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June 26, 2014

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

Submitted Electronically

**RE: Deficiency Response to Discrepancies in Phase II and III Bond Release Application,
Des Bee Dove Mine, C/015/0017, Task ID #4580, Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West"), as mine operator, hereby submits responses to the discrepancies of the Phase II and III bond release application identified by the Division.

If you have any questions or concerns regarding the enclosed information, please contact Dennis Oakley at 435-687-4825.

Sincerely,

Ken Fleck
Geology and Environmental Affairs Manager

Enclosures: C1 Form
Addendum 1
Addendum 2

Cc: file

The following responds to discrepancies found in the April 2014 Des Bee Dove Mine Phase II and III bond release application. The discrepancies are listed in the order they were received. Responses are shown in *italics*.

1) Please verify the accuracy of the sediment pond mix information that was included in the bond release application. The seed mix reported in the bond release application for the sediment pond reclamation area is not the same as the mix found in Appendix V XI Section 300 pg. 3. (pburton)

The sediment pond seed mix found in the April 2014 Des Bee Dove Mine Phase II and III bond release application is shown in error. Attachment 5 of this application has been amended and is attached as Addendum 1.

2) The disturbed area acreages for the Phase II Reclamation and Pumphouse areas listed in the 'Disturbed Area Reconciliation Table' should be 23.3 acres and 1.6 acres in order to coincide with the acreage figures in corresponding footnotes 1 and 2. The footnotes should include a justification for phase III bond release during years 4 and 8 of the 10 year liability period. Additionally, please provide a footnote describing the justification for phase III bond release for the sediment pond area. (jhelfrich)

The Division suggests that Appendix G of the Legal and Financial Volume be amended to make the Disturbed Area Reconciliation Table more clear. In discussion with Joe Helfrich, the permittee has made the recommended changes to the table. Appendix G – Des Bee Dove Permit is attached as Addendum 2. Only the table and footnotes contain the recommended changes. Note that until bond release is approved by OSM and the Division, the Legal and Financial Volume cannot be amended. Therefore, the proposed changes shall be approved conditionally by the Division.

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: Deficiency Response to Discrepancies in Phase II and III Bond Release Application, Des Bee Dove Mine, C/015/0017, Task ID #4580, Emery County, Utah

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: ___ 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.

Kenneth Fleck
Print Name

Kenneth S. Fleck
Sign Name, Position, Date

Manager of Environmental Affairs JUNE 26, 2014

Subscribed and sworn to before me this 26 day of June, 2014

Brookelle Langi
Notary Public

My commission Expires: February 4, 2017
Attest: State of Utah } ss:
County of Emery



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Addendum 1

Reclamation Treatments Utilized at the Des Bee Dove Mine

(Refer to Volume 5, Appendix XIV (Phase 1 Reclamation Plan), XV (Phase 2 Reclamation Plan), and XVI (Phase 3 Reclamation Plan) for a complete discussion of the reclamation treatments employed at the reclaimed sites.)

The Des Bee Dove mine site is located in an unnamed canyon of the southern end of East Mountain. Disturbed areas consist of both east and west facing steep slopes. The area is dominated by rock outcrop, rubble land, and shallow soils. Since the area was disturbed prior to Surface Mining Control and Reclamation Act of 1977, no soils were segregated and stored for reclamation. All disturbed areas were seeded according to the interim revegetation procedures outlined in Volume 2 Part 4 of the Des Bee Dove MRP. Suitability of the soil was demonstrated by the successful growth of native vegetation throughout the site. Reclamation was conducted in three (3) phases. Phase 1 included the upper Bee Hive and Little Dove mine areas. Phase 2 included the Deseret Mine area. And Phase 3 included the Sediment Pond and Access Road.

PacifiCorp instituted a soil trenching and management plan to gather sufficient substitute soils for reclaiming the Phase 1 and Phase 2 areas (refer to the Phase 1 and Phase 2 Reclamation Volumes). To assess the quality of the substitute topsoil available these areas, PacifiCorp conducted several soil sampling programs throughout the site. To quantify the substitute topsoil availability, PacifiCorp excavated soil trenches in the pre-SMCRA cuts and fills. In addition, trenches were developed in the spoil material excavated during the 2001 tippel pad coal removal project (bathhouse area) and in the substitute soil pile segregated at the Deseret coal storage area. Trenches were excavated with a backhoe to bedrock or to the proposed post reclamation elevations.

Through the soil salvage activities, PacifiCorp developed approximately 6,900 cubic yards of substitute subsoil material and 20,500 cubic yard of substitute topsoil material. These soils were placed in critical areas for creating slopes to mimic the surrounding landscapes.

