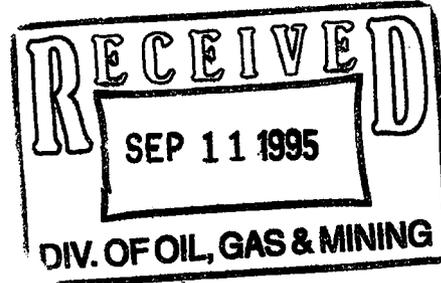


0021

AG/015/018#2
One Utah Center
201 South Main, Suite 2100
Salt Lake City, Utah 84140-0021
(801) 220-2000



August 31, 1995



Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Ms. Pamela Grubaugh-Littig

2

Re: Response to Conditional Approval for Rilda Canyon Surface Facilities, Deer Creek Mine, PacifiCorp, ACT/015/018-94E, Folder # 2, Emery County, Utah

Transmitted herewith, please find fourteen (14) copies of the above referenced information. This material is submitted in response to your letter of July 31, 1995. To facilitate review of the accompanying information, please refer to the attached copy of your letter. Responses to specific conditions are numbered to correspond with your letter as follows:

Condition No.

Reference

1) R645-300-121.320 a)

Manti-La Sal National Forest comments 1 through 7 (see attached copy of Forest Service letter).

Response to comment 1:

Plate 3-9A, certified 8/31/95, shows the location of an additional 18" diameter CMP culvert to be installed in the vicinity of Station 10+00.

Response to comment 2:

The above referenced Plate 3-9A shows the location of riprap to be placed in the roadside ditch at Stations 6+00 to 6+50, 9+50 to 10+00 and 11+25 to 14+25.

Additionally, Plate 3-9B, certified 8/31/95, illustrates the typical riprap ditch installation. Riprap installation in the ditch is discussed at page 3-91, revised 8/31/95.

Response to comment 3:

Plate 4-4A, Sheet 3 of 3, certified 8/31/95, reflects the requested change in the cut slopes.

Response to comment 4:

Analyses of flows resulting from a 100yr/6hr storm revealed that no structures or slopes would be affected.

USFS personnel have reviewed this information and concur with this conclusion. However, the applicant desires that the typical riprap toe protection option remain in the application to facilitate installation of riprap if field conditions result in the need. If installation occurs, the locations will be shown on as-built drawings.

Response to comment 5:

Plate 3-9B, certified 8/31/95, is revised to show the correct finished grade and sub-grade widths. This is discussed on pages 3-42.1 and 3-90, revised 7/19/95.

Response to comment 6:

Reference to MSHA Program Information Bulletin No. **P93-8, Criteria for Determining if Berms or Guards are Required on Elevated Roadways Under 30CFR**

77.1605(k), indicates that guards are required along the majority of the access road. Plate 3-9B reflects the proposed guardrail. The access road and guardrail are discussed on pages 3-90 and 3-42.1, revised 7/19/95.

Response to comment 7:

A preconstruction meeting was held, on-site, August 8, 1995.

b) A preconstruction meeting was held, on-site, August 8, 1995.

2) **R645-301-321.100**

The aspen/fir/dogwood community reference area was sampled for total vegetation ground cover during the original sampling. This information is contained within the application at page 2-173.21, submitted March 24, 1994.

3) **R645-301-333**

The required commitment is found on page 2-210.7, revised 8/31/95.

4) **R645-301-353.100**

The modified riparian seed mixture is found at pages 4-54.2 and 4-54.3, revised 8/31/95. The seed mixture reflects Division and Forest Service comments.

5) **R645-301-356.120**

Plate 2-15A is revised to show the correct location of the Forest Development Trail. The trail coincides with the transition between aspen/fir/dogwood and mountain brush/salina wildrye communities. The aspen/fir/dogwood reference area was not impacted by the powerline construction.

6) **R645-301-356.120**

The Notice of Violation was vacated 8/21/95. The location of the powerline is shown on Plate 3-9A. No further permitting is required.

7) R645-301-534.130 &
R645-301-553.130

This condition is a restatement of language which already exists in the application at page 3-94.2. The application includes a commitment to gather additional information, redesign the slopes if necessary to achieve a 1.3 factor of safety and obtain approval of any design changes.

8) R645-301-731.300

Pages 2-181.40 through 2-181.52 (SCS Soil Survey Information) are included. Additional characterization is being completed in cooperation with a representative of the Division.

9) R645-301-742.110 a)

Plate 4-1A, certified 8/31/95, shows locations of sediment control structures. Page 4-54.4, revised 8/31/95, contains discussion of silt fence installation and surface roughening as sediment control measures.

b) Revised Sheet 2 of 3 of the HAL report is provided for placement in Volume 3, Appendix VII.

If you have questions regarding this information, please call me at (801)687-4722.

