



PO Box 310
Huntington, Utah 84528

September 9, 2005

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

*Incoming
9/15/0017*

**Subject: Deficiency Response to Update Volume 1& Relocate Confidential Info., PacifiCorp,
Des Bee Dove Mine, C/015/0017, Task ID #2235**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an amendment to update the Des Bee Dove MRP and the Confidential and Private Information Volume.

Energy West received the Technical Analysis document on August 12, 2005. This document found the amendment application contained deficiencies to the Utah R645 Coal Regulations. Attached with this document are the permittee's responses to the deficiencies accompanied with amended text to the permit. Five (5) copies are attached as required along with the required C1/C2 forms for the correct placement of the amended text into the MRP.

If you have any questions or concerns regarding this submittal, please contact myself at 435-687-4720 or Dennis Oakley at 435-687-4825.

Sincerely,

A handwritten signature in black ink that reads 'Charles D. Semborski'.

Chuck Semborski
Manager of Geology and Permitting

Encl

cc file

RECEIVED

SEP 14 2005

DIV. OF OIL, GAS & MINING

Huntington Office:
(435) 687-9821
Fax (435) 687-2695
Purchasing Fax (435) 687-9092

Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

Trail Mountain Mine:
(435) 748-2140
Fax (435) 748-5125

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.

R645-301-121.200, Archaeological information has been moved from Volume 1: Part 2 to the Confidential and Private Volume (which leaves a large gap in the page numbering) but a Reference Sheet was not provided to indicate this relocation. The Permittee needs to add a Reference Sheet in Volume 1: Part 2 to indicate the new location of the Archaeological Information (Paper 22) in the Confidential and Private binder. Include on the Reference sheet the page numbers for the pages that were relocated and the date they were moved.

A reference page has been constructed to be placed in Volume 1: Part 2 to indicate the location of the Archaeological Information. The C2 form has been included for placement of this page.

R645-301-121.200, The proposed amendment indicates page 2-133 is to be moved to the Confidential and Private binder. Page 2-133 is a copy of a letter referring to the "Cultural Resources Survey of the Deseret Haul Road in Emery County, Utah", on pages 2-134 through 2-144, that is not being removed to the Confidential and Private binder. The Permittee needs to clarify whether page 2-133 is to remain with the Haul Road Survey in Volume 1 of the Haul Road Survey or is to be moved to the Confidential and Private binder with page 2-133.

Pages 2-134 through 2-142 were removed as part of the Amendment ACT/015/017-DO97A (submitted April 30, 1998) that was submitted in response to the Division Order (DO97A). This Order was issued to indicate the disposition of Des Bee Dove Haul Road. However, page 2-133 should have also been removed with pages 2-134 through 2-142. The C2 form included with this submittal requests removal of this page.

R645-301-124.300, • The reclamation plan for the Maple Gulch portals (Volume 2: Part 4, Appendix IX) has a raptor nest map in Attachment 1 that must be moved to the Confidential and Private binder. • The reclamation plan for the pump house area (Volume 5, Appendix IV) contains a raptor nest map in Section R645-301-300, Appendix A that must be moved to the Confidential and Private binder. • There is also a description of nest locations on page 6 of Appendix A that must either be rewritten to be less specific or moved to the Confidential and Private binder. • Reference pages must be provided for information relocated to the Confidential and Private binder.

Maple Gulch Portals - The text on page 6 of Volume 2: Part 4, Appendix IX has been amended to remove detailed information about the nests. Also, The raptor map has been removed from Attachment 1 and placed in the Confidential and Private binder. The raptor map is referenced in each volume.

Pumphouse Area - Information within Volume 2, Appendix IV, R645-301-300, Appendix A has been moved to the Confidential and Private binder. A reference page is included for each volume.

A C2 form has been included with this submittal.