The following give a very abridged discussion of the processes used for reclaiming the Des Bee Dove Mine.

Portal Sealing: All portals of the Des Bee Dove mine complex were sealed according to Mine Safety Health Administration (MSHA) specifications. The seals were constructed at least 25 feet in by the opening. The portal area was reclaimed by demolishing the surrounding portal collars. These collars were broken up and used as backfill material. The remaining void was backfilled utilizing existing fill according to the plan.

Sealing of the Remote Portals was completed inside the mine. During reclamation, the portal openings were backfilled with aerated concrete blocks that were flow in by helicopter to each of the openings. Once the openings were adequately filled, hand tools were used to cover the block backfill. The area was contoured using the hand tools to blend the portal sites with the surrounding area.

Soil Placement and Stabilization: Because of the enormity of the project, the reviewer should refer to the Phase 1, Phase 2, and Phase 3 volumes to review the complete backfilling and grading plan. Coal waste was placed against cuts and covered with subsoil and topsoil. The materials were placed in one foot lifts and compacted to an in-place unit weight equal to at least 90% of the maximum laboratory density. It was found that this density could be achieved by compacting the individual lifts a minimum of four passes with a rubber tired dozer or sheepfoot.

Final slope configurations did not exceed 2 horizontal by 1 vertical. The top layers were not compacted to allow for plant growth and root penetration. Rocks and boulders were randomly placed on the slopes to provide natural esthetic appearance as well as slope containment.

Topsoil was placed at least one foot in depth. The final surface was roughened by placing deep gouges (3' diameter by 1.5' deep) or pocks randomly throughout the surface. This roughening technique provided an effective erosion control mechanism and allowed for water containment on slopes that enhanced plant growth.

Maple Gulch breakouts consist of one breakout in each seam (Hiawatha Seam - Deseret Mine: Main North and Blind Canyon Seam - Beehive Mine: 10th East), approximately sixteen feet wide, eight feet high, located on an extremely steep rock ledge typically void of top/subsoil resources. Natural coal and sandstone outcrops exist throughout the area. Approximately 0.04 acre was impacted by the two breakouts. Due to the limited soil resource, soil material was not salvaged or stored at the site. During the backfilling process, each coal seam exposed during mining (Hiawatha Seam - Deseret Mine: Main North and Blind Canyon Seam - Beehive Mine: 10th East), was completely covered. As part of PacifiCorp's enhancement project, rock and aesthetically appealing materials was strategically placed along the coal outcrop area to blend the portal site into the surrounding terrain. Portals were backfilled using rock/debris adjacent to and above the portal openings. Soil and native material from adjacent to and above the portal areas was utilized to establish a vegetative cover over the backfilled openings.

Erosion Control: As mentioned above, deep gouging techniques were used to control sedimentation at all the reclaimed areas of the Des Bee Dove sites. These techniques required a track-hoe or similar machine to roughen the disturbed area in a random and discontinuous fashion using the bucket. Pockmarks were created to the size of approximately three (3) feet in diameter and one and half (1 ½) feet deep. The pockmarks were designed to capture or trap precipitation, influencing infiltration. Gouging serves to control erosion through water retention, and thus enhances vegetation growth. Because of the water retaining capabilities of deep gouging techniques, contribution of sediment above background levels did not occur. All exposed surfaces were protected and stabilized by incorporating or mixing hay mulch into the top layer of soil. A wood fiber mulch and tackifier was applied to the surface as detailed below.

During soil placement for the Maple Gulch portals, organic debris was incorporated into the soil. The surface was then roughened to control runoff and erosion.

Seeding/Fertilizing Techniques: Seeding and fertilizing was conducted contemporaneously as practical following soil placement/contouring, mulching, pocking of the area being reclaimed. Certified weed free alfalfa hay was incorporated into the soil following contouring at a rate of 2000lbs/acre. Fertilizer (Triple Superphosphate) was applied at a rate of 75 lbs./acre

Pocking techniques mixed the hay mulch and fertilizer into the upper portion of the soil. The seed mixture was broadcast by hand.

Next, a wood fiber mulch was applied at a rate of 1500 lbs./acre. A tackifier was added to the mulch and applied at a rate required by the manufacturer. Typically this rate was approximately 500 lbs/acre. Mulch and tackifier was applied simultaneously.

Revegetation: The following tables list the seed mixture that was used to revegetate the disturbed Pinyon/Juniper habitat of the Phase 1 and Phase 2 areas and the Saltbrush/Shrub community of the Phase 3 (sediment pond) area, as well as the Maple Gulch Portal breakouts.