Sincerely



Val Payne
Sr. Environmental Engineer

Enclosure

cc: M. Moon w/o enclosure
B. Webster w/ enclosure
File

APPLICATION FOR PERMIT CHANGE

Title of Change: RILDA CANYON SURFACE FACILITIES

Permit Number: ACT 1015 1018

Mine: DEER CREEK

Permittee: PACIFICORP

Description, include reason for change and timing required to implement:

RESPONSE TO PERMIT APPROVAL CONDITIONS

- Yes No 1. Change in the size of the Permit Area? _____ acres increase decrease.
- Yes No 2. Change in the size of the Disturbed Area? _____ acres increase decrease.
- Yes No 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
- Yes No 4. Will permit change include operations in hydrologic basins other than currently approved?
- Yes No 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does permit change require or include public notice publication?
- Yes No 7. Permit change as a result of a Violation? Violation # _____
- Yes No 8. Permit change as a result of a Division Order? D.O.# _____
- Yes No 9. Permit change as a result of other laws or regulations? Explain: _____
- Yes No 10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
- Yes No 11. Does the permit change affect the surface landowner or change the post mining land use?
- Yes No 12. Does permit change require or include collection and reporting of any baseline information?
- Yes No 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 14. Does permit change require or include soil removal, storage or placement?
- Yes No 15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
- Yes No 16. Does permit change require or include construction, modification, or removal of surface facilities?
- Yes No 17. Does permit change require or include water monitoring, sediment or drainage control measures?
- Yes No 18. Does permit change require or include certified designs, maps, or calculations?
- Yes No 19. Does permit change require or include underground design or mine sequence and timing?
- Yes No 20. Does permit change require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
- Yes No 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
- Yes No 23. Is this permit change coal exploration activity inside outside of the permit area?

Attach 3 ¹⁴ complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

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.

Val E Payne VAL E PAYNE SR. ENVIRONMENTAL ENG. 8/8/95
Signed - Name - Position - Date

Subscribed and sworn to before me this 10 day of Aug, 19 95.

Barbara J. Adams
Notary Public

My Commission Expires: 10-13, 19 96
Attest: STATE OF Utah



Notary Public
BARBARA J. ADAMS
15 North Main
Huntington, Utah 84529

Received by Oil, Gas & Mining
RECEIVED
SEP 11 1995
DIV. OF OIL, GAS & MINING

ASSIGNED PERMIT CHANGE NUMBER



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

July 31, 1995

Val Payne
Senior Environmental Engineer
Energy West
P.O. Box 310
Huntington, Utah 84528

Re: Conditional Approval for Rilda Canyon Surface Facilities, Deer Creek Mine, PacifiCorp, ACT/015/018-94E, Folder #3, Emery County, Utah

Dear Mr. Payne:

The Rilda Canyon Surface Facilities significant revision to the Deer Creek Mine permit is approved with nine conditions. Enclosed is the Decision Document for the Rilda Canyon Surface Facilities, including the Technical Analysis that describes the conditions to this approval in detail. PacifiCorp is subject to compliance with the following nine conditions and must commit to comply (or comply, as applicable) with the requirements of the following nine conditions by August 31, 1995:

1) **R645-300-121.320**

- a) PacifiCorp must provide an adequate response to the Forest Service comments made in the July 12, 1995 letter to the Division (attached).
- b) A preconstruction meeting must be conducted with PacifiCorp, the Forest Service and the Division prior to any work at the Rilda Canyon surface facilities.

2) **R645-301-321.100**

The aspen/fir/dogwood community reference area must be sampled for total vegetation ground cover.

3) **R645-301-333**

The application must contain a commitment to restrict the construction period to the time of year so as not to disturb crucial times for wintering elk, fawning deer and nesting raptors.



4) R645-301-353.100

The riparian seed mixture must be modified by reducing the current grass component to 1 to 2 pounds per acre and adding mountain brome, slender wheatgrass, Letterman's needlegrass, Kentucky bluegrass, and mutton grass. Additionally, Utah sweetvetch must be substituted for yellow sweetclover.

5) R645-301-356.120

The aspen/fir/dogwood reference area must be reconfigured so as not to include the disturbance from powerline development and then resampled to include total vegetation cover.

6) R645-301-356.120

Permitting of surface disturbances associated with powerline construction will be done in accordance with the decision rendered at the fact of violation hearing for violation #N95-35-01-01.

7) R645-301-534.130 and R645-301-553.130

The Rollins Brown and Gunnel study indicates that the design slopes should attain at least the required safety factor of 1.3. However, the permittee must gather additional information through drilling when the area is accessed for construction of the road and pad. If the slopes, as designed do not reach the 1.3 safety factor, the permittee must redesign them and submit the revised designs for Division approval.

8) R645-301-731.300

PacifiCorp must demonstrate that the proposed imported fill material is suitable for reclamation, compatible with natural surroundings and the approved postmining landuse, by characterizing the acid- and/or toxic forming and alkalinity-producing potential of the imported fill material.

