

0027

UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

FILE
ACT/015/018,
#2

September 19, 1984

Mr. Louis Hamm
U. S. Department of the Interior
Office of Surface Mining
Reclamation and Enforcement
Brooks Towers
1020 15th Street
Denver, Colorado 80202

Re: Deer Creek Mine Permit

Dear Mr. Hamm:

In response to your list of deficiencies dated August 17, 1984, the following is submitted in six sets. An additional set of revisions has been mailed to Mr. George Cotton at Simons, Li and Associates.

1. County Roads - Responsibility for the existing road which lies between the Power Plant and the Deer Creek Coal Mine belongs to Emery County as stated in the attached letters from representatives of Emery County.

Inclusion of said road would trespass County authority. Passage of Public Law 95-87 did not change legal responsibility of existing roads. They were County roads before the law and remain County roads after the law. We interpret the regulations to exclude the roads if they are claimed and maintained by County forces and funds.

2. Reconstructed Stream Channel - Concerns raised by reviewers that final reconstruction of the stream channel on a fill structure is counter to regulations is acknowledged. However, it must be noted the fill structure was constructed prior to the regulations. Further, the regulations quoted (817.72(d)) specifically outlines a series of separate operations necessary to construct a valley fill which meets OSM approval. Given the situation, environmental setting, economical constraints of fill removal and alternative final reclamation proposals discussed in detail with technical people from both sides, there is a consensus

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that the final reclamation plan meets the intent of diverting runoff waters above the fill into a stabilized diversion channel away from the fill.

Applicant requests OSM to reevaluate its objection, especially with respect to mines whose construction predates the act and subsequent regulations. Company requests a variance of the regulations based on design plans submitted which provide for a stabilized channel capable of passing a 100-year storm event.

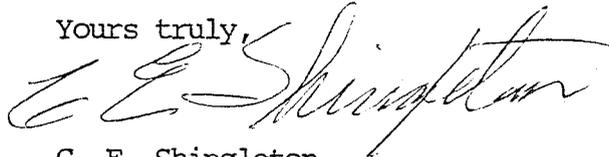
3. Terrace reclamation is shown on page 4-12-E and drawing CM-10548-DR.
4. Applicant requests additional time to properly respond to item 4 (water replacement). The Deer Creek application contains mitigation measures for insuring protection of surface waters for use by existing land uses, grazing and wildlife. Water replacement and the commitment to post-mining uses involves further legal clarification between the owner and respective agencies. Hearings are scheduled for purposes of determining post-mining responsibilities.
5. Water monitoring requirements have been inserted in page 2-98.
6. Continuous water monitoring is addressed on page 2-93.
7. Hiawatha coal analysis is added to page 2-67, coal reserves are discussed on page 2-64.
8. Pillars in the buffer zone are the same as all room and pillar mining, 80' x 80'. The angle of draw used is 16° which exceeds the maximum 9.5° observed to date on East Mountain as shown in the 1983 Subsidence Monitoring Report.
9. Regrading rills and gullies and contour grading is addressed on page 4-30, reporting slides is on page 3-55.

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10. Information requested is submitted in new map packet 4-5 to be added to volume No. 7.
11. Soil sampling plan is revised on page 4-22.
12. Toxic fill is addressed on page 4-6.
13. The culvert design is under review and when completed will be submitted.
14. Additional information for sediment pond is submitted for insertion in map packets 3-15, 3-16 and Appendix VII.

In addition, the reclamation cost section has been revised and is included.

Yours truly,



C. E. Shingleton
Director of Permitting,
Compliance & Services
Mining and Exploration

CES:WCM:bb:4544
Enclosures

cc: George Cotton, Simons Li & Associates
James Smith, Jr., DOGM

September 13, 1984

Ms. Dianne Nielson
Division of Oil, Gas & Mining
Natural Resources & Energy
State of Utah
4241 State Office Building
Salt Lake City, Utah 84114

Regarding: Deer Creek and Deseret Mines
County Roads

Dear Ms. Nielson:

From May 15, 1965, until my retirement on May 1, 1982, I was employed by Emery County as the County Road Supervisor. One of the main responsibilities of this position was to supervise all road maintenance and repair of the roads included in the county road systems.

Both the Deer Creek and the Deseret Mine roads were included in the county system before and during my tenure as Road Supervisor.

Sincerely,



Vern Leamaster

September 13, 1984

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MINING AND
EXPLORATION

United States Department of the Interior
Office of Surface Mining
Reclamation and Enforcement
Brooks Tower
1020 15th Street
Denver, Colorado 80202

Regarding: Deer Creek and Deseret Mines
County Roads

Gentleman:

From May 15, 1965, until my retirement on May 1, 1982, I was employed by Emery County as the County Road Supervisor. One of the main responsibilities of this position was to supervise all road maintenance and repair of the roads included in the county road systems.

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Sincerely,



Vern Leamaster