Seed Mixture for Phase 1 and Phase 2 Areas:

Common Name	Scientific Name	Lbs./Acre Equivalent PLS
Grasses (Cool Season)		
Indian Ricegrass	<i>Achantherum hymenoides</i>	1.5
Thickspike wheatgrass	<i>Elymus lanceolantus</i>	1.0
Salina wildrye*	<i>E. salinus</i>	2.0
Bottlebrush squirreltail	<i>E. elymoides</i>	1.0
Great Basin Wild Rye	<i>Leymus cinereus</i>	2.0
Western wheatgrass	<i>Pasopyrum smithii</i>	2.0
Bluebunch wheatgrass	<i>Pseudoroegneria spicatum</i>	1.5
Forbes		
Pacific Aster	<i>Aster chilensis</i>	0.1
Palmer Penstemon	<i>Penstemon palmeri</i>	0.5
Shrubs**		
Fourwing saltbrush	<i>Atriplex canescens</i>	4.0
Shadscale	<i>Atriplex confertifolia</i>	3.5
Winterfat	<i>Ceratoides lanata</i>	3.5
Low rabbitbrush	<i>Chrysothamnus viscidiflorus</i>	0.3

Seed Mixture for the Phase 3 Area:

Common Name	Scientific Name	Lbs/ac Equivalent PLS
Thickspike wheatgrass	<i>Elymus lanceolatus</i>	3.0
Western wheatgrass	<i>E. smithii</i>	4.0
Basin wildrye	<i>E. cinereus</i>	4.0
Indian ricegrass	<i>Stipa hymenoides</i>	3.0
Alkali sakatoon	<i>Sporobolus airoides</i>	0.25
Lewis flax	<i>Linum lewisii</i>	1.0
Globemallow	<i>Sphaeralcea grossularifolia</i>	0.5
Fourwing saltbrush	<i>Atriplex canescens</i>	2.0
Mat saltbrush	<i>A. corrugata</i>	2.0
Shadscale	<i>A. confertifolia</i>	2.0
Winterfat	<i>Ceratoides lanata</i>	2.0
Prostrata kochia	<i>Kochia prostrata</i>	0.5

Seed Mixture - Final Revegetation for the Des-Bee-Dove: Maple Gulch Portal Breakouts

<u>Common Name</u>	<u>Scientific Name</u>	<u>Lbs/Acre</u> <u>PLS*</u>
<u>Grasses</u>		
Western wheatgrass	Agropyron smithii	3.0
Bluebunch wheatgrass	Agropyron spicatum	3.0
Indian ricegrass	Oryzposis hymenoides	3.0
Needle and thread grass	Stipa comata	1.0
Thickspike wheatgrass	Agropyron dasystachyum	1.0
Great Basin wildrye	Elymus ciaereus	2.0
<u>Forbs</u>		
Blueleaf aster	Aster glaucodes	0.5
Utah sweet vetch	Hedysarum boreale	1.0
Lewis flax	Linum lewisii	1.0
Globemallow	Sphaeralcea coccinea	0.5
Yarrow	Achillea millefolius	0.5
<u>Shrubs</u>		
Serviceberry	Amelanchier alnifolia	1.0
Mountain big sagebrush	Artemesia tridentata vaseyana	0.5
Wyoming big sagebrush	Artemesia wyomingensis	0.5
Prairie sage	Artemesia ludoviciana	0.5
Big white rabbitbrush	Chrysothamunus nauseosus	
	var. albicaulis	<u>0.5</u>
	Total	19.0

All seed mixtures were approve by DOGM with USFS and SITLA concurring. Planting techniques utilized both hydro-seeding and hand spreading.

Addendum 2

Des Bee Dove Mine Permit Boundary Description

T17S, R7E, SLB&M Emery County, UT

Section	Description	Acreage
Sec 25:	NW¼SW¼	40.00
Sec 26:	E½SW½NE¼, W½SE½NE¼, NE½SE¼.	80.00

