

UTAH DIVISION OF OIL, GAS AND MINING  
STATE DECISION DOCUMENT

For  
PERMIT RENEWAL

Des-Bee-Dove Mine  
PacifiCorp  
C/015/0017  
Emery County, Utah

August 29, 2005

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## **ADMINISTRATIVE OVERVIEW**

Des-Bee-Dove Mine  
PacifiCorp  
Five-Year Permit Renewal  
C/015/0017  
Carbon County, Utah

August 29, 2005

### **BACKGROUND**

The Des-Bee-Dove Mine Complex is one of four mines permitted by PacifiCorp located on East Mountain about seven miles north of Orangeville, Utah. The four mines permitted by PacifiCorp are: the Des-Bee-Dove Mine, Cottonwood/Wilberg, Deer Creek and Trail Mountain Mine.

The Des-Bee-Dove Mine Complex closed in December 1983, due to a fire in the Beehive Mine and for economic reasons. The mine complex was reopened on January 14, 1985 to provide coal to the Hunter Power Plant to partially replace production lost due to the closure of the Wilberg Mine as a result of a fire, which started in the mine on December 19, 1984. The Des-Bee-Dove Mines ceased coal production during the first week of February 1987; official notice of temporary cessation received February 6, 1987. No mining activity has occurred since that date.

A memo to the Coal Regulatory staff dated October 11, 1988 from Lowell P. Braxton, Associate Director, Mining entitled "Guidelines for Duration of Temporary Cessation of Operations", outlined that temporary cessation may extend to 15 years. The mine notified the Division of intent to reclaim the mine on February 28, 1997. Demolition activities began in September 1999. This phase of the reclamation was completed in June 2000. All surface facilities, concrete footers and asphalt pads have been excavated, and portals backfilled. Remote portals were reclaimed in Summer 2000. Backfilling and grading and seeding of most of the site occurred during 2002. Reclamation of the Des-Bee-Dove Mine was complete on June 17, 2003.

One of the issues associated with the Des-Bee-Dove Mine was the Junction Haul Road. The Des-Bee-Dove/Wilberg Junction Haul Road was constructed in 1983, in response to public concern for safety because the previous route went through the residential street of Orangeville, Utah. Utah Power and Light Company represented the road as a public road and failed to obtain a permit from the regulatory authority to construct the Junction Haul Road. UDOGM issued a notice of violation to Utah Power and Light Company on July 18, 1984, that required the Junction Haul Road be included in the PAP for a permanent program permit. On July 31, 1984,

UDOGM issued a cessation order preventing the Utah Power and Light Company from using the road. The cessation order was terminated on October 1, 1984. The Utah Board of Oil, Gas and Mining reopened the Haul Road under an emergency order pursuant to the approved Utah Coal Program, to allow Utah Power and Light Company to resume production and delivery of coal to the Hunter Power Plant without routing trucks through the town of Orangeville. The entire permit area, including the Junction, Road, was permitted by OSM in April 1985. The State issued the permanent program permit on September 20, 1985.

Phase III bond release was approved for the Des-Bee-Dove haul road on September 9, 1998. The bond release represented 93.18 acres removed from the Des-Bee-Dove Mine permit area due to the achievement of the alternative postmining land use of that road (i.e. from wildlife and grazing to wildlife, grazing, recreation, and industrial.)

On November 29, 1999, Scottish Power, a foreign Corporation, completed the merger with PacifiCorp (Successor in Interest to UP&L Co.), an Oregon Corporation. At that time, all shares of PacifiCorp stock, were converted into shares of Scottish Power stock. PacifiCorp is a wholly-owned subsidiary of Scottish Power.

### **PERMIT RENEWAL**

PacifiCorp made application to the Division of Oil Gas and Mining for a five-year permit renewal for the Des-Bee-Dove Mine on April 27, 2005. This renewal encompasses the disturbed area that has been reclaimed.

The renewal application was determined administratively complete on May 9, 2005. Public notice for this permit renewal was published in the Emery County Progress on May 17, 24, 31 and June 7, 2005.

### **ANALYSIS**

Requisite information for the permit renewal application was made and all notices were published as required. No comments were received during the public comment period.

The bond amount of \$1,837,712 is adequate.

### **RECOMMENDATION**

Approval for this permit renewal is recommended.

## PERMITTING CHRONOLOGY

Des-Bee-Dove Mine  
PacifiCorp  
Permit Renewal  
C/015/0017  
Carbon County, Utah

August 29, 2005

April 27, 2005	PacifiCorp submitted a permit renewal application for the Des-Bee-Dove Mine.
May 9, 2005	Determination of Administrative Completeness for this permit renewal application.
May 11, 2005	Permit renewal completeness determination sent to applicable state, federal, and county agencies.
May 17, 24, 31, and June 7, 2005	Public notice for permit renewal for the Des-Bee-Dove Mine published in the <u>Emery County Progress</u> .
July 7, 2005	No comments received.
August 29, 2005	AVS recommendation.
August 29, 2005	Permit Renewal is issued to PacifiCorp for the Des-Bee-Dove Mine.

## PERMIT RENEWAL FINDINGS

Des-Bee-Dove Mine  
PacifiCorp  
C/015/0017  
Emery County, Utah

August 29, 2005

1. The permit renewal term will not exceed the original permit term of five years (R645-303-234).
2. The terms and conditions of the existing permit are being met. (R645-303-233.110). (See existing TA)
3. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the Act and the Utah State Program (R645-303-233.120).
4. The requested renewal will not substantially jeopardize the operator's continuing ability to comply with the Act and the Utah State Program (R645-303-233.130).
5. The operator has provided evidence of having liability insurance (Associated Electric and Gas Insurance Service Limited – U0614A105)(R645-303-233.140).
6. The operator has posted a reclamation surety in the required amount and has provided evidence that the surety will remain in full effect. (Surety in the amount of \$1,837,712 is posted by Travelers Casualty and Surety Company of America - Bond Number 10377512) (R645-303-233.150).
7. The operator has submitted all applicable, revised or updated information as required by the Division at this time. (R645-303-233.160).

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Permit Supervisor

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Permit Supervisor

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Associate Director of Mining

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Director