9) R645-301-742.110

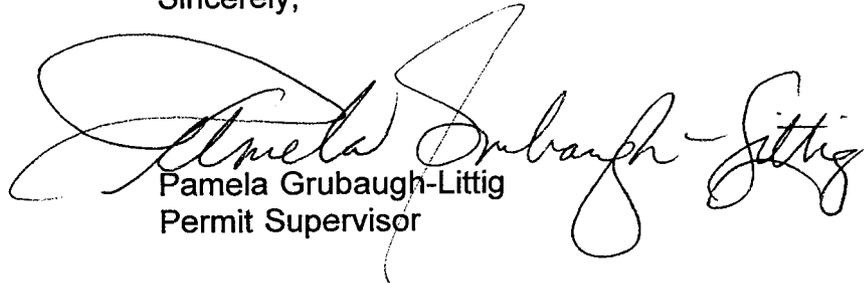
- a) PacifiCorp must show the location of sediment control measures as part of the reclamation sediment control plan design.
- b) PacifiCorp must revise Sheet 2 of 3 of the HAL Report to show that BTCA Area 2 will not include treatment and activity outside the permit area.

Rilda Canyon Surface Facilities
ACT/015/018-95E
Page 3

As noted in the first condition, PacifiCorp must conduct a preconstruction meeting onsite with the Forest Service and the Division prior to any construction. Please notify the Division at the earliest date when this meeting will be held. Additionally, as a reminder, all sediment controls must be in place prior to any disturbance.

If you have any questions, please call me or Daron Haddock.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

Enclosure

cc: Lowell Braxton (w/o enclosure)
Daron Haddock (w/o enclosure)
Joe Helfrich (w/o enclosure)
Susan White (w/o enclosure)

United States
Department of
Agriculture

Forest
Service

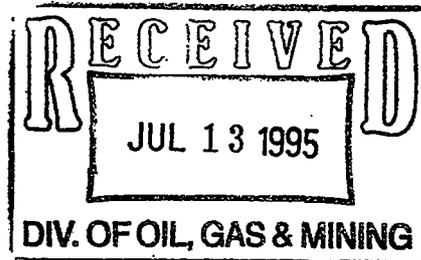
Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501

Reply to: 2820

Date: July 11, 1995

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
Attention: Pamela Grubaugh-Littig



RE: Rilda Canyon Surface Facilities, Response to Deficiencies of August 25, 1994, Deer Creek Mine, PacifiCorp, ACT/015/018-94E, Folder #2, Emery County, Utah

#2 Copy from: Pam

Dear Ms. Littig:

We have reviewed PacifiCorp's revised plans for the proposed surface facilities in Rilda Canyon on the Manti-La Sal National Forest. Our comments are as follows:

1. An additional culvert is needed along the access road at station 10+00.

The horizontal alignment is adequate. The vertical alignment, while averaging 8%, has three pitches over 10% (11.6% for 248 ft., 12.6% for 166 ft., and 11.3% for 282 ft.). This is acceptable for the intended design vehicles and frequency of use. For these pitch grades, the culvert spacing exceeds our recommended spacing along a roadway with ditch in the soil conditions found on this site.

2. The ditch must be armoured from stations 6+00 to 6+50 and 11+25 to 14+25.

The ditch grades are undesirable considering the total length that water must be carried. The road down canyon experienced excessive cutting in the ditches in similar soil types.

3. The 1:1 cut slopes from stations 6+00 to 7+95 must be changed to 1.5:1.

Geotechnical requirements allow for a 1:1 cut, however a slope of 1.5:1 would allow for successful reclamation/revegetation. Cut slopes of this area are of minimal height.

4. Erosion protection must be shown by station on the plans where the structure or slope are within the 100 year flow zone (riprap toe protection).

Erosion protection is shown only on the typicals.

5. Subgrade widths shown on the cross-sections and typicals must be consistent.

The typicals show additional subgrade width to accommodate the safety barriers but the cross-sections do not indicate that it is included in the design.

6. Unless specifically required by MSHA, retain the planned running surface width of 12 feet by eliminating the additional 2 feet of width required for placement of the outside berm or barrier.

If MSHA determines that the barriers are necessary and the rocks proposed in the plans are not adequate, we would not object to installation of Jersey barriers. As noted in item 5 (above), any additional width must be reflected in the design, requiring re-submission and Forest Service review/approval.

7. A prework meeting must be conducted with the operator, contractors, UDOGM, and the Forest Service prior to construction. Construction staking must be completed and approved by the Forest Service prior to the prework meeting.

As discussed in the Environmental Assessment for the Rilda Canyon Surface Facilities, the Rilda Canyon road from State Highway 31 to the NEWUA springs is under Emery County jurisdiction by court order. Forest Development Road 50246 (Rilda Canyon Road) from the springs to the Forks is being upgraded by Emery County under a project agreement to decrease maintenance costs, erosion, and sediment yields and to safely accommodate Forest user and PacifiCorp's access needs. High-intensity, short-duration summer rainstorms have typically caused severe road damage, erosion, and sediment yield in Rilda Canyon. The road currently provides recreation access to Forest Development trails at the forks and will provide access to the new road in the Left Fork for the Facilities Pad. Once the upgrade is completed, an easement will be granted transferring jurisdiction of the road and turnaround area from the Forest Service to Emery County. The entire road from State Highway 31 to the turnaround area would then be under Emery County jurisdiction.

If you have any questions, contact us at the Forest Supervisor's Office in Price, Utah.

Sincerely,



for
JANETTE S. KAISER
Forest Supervisor

cc:

D-2/3

Val Payne, PacifiCorp