Sediment Pond

Beginning at a point 259.41 feet West and 123.74 feet North of the East 1/4 corner of section 35, T17S. R7E., SLM and intersecting the Des-Bee-Dove Emery County Road No. 412;

thence S 61°43' E, 127.70 feet;
 thence S 51° 13' E, 459.78 feet;
 thence S 60° 43' E, 163.50 feet;
 thence S 3° 43' E, 213.14 feet;
 thence N 64° 47' E, 278.44 feet;
 thence N 22° 17' E, 249.11 feet;
 thence N 44° 13' W, 217.52 feet;
 thence N 2° 47' E, 431.98 feet;
 thence N 10° 13' W, 194.24 feet;
 thence N 6° 13' E, 231.03 feet;
 thence N 51° 13' E, 154.75 feet;
 thence N 7° 13' E, 230.82 feet;
 thence N 39° 13' W, 188.61 feet;
 thence N 13° 48' 40" W, 1030.83 feet;
 thence N 40° 36' 49" W, 46.42 feet;
 thence S 88° 27' 37" W, 100.39 feet;
 thence N 61° 03' 40" W, 163.27 feet,
 thence W, 79.30 feet,
 thence S, 0°, 08' W, 517.82 feet,
 thence S 13° 48' 40" E, 454.63 feet;
 thence S 60° 37' 19" E, 640.87 feet;
 thence S 7° 13' W, 189.18 feet;
 thence S 51° 13' W, 155.25 feet;
 thence S 6° 13' W, 258.97 feet;
 thence S 10° 13' E, 195.76 feet;
 thence S 2° 47' W, 448.02 feet;
 thence S 44° 13' E, 206.48 feet;
 thence S 22° 17' W, 196.89 feet;
 thence S 64° 47' W, 185.56 feet;
 thence N 3° 43' W, 166.86 feet;
 thence N 60° 43' W, 186.50 feet;
 thence N 51° 13' W, 460.22 feet;
 thence N 61° 43' W, 132.30 feet;
 thence S 28° 16' 51" W, 50.00 feet;
 to point of beginning. Contains 13.88 acres, more or less.

BLM Right of Way UTU-53809 Relinquished 8/22/04; No Right of Entry

Remote Portals

Behive Portal Breakout (BLM Right-of-Way Expired 5/25/01; No Right of Entry).

An 20 ft. X 20 ft. area beginning at the SW corner of Section 13, T17S. R7E., SLM, to a point 292 feet, bearing N59°34'26"E. 0.01 acres, more or less.

Deseret Portal Breakout

An 20 ft. X 20 ft. area beginning at the SE corner of Section 14, T17S. R7E., SLM, to a point 1,798 feet, bearing N49°20'41"W. 0.01 acres, more or less.

The Des Bee Dove permit covers an area approximately 133.9 acres. The total disturbed area at the mine is currently 40.90 acres.

Des Bee Dove Mine Permit Boundary Description

Disturbed Area Reconciliation Table

Type Area	Area Name	Original Disturbed Acreage	Reclamation Completion Date	Disturbed Acreage	Phase I Bond Release Date	Phase II Bond Release Date	Phase III Bond Release Date
Mine Site	Phase 1 Reclamation Area	4.6	May-02	4.60	2/13/2007		
Mine Site	Phase 2 Reclamation Area	23.3	Jun-03	22.4 ¹	2/13/2007		4/5/2007
Mine Site	Pumphouse Area	1.62	Nov-99	0.00 ²	2/13/2007		4/5/2007
Remote Portal	Deseret Mine	0.01	Jul-00	0.01	9/17/2009		
Remote Portal	Beehive Mine	0.01	Jul-00	0.01	9/17/2009		
Sediment Pond	Phase 3 Reclamation Area	13.88	Jan-06	13.88 ³	9/17/2009		
Access	Haul Road Area	93.18	N/A	0.00 ⁴	N/A	N/A	8/24/1998
Total		136.6		40.90			

¹ Originally the Phase 2 Reclamation Area contained 23.3 total disturbed acres. On 4/5/07 Division of Oil, Gas, and Mining approved Phase III Bond Release on 0.9 acres of disturbed land within this area as a result of an approved PMLU change.

² Originally the Pumphouse Reclamation Area contained 1.62 total disturbed acres. On 4/5/07 Division of Oil, Gas, and Mining approved Phase III Bond Release on all acres of disturbed land within this area as the result of an approved PMLU change

³ According to Utah's Coal Regulatory Program rules a sediment pond is by definition a siltation structure and as such is not required to meet the ten year liability period for phase III bond release. However vegetation success standards do apply to the reclaimed pond and access road. These standards were met for phase III bond release. (JH)

⁴ The haul road originally consisted of 93.18 acres of disturbed land associated with the Des Bee Dove Mine. The Des Bee Dove haul road and all of PacifiCorp's jurisdictional control of the road was transferred to Emery County on August 24, 1998. The road is now part of the Emery County road system.

(JH) - Joe Helfrich Division of Oil, Gas, and Mining