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Des Bee Dove Mine

Permit Number: C/015/0017

Title: Update Volume 1 & Relocate Confidential Info., PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #2235

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

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

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
Print Name

Charles A. Semborski

Geology/Permitting Supervisor 9/9/05
Sign Name, Position, Date

Subscribed and sworn to before me this 9th day of September, 2005

Lori Ann Anderson
Notary Public

My commission Expires: 12/22, 2005 } ss:
Attest: State of Utah }
County of Emery



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="font-size: 24px; font-weight: bold;">RECEIVED</p> <p style="font-size: 24px; font-weight: bold;">SEP 14 2005</p> <p>DIV. OF OIL, GAS & MINING</p>
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PacifiCorp

Energy West Mining Company

Des Bee Dove Mine

**Update Volume 1& Relocate Confidential Info.,
PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #2235**

Volume 1: Part 2

Add Reference Page for Archaeological Information

PACIFICORP
DES-BEE-DOVE MINE

Volume 1: Part 2

Environmental Resource Information
Archaeological Survey Information
Paper 22

Pages 2-1 through 2-132 has been moved to the Confidential and Private
Information Volume, General Tab on 9/2005

PacifiCorp

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Des Bee Dove Mine

**Update Volume 1& Relocate Confidential Info.,
PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #2235**

**Volume 2: Part 4, Appendix IX
Replace Pages 6-7, Redline/Strikeout Text**

Standards for success: A reference area will be located adjacent to the reclaimed portals. Cover and diversity of the reclaimed portal areas will be compared to the reference areas.

The line intercept or ocular estimation methods will be used to measure cover and species composition. As per the Division's recommendations, the shrub density standard is set at zero (0). Any shrub or woody species found on the site will be recorded by species and numbers and reported in the annual report. The standards for success to be applied for ground cover on the reclaimed areas will be at least equal to 90% (with a 90% confidence level) to that of the respective reference area at the time of bond release.

At the time of bond release, similarity between the reclaimed area and corresponding reference area will compare life forms and/or species present in each community by the use of a similarity index. Indices of similarity provide the means of mathematically comparing the plant communities in the two areas. One of the three indices, or a combination thereof, found in the Vegetation Guidelines, Appendix B will be used to determine the similarity between the reclaimed and reference area. If another index is used, or combination thereof, Division approval will be required. Similarity will be determined successful when the index value is at least 70% of the reference area.

Protection of Fish and Wildlife

Fish and wildlife information is provided on Part 2, pages 191 through 219 in Volume 2 of the Des-Bee-Dove MRP.

Enhancement activities at the Maple Gulch breakouts will not have any significant impact on wildlife resources. Due to limited surface exposure and steep terrain, wildlife potential is minimal.

During the initial on-site conducted on April 27, 2000, the portals openings were inspected for evidence of bat habitation. No direct or indirect evidence was identified. The portals were inspected again prior to commencing reclamation, (Beehive Portal: July 12-14, 2000, Deseret Portal: July 17, 2000), with no evidence detected.

A raptor survey of the Maple Gulch area was conducted on May 22, 2000. Two nests were located within the ½ mile radial buffer zone of the breakout area; ~~one active nest and one inactive nest. nest # 822: status - active and nest # 943: status - inactive (refer to map in Attachment 1). Nest #822, Golden Eagle (hen on nest, chick estimated at twelve (12) days old) is approximately twenty three hundred (2300) feet from the Deseret Portal. Natural terrain obstructs the view of the nest from the proposed reclamation sites.~~ To mitigate any potential impacts to the raptors, Energy West conducted the reclamation of the remote portals according to the following schedule:

<u>Mine Portal</u>	<u>Reclamation Schedule</u>	<u>Distance From Active Raptor Nest</u>
Beehive Portal	July 12 - 14, 2000	No active nest within ½ mile radial buffer zone
Deseret Portal	July 17, 2000	Active nest within ½ mile radial buffer zone (nest #822) reclamation activities commenced after seasonal buffer time period.

