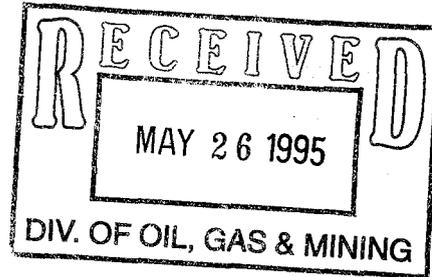


0041



May 24, 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: APPLICATION FOR PERMIT CHANGE - INCIDENTAL BOUNDARY CHANGE,
PACIFICORP, DEER CREEK MINE, ACT/015/018, EMERY COUNTY, UTAH**

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#2

Pursuant to R645-303-220, PacifiCorp respectfully submits this application to amend the Deer Creek Mine permit. The amendment involves an Incidental Boundary Change (IBC) to add 42.97 acres of US Forest Service land to the Deer Creek Mine permit area.

Addition of the area will facilitate mining a small portion of Federal coal which is isolated between the current Deer Creek Mine permit boundary and a major fault. This area will be bypassed if it is not mined from the Deer Creek Mine. There is no other viable or potential operation that could logically mine this area.

Underground mining will occur in the IBC area only in the Blind Canyon Seam (see Drawings CM-10894-DR and CM-10895-DR). These drawings depict the modified Resource Recovery and Protection Plan (R2P2), including reconfigured longwall panels, gateroads and main entries, as approved by the Bureau of Land Management (BLM). Information regarding the R2P2 modification is found in Exhibits 8 and 11. Following the decision of the Division, regarding the IBC, updated drawings will be submitted for inclusion as Plates 3-6 and 3-7 of the Deer Creek Mining and Reclamation Plan (MRP).

The land associated with the IBC is comprised of the following parcels:

T. 16 S., R. 6 E. SLM

Section 25 E1/2SE1/4SE1/4 20.00 acres

T. 16 S., R. 7 E. SLM

Section 30 Lot 4 22.97 acres

Total acreage 42.97 acres

The surface owner of record of the subject property is (see Drawing CM-10521-DR):

United States of America
Department of Agriculture
US Forest Service
Manti-LaSal National Forest
599 Price River Drive
Price, Utah 84501

The parcels are included in Federal Coal Lease U-06039 as modified May 16, 1995 (see Exhibit 13). Lease U-06039 was assigned to Utah Power and Light Company effective January 1, 1980 (see Exhibit 1).

Surface owners of record of lands adjacent to the IBC area are United States of America and State of Utah (see Drawing CM-10521-DR).

Coal Leases adjacent to the IBC area are (see Drawing CM-10522-DR):

Federal Lease U-7653
State Lease ML-22509

Both leases are held by the applicant.

Regulations R645-303-222 through R645-303-224 allow for Incidental Boundary Changes as permit amendments if the area meets the following criteria:

1. The IBC area is less than 15% of the surface or subsurface disturbed area under the approved permit (R645-303-224.100);
2. The IBC area is in the cumulative impact area as defined in the *Cumulative Hydrologic Impact Assessment* (R645-303-224.200);
3. The IBC area is in the same hydrologic basin as operations authorized in the approved permit (R645-303-224.300);

As previously stated, underground mining will occur in the IBC area, only in the Blind Canyon Seam of the Deer Creek Mine. Approximately 100,000 tons of coal will be recovered from both entry development and longwall extraction. The associated subsurface disturbance will be approximately seven (7) acres. Approximately six (6) acres will be associated with entry development and approximately one (1) acre will be associated with longwall extraction. The current subsurface disturbed area at the Deer Creek Mine exceeds 4,000 acres; therefore, the total IBC area of 42.97 acres equates to approximately 1% of the subsurface disturbed area. The estimated seven acres of subsurface disturbed area in the IBC equates to approximately 0.18% of the current subsurface disturbed area. No surface disturbance is expected within the IBC area. Therefore, criterion number 1 is met.

The IBC is within the area covered by the *Cumulative Hydrologic Impact Assessment* prepared for the Deer Creek Mine and mining within the IBC is within the hydrologic basin for which operations are authorized in the approved permit. Additionally, the IBC area is included in the

current PacifiCorp hydrologic monitoring program conducted at the Deer creek Mine. Therefore, criteria 2 and 3 are met.

