

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

February 1, 2007

TO: Internal File

THRU: Priscilla W. Burton, Environmental Scientist/Soils, Team Lead *PWOBryan*

FROM: James D. Smith, Environmental Scientist/Hydrology *JS 02/15/07*

RE: Post Mining Land Use Change, PacifiCorp, Des-Bee-Dove Mines, C/015/0017, Task ID #2727

SUMMARY:

The Division received this proposed amendment August 18, 2007. The Division sent a deficiency letter on November 14, 2006. The Division received the Permittee's response on December 22, 2007..

TECHNICAL ANALYSIS:

RECLAMATION PLAN

GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

Analysis:

The proposed amendment involve changes to the narrative in LAND USE INFORMATION (R614-301-410) in Volume 1, Part 2 (pp. 2-220 through 2-222) and RECLAMATION PLAN: POSTMINING USES (R645-301-412.100) in Volume 2, Part 4 (pp. 4-42 through 4-44). The proposed PMLU change applies to the entire permit area.

The submittal also contains an aerial photo-map, a legal description of the permit area, copies of the state and federal APDs, a copy of the state's approval of the APD, and letters and other information from Emery County and agencies that manage surface and mineral interests in and adjacent to the permit area. (A copy of the BLM's approval of the APD is not included.) It is not clear, from the C1/C2 forms or other information in the submittal, if the additional information is to be placed in the MRP. Dennis Oakley confirmed with Priscilla Burton of the Division that, except for the pages of the MRP noted on the C1/C2 forms and listed above, none of the submitted material is to be included in the MRP: it is to be in the Division's files as part of the record for this PMLU change action.

In a letter dated August 4, 2006, the USFS states that this PMLU change is consistent with the current Forest Plan (the letter does not definitively state that the USFS consents to or approves the PMLU change). SITLA states in a letter dated August 7, 2006 that they have no concerns regarding this PMLU change. Emery County has given consent to the change (letter dated July 18, 2006).

Findings:

The Permittee has met the requirements of this section of the R645 Coal Mining Rules.

RECOMMENDATIONS:

The Division should approve the Alternate Post-mining Land Use amendment for the Des Bee Dove Mines MRP.