

0024



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

June 5, 1991

CERTIFIED RETURN RECEIPT REQUESTED
P 755 090 782

Mr. Blake Webster
Permitting Administrator
PacifiCorp Electric Operations
Fuel Resources Department
324 South State Street
P. O. Box 26128
Salt Lake City, Utah 84126-0128

Dear Mr. Webster:

Re: Division Order, PacifiCorp Electric Operations, Deer Creek Mine, ACT/015/018-DO91A, Folder #3, Emery County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the Deer Creek Mine. If in your review of this Order you have any questions, please call me or Pamela Grubaugh-Littig, Permit Supervisor.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. Braxton".

Lowell P. Braxton
Associate Director, Mining

mbm

Enclosure

cc: P. Grubaugh-Littig

J. Helfrich

T. Munson

H. Klein

AT015018.DO

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE, \$300

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

STATE OF UTAH
NATURAL RESOURCES
OIL, GAS, & MINING
3 TRIAD CENTER, SUITE 350
SALT LAKE CITY, UTAH 84180-1203

MBM DOGM ACT/015/018-DO91A, FLDR 3

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address.		2. <input type="checkbox"/> Restricted Delivery.	
3. Article Addressed to: BLAKE WEBSTER PERMITTING ADMINISTRATOR PACIFICORP ELEC OP, FUEL RES 324 S STATE ST P O BOX 26128 SALT LAKE CITY UT 84126-0128		4. Article Number P 755 090 782 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	
5. Signature - Addressee X		Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .	
6. Signature - Agent X <i>P Keller</i>		8. Addressee's Address (ONLY if requested and fee paid)	
7. Date of Delivery JUN 11 1991			

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

★ U.S.G.P.O. 1987-176-131

MBM DOGM ACT/015/018-DO91A, FLDR 3

P 755 090 782

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to BLAKE WEBSTER PERMITTING ADM, PACIFICORP	Street and No 324 S STATE ST	P O BOX 26128	P.O. State and ZIP Code SALT LAKE CY, UT 84126 0128	Postage \$ 2.00	Certified Fee \$.33	*Special Delivery Fee \$.33	Restricted Delivery Fee \$.33	Return Receipt Showing to whom and Date Delivered \$.33	Return Receipt showing to whom, Date, and Address of Delivery \$.33	TOTAL Postage and Fees \$ 3.65	Postmark or Date JUN 11 1991
--	---------------------------------	------------------	--	--------------------	-------------------------	---------------------------------	-----------------------------------	---	---	-----------------------------------	---------------------------------

PS Form 3800, June 1985

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Mr. Blake Webster
PacifiCorp Electric Operations
Fuel Resources Department
Deer Creek Mine
324 South State Street
P. O. Box 26128
Salt Lake City, Utah 84126-0128

Permit Number ACT/015/018
Division Order #DO-91A

DIVISION ORDER AND FINDINGS
of
PERMIT DEFICIENCY

PURSUANT to R614-303-212, the DIVISION ORDERS the PERMITTEE, PacifiCorp Electric Operations, Fuel Resources Department, to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with the requirements of R614-303-220.

FINDINGS OF PERMIT DEFICIENCY

According to R614-301-513.200 impoundments and sediment ponds meeting the size and other qualifying criteria of MSHA, 30 CFR 77.216(a) must comply with the requirements of MSHA, 30 CFR 77.216 (See R614-301-533.600, R614-301-742.222 and R614-301-742.223). MSHA criteria includes:

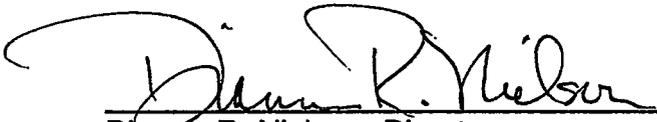
- (1) Impound water, sediment, or slurry to an elevation of five feet or more above the upstream toe of the structure and can have a storage volume of 20 acre-feet or more; or
- (2) Impound water, sediment, or slurry to a elevation of 20 feet or more above the upstream toe of the structure; or
- (3) As determined by the District Manager, present a hazard to coal miners.

As-builts of the sediment pond at the Deer Creek Mine were submitted June 3, 1991. The upstream toe pond elevation is 7210.5 and the maximum water

impoundment (spillway invert elevation) is 7230.5; i.e. 20 feet (criteria #2). (See drawing 00-52-1-010, as-builts certified 5/1/91.) Therefore, this impoundment must comply with all the requirements of 30 CFR 77.216 and all applicable R614 regulations.

PacifiCorp Electric Operations, Fuel Resources Department, is Ordered to make the requisite permit changes in accordance with R614-303-220, and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of receipt of this Order. Approval by the Division must be obtained within 60 days of receipt of this Order. All approvals not obtained within 60 days of receipt of this Order may result in a hindrance violation, unless a request for extension has been obtained by the Director.

So ORDERED, this 5th day of June, 1991 by the Division of Oil, Gas and Mining.



Dianne R. Nielson, Director
Division of Oil, Gas and Mining