

APR 4 1994

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
HEARINGS DIVISION

PacifiCorp,)	
)	
Applicant,)	Docket No. DV 94-7-R
)	
v.)	Application for Review and
)	Temporary Relief
Office of Surface Mining)	
Reclamation and Enforcement)	Notice of Violation
(OSM),)	No. 93-020-190-05
)	
Respondent.)	

RESPONSE TO ORDER TO SHOW CAUSE

The Office of Surface Mining Reclamation and Enforcement (OSM) hereby submits its response to the Order to Show Cause issued by the administrative law judge (ALJ) on March 21, 1994.

The following listed individuals are all employees of OSM's Western Support Center located in Denver, Colorado, and will be called as witnesses:

- Michael Rosenthal
- Lynn Shown
- Stephen Parsons
- Hal Pranger

The foregoing witnesses will testify that the abatement and control measures taken by applicant do not constitute current prudent engineering. The witnesses will further testify as to:

methods used around the country for stabilizing road outcrops and the effectiveness of these methods;

methods for evaluating the potential for problematic erosion on Mancos Shale;

methods and effectiveness of minimizing erosion, particularly rill and gully development, on steep shale

hillslopes like those associated with road construction on Mancos Shale;

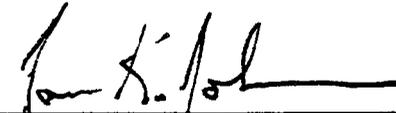
methods and effectiveness for stabilizing active rills and gullies that have established on steep shale hillslopes; and

methods of road construction that have been effective in minimizing erosion on Mancos Shale.

OSM may submit several illustrative exhibits to assist the ALJ in understanding the testimony of its witnesses as well as extracts from scientific and engineering treatises dealing with erosion control, steep slope construction activities, and construction on Mancos Shale. Such exhibits will be provided to the applicant as soon as is possible, but in no case later than 10 days prior to the hearing in this matter.

Dated March 29, 1994

Respectfully Submitted,



Jon K. Johnson, Attorney
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CERTIFICATE OF SERVICE

On this 29th day of March 1994, a true and correct copy of the foregoing was forwarded by first class mail, postage prepaid and addressed to:

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