Control Plan**

**R645-301-121.300, -750**, an analysis of observed versus projected subsidence impacts, and a discussion of how any subsidence-caused material damage was prevented or mitigated must be provided.

*Subsidence monitoring has been conducted since 1980. On the ground monumentation and aerial photogrammetry were used comparatively for the first seven years of monitoring. After it was determined that both effectively documented the amount of subsidence which had occurred, on the ground monumentation surveying was discontinued since aerial photogrammetry could show more detail because more data points could be monitored with less effort. No damage from subsidence has ever been recorded from the undermined areas of the Des Bee Dove Mine.*

*The above information is found in the Subsidence Control Plan in Volume 2, Part 4. The text found on these pages describe how monitoring has been conducted in the past. A discussion of subsidence and also a comparison of predicted vs. observed has been added to the MRP in Volume 1, Part 1, Appendix F, Subsidence Information. C1/C2 forms for this inclusion are attached to this submittal.*

### **Hydrologic Information**

**R645-301-121.300, -750**, in a format suitable for insertion into the MRP, an analysis must be provided assessing hydrology data relative to the impact projections contained within the PHC and CHIA. The analysis must show that onsite impacts have been minimized and that there has been no material damage to the hydrologic balance in the area to be removed from the permit.

*According to the PHC and CHIA, projected hydrological impacts associated with the Des-Bee-Dove Mine are negligible. Raw data, though, is found in the 1999 Annual Hydrologic Report. Supportive information is found in the Supplemental Information for the Relinquishment of Federal Acreage, East Mountain Logical Unit, June 12, 1995 on pages 7 and 10-11.*

*The only spring found within the Des-Bee-Dove Mine permit area is 82-51. This spring has shown no change due to mining. The spring fluctuates proportionately with precipitation. Table*

*29 in the 1999 Annual Hydrologic Report documents spring flow since 1983. Appendix H of this same report compares the spring flow of 82-51 and precipitation. The figure illustrates a close relationship of the two parameters.*

*Underground mining in the Des-Bee-Dove Mine has never intercepted groundwater and, therefore, no water has ever been discharged from the portals into the ephemeral drainages. No surface water impacts due to mining has ever been reported within the Des-Bee-Dove permit area.*

*The Des Bee Dove MRP has been amended to incorporate the above information. A copy of the table and figure is supplied in Part 1, Appendix F, Hydrology. C1/C2 forms for this inclusion are attached to this submittal.*

### **Post Mining Land Uses**

**UCA 40-10-2(2) and R645-301-413**, the application must contain a description of how the land has met the stated postmining land use and how the mined land has met the surface owner or surface manager plans and programs described in the permit.

*The regulations that pertain to Postmining Land Use in R645-301-400 require descriptions of land affected by coal mining and reclamation operations within the permit area. The term "coal mining and reclamation operations" (R645-100-200 page 2) means (a) activities conducted on the surface of lands in connection with a surface coal mine,..., surface coal mining and reclamation operations and surface impacts incident to an underground operation of which directly or indirectly affect interstate commerce. Such activities include all activities necessary and incidental to the reclamation of the operation... In other words, the requirements for post mining land use were established for the disturbed area only.*

*There is no disturbed area within the proposed reduction area that has been affected by coal mining and reclamation operations. Therefore, there has been no impacts to the stated post mining land uses of grazing, wildlife, and recreation.*

*In a telephone conversation with Ms. Susan White (DOGM) on September 20, 2001, Ms. White agreed that no statement concerning postmining land use would be needed, and she would therefore, remove this deficiency from this technical analysis.*

## **Reclamation Plan**

### **General Requirements**

**R645-301-121.300, -640**, in a format suitable for insertion into the MRP, documentation must be provided that all wells, exploration hole, or bore holes have been cased and sealed, capped, sealed, backfilled, or approved for transfer.

*The information required from the above deficiency has been included in Volume 1, Part 1, Appendix F, Well, Exploration Hole Information. C1/C2 forms for this inclusion are attached to this submittal.*

### **Maps, Plans, and Cross Sections of Reclamation Operations**

**R645-301-521 and R645-301-731**, all permit area maps in the MRP must show the disturbed and permit area: 1) the two remote portal breakouts and 2) the disturbed area drainage.

*1) Plate 1-1, Coal Ownership Map and Plate 1-2, Surface Ownership Map has been included with this submittal to how the permit area and affected area will be depicted. The two remote breakouts in Maple Gulch Canyon are included on said maps. Upon Division approval, affected drawings in the current MRP will be amended to reflect the new permit boundary and submitted to the Division for approval.*

*2) The Division's comment the disturbed drainage leaves the disturbed area and permit area and enters the two again further down the canyon is correct. It has been set up this way for the life of the permit. There would be no gain in incorporating the area between now that we are starting reclamation of the mine site.*

*Ms. Mary Ann Wright (Associate Director: DOGM) issue a letter to Energy West (dated August 29, 2001) and concluded that the disturbed boundary should not be changed at this point. However, if the mine should be reactivated, the drainage area would need to be permitted.*

# APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: <b>C/015/017</b>
Title of Proposal: <b>Amendment to Reduce the Permit Area at the Des Bee Dove Mine</b>						Mine: <b>Des-Bee-Dove Mines</b>
Site, PacifiCorp, Des Bee Dove Mine, C/015/017-AM00D						Permittee: <b>PacifiCorp</b>

Description, include reason for application and timing required to implement:

**Instructions:** If you answer yes to any of the first 8 questions (gray), this may be a Significant Revision and require Public Notice. Any questions, please call a Permit Supervisor.

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1. Change in the size of the Permit Area? <u>2605.14</u> acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input checked="" type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

Attach 4 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles A. Semborski Geology/Permitting Supervisor  
 Signed - Name - Position - Date

Subscribed and sworn to before me this 21 day of September 2001.

Shirley Anderson  
 Notary Public

My Commission Expires: 12/22, 2001 }  
 Attest: STATE OF Utah } ss:  
 COUNTY OF Emery }

Received by Oil, Gas & Mining
ASSIGNED TRACKING NUMBER

