



United States Department of the Interior  
OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
BROOKS TOWERS  
1020 15TH STREET  
DENVER, COLORADO 80202

RECEIVED  
FEB 24 1986

19 FEB 1986

Dr. Diame Nielson, Director  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

DIVISION OF  
OIL, GAS & MINING

ACT/015/018  
#2

Dear Dr. Nielson:

The Western Technical Center of the Office of Surface Mining Reclamation and Enforcement (OSMRE/WTC) has reviewed the Utah Power and Light Company's (UPL) submittal in response to special condition number one of the Federal permit UT-0016 for its Deer Creek mine. Our review of the submitted information demonstrates compliance with the requirements of special condition number one. However, UPL states in the submittal that their resurvey of the impoundment, which demonstrated the required 8.0 acre-foot runoff volume storage capacity in the pond, also showed that the seven foot elevation difference between the pond bottom and decant level, was not achieved as required by the Utah State Division of Health. UPL stated that they will apply to the Utah State Division of Health for a variance to the seven foot requirement. While we have determined that UPL has provided information to demonstrate compliance with the requirements of Federal permit special condition number 1 in a timely fashion, we cannot affirm that the condition has been satisfied until the variance has been obtained. Please ask UPL to provide evidence when they have obtained the Utah State Division of Health variance.

If you have any questions please contact Rick Lawton or Richard Holbrook at (303) 844-2451.

Sincerely,

*Richard E. Dawes*  
for Allen D. Klein  
Administrator  
Western Technical Center

cc: Robert Hagen, OSMRE/AFO  
Reed Christensen, Forest Supervisor, Manti-LaSal National Forest

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