Mining in the IBC area will help to maximize recovery of the coal resource by avoiding the creation of a bypass situation. Additionally, information about the Mill Fork Canyon Fault may be gained from this area.

Enclosed are twelve (12) copies of the following drawings:

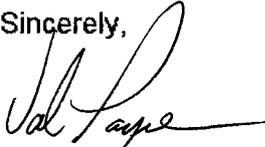
<u>DRAWING NO.</u>	<u>TITLE</u>
CM-10522-DR	Coal Ownership Map of the Deer Creek Mine Permit Area
CM-10521-DR	Surface Ownership Map of the Deer Creek Mine Permit Area
CM-10367-DR	Deer Creek Mine Permit Area Map
CM-10894-DR	Deer Creek Mine Life of Mine Plan, Blind Canyon Coal Seam
CM-10895-DR	Deer Creek Mine Life of Mine Plan, Hiawatha Coal Seam

Additionally, the following Exhibits are provided to assist in the Division's review of the application.

<u>EXHIBIT NO.</u>	<u>SUBJECT</u>
1	Assignment of Coal Lease U-06039 12/13/79
2	USFS Decision Notice / FONSI / Consent to Readjustment of Lease U-06039 5/21/92
3	Readjustment of Lease U-06039, Effective 5/1/93
4	USFS Decision Notice / FONSI / Environmental Assessment for Deer Creek Mine Rilda Canyon Lease Extension 9/27/94
5	BLM Approval of Rilda Canyon Lease Extension and mining under escarpment 12/6/94
6	DOG M Permit ACT/015/018 Deer Creek Mine to Include Rilda Canyon Lease Extension 10/27/94
7	DOI/OSM Deer Creek Mining Plan Approval for Rilda Canyon Lease Extension 12/22/94
8	Deer Creek Mine R2P2 Modification Request 12/5/94
9	Information to USFS, R2P2 Modification Request and Ground Stability Analysis for the Area West of Deer Creek Mine Third North "B" Mains 12/12/94
10	BLM Approval of R2P2 Modification Request 1/24/95
11	PacifiCorp's Application to Modify Federal Coal Lease U-06039 2/15/95
12	USFS Legal Notice to modify Lease U-06039 to include 42.97 additional acres 3/28/95
13	BLM Approval of Modification of Lease U-06039 5/16/95
14	Archeological Report for Rilda Lease Tract - AERC Paper No. 46, October 1990
15	Archeological Report for Rilda Canyon Escarpment - AERC Project 1444, August 5, 1994

The Division's immediate attention to this application is greatly appreciated. If additional information is required, please call me at (801)687-4722.

Sincerely,

A handwritten signature in black ink, appearing to read "Val Payne", with a stylized flourish extending from the end.

Val Payne
Sr. Environmental Engineer

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

APPLICATION FOR PERMIT CHANGE

Title of Change:

INCIDENTAL BOUNDARY CHANGE

Permit Number: *ACT1 0151018*

Mine: *DEER CREEK*

Permittee: *PACIFICORP*

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

ADD 42.97 ACRES TO DEER CREEK PERMIT AREA TO FACILITATE MINING IN AREA BETWEEN PERMIT BOUNDARY & MILL FORK CANYON FAULT. MAXIMIZE RESOURCE RECOVERY, AVOID BYPASSING COAL RESOURCE & GAIN INFO. ON NATURE OF FAULT.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 1. Change in the size of the Permit Area? <u>42.97</u> acres <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.# _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain: _____ |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

Attach 3 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 Payne
Signed - Name - Position - Date
VAL E PAYNE SR. ENVIRONMENTAL ENGINEER 5/25/95

Subscribed and sworn to before me this 25 day of May, 19 95.

Barbara J Adams

Notary Public

My Commission Expires: Oct 13, 19 96
Attest: STATE OF Utah
COUNTY OF Emery



Notary Public
BARBARA J. ADAMS
15 North Main
Huntington, Utah 84502
My Commission Expires
October 13, 1996
State of Utah

Received by Oil, Gas & Mining

RECEIVED

MAY 26 1995

DIV. OF OIL, GAS & MINING

ASSIGNED PERMIT CHANGE NUMBER