R645-301-400: Land Use and Air Quality

Post-mining land use for the Des-Bee-Dove Mine is grazing and wildlife. Given the fact that the portals are located on steep (nearly vertical) rock outcrops, this area is only considered for wildlife. It is highly unlikely that cattle could access the steep ledges in and around the portal areas. Recent site visits found no signs of any cattle grazing in the immediate area.

R645-301-500: Engineering

As stated earlier, the remote portals were developed for ventilation and emergency escape ways in 1980. Both breakouts were temporarily sealed after the Beehive mine fire in December 1983. The portals were reopened in 1984 for exploration purposes after the mine fire. The portals were subsequently permanently sealed (MSHA approved) in 1986.

The Des-Bee-Dove mine complex is separated from the greater East Mountain property by the Deer Creek fault. The fault is an effective aquiclude, preventing groundwater migration. As a result of the Deer Creek fault, the Des-Bee-Dove mine complex was dry and water resources for dust suppression and culinary use were supplied from outside sources. Portal seals at Maple Gulch did not require hydrologic drains.

Non-Coal Waste: The area was inspected for non-coal waste. All waste materials associated with the portals and enhancement activities were removed from the site and disposed at an approved landfill. The portal liner at the Beehive breakout was removed to the extent possible and disposed of inside the portal (refer to photos in Attachment 3 and portal cross sections in Attachment 4).

Coal Waste: During development of the site, all coal material (including fines and lump) were brought back into the mine. Some coal material can be found in the drainage due to natural erosion of the coal outcrop area.

Backfilling and grading was conducted utilizing native material adjacent to and above the portal breakouts. Prior to backfilling, Energy West filled the void with aerated concrete blocks to reduce the amount of fill required from the adjacent area. The aerated concrete blocks were supplied by Omega Transworld, Ltd of Price, Utah and are approved by the Mine Health Safety Administration for underground ventilation construction. The blocks consist of aggregate and Portland Cement (Type III) with a compressive strength of approximately 100 psi. Equipment and labor necessary

PacifiCorp

Energy West Mining Company

Des Bee Dove Mine

**Update Volume 1& Relocate Confidential Info.,
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**Volume 2: Part 4, Maps Section
Add Reference Page Raptor Map**

**Des-Bee-Dove Mine
ACT/015/017**

Volume 2 Part 4: Appendix IX

Attachment 1

**Raptor Map - 2000 Survey has been moved to
the Confidential and Private Information
Volume**

June 7, 2000

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Energy West Mining Company

Des Bee Dove Mine

**Update Volume 1& Relocate Confidential Info.,
PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #2235**

**Confidential and Private Information Volume, Des Bee Dove Tab
Add Reference Page and Relocate Raptor Map for Maple Gulch Portals**

**Des-Bee-Dove Mine
ACT/015/017**

Volume 2 Part 4: Appendix IX

Attachment 1

Raptor Map - 2000 Survey

June 7, 2000

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Des Bee Dove Mine

**Update Volume 1& Relocate Confidential Info.,
PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #2235**

Volume 5: Appendix IV

Add Reference Page for Pumphouse Area

PACIFICORP

DES-BEE-DOVE MINE

PUMPHOUSE AREA

RECLAMATION PLAN

ACT/015/017

Appendix A

Raptor Survey Results and Nest Location Map

This Map is has been moved to the Confidential and Private Information Volume

PacifiCorp

Energy West Mining Company

Des Bee Dove Mine

**Update Volume 1& Relocate Confidential Info.,
PacifiCorp, Des Bee Dove Mine, C/015/0017, Task ID #2235**

**Confidential and Private Information Volume, Des Bee Dove Tab
Add Reference Page and Relocate Raptor Map for Pumphouse Area**

PACIFICORP

DES-BEE-DOVE MINE
PUMPHOUSE AREA
RECLAMATION PLAN
ACT/015/017

Appendix A

Raptor Survey Results and Nest Location Map
From Volume 5, Appendix IV, R645-301-300