



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

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May 10, 1995

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

Re: Temporary Berm for Rock Slide, Deer Creek Mine, PacifiCorp, ACT/015/018,
Folder #2, Emery County, Utah

Dear Mr. Payne:

The Division received a letter dated May 4, 1995 which discussed constructing a temporary berm in the area of the recent rockfall. The letter proposed to construct the temporary berm with waste rock material from the Elk Canyon Refuse Disposal Pad area.

Our subsequent telephone conversation on May 9, 1995 in which the above proposal was discussed reached the following agreement:

1. Since the berm is for the safety of the employees and the facilities verbal approval to construct the berm was given during this phone conversation.
2. The operator was to try to identify material other than waste rock or undisturbed ground to construct the berm. The waste rock material is only to be used if other material is not readily available. The waste rock material, if used, is to be returned to the Elk Canyon Refuse Disposal Pad.
3. A temporary berm for this instance was defined as remaining for no longer than 6 months. If the berm was to remain longer than 6 months (October 10, 1995) then permanent permitting action will be required.
4. The berm is not to impound any water.
5. The operator was to incorporate into the permit a generic plan which could be implemented in a rockfall situation requiring emergency protection for facilities or employees.

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I will be expecting the rockfall plan within the next month. Please don't hesitate to call if you should have any comments or questions.

Sincerely,

A handwritten signature in cursive script that reads "Susan M. White".

Susan M. White
Senior Reclamation Biologist